

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE) AT CHENNAI
APPEAL NO.38 OF 2022**

RUNNING INDEX

Sl.No	Description of the Document	Page No.
1	Counter Affidavit	1 to 14
2	Report of the SDC (LA) NIMZ & RDO, Zaheerabad	15 to 17

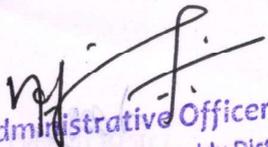
Date: 12.11.2022
Place: Sangareddy

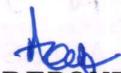
**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE) AT CHENNAI**

APPEAL NO.38 OF 2022

Between

- 1) Ganapathi Dixit,
S/o Shivaram Dixit, Aged about:68 years,
R/o. H.No.1-6-146/687, Village: Hadnoor
Adarsh Nagar Extension,
Zaheerabad Municipality,
Sangareddy Dist-502318
- 2) Andela Ramulu (Ramana),
S/o. Narsappa, aged about:58 years,
Village: Huselli, Mandal: Nalkal
R/o. H.No.1-39, Post: Mamidigi,
Sangareddy-502249
- 3) Kuran Santhoshappa,
S/o. Nagappa, aged about: 37 years,
R/o. H.No.1-17, Village & Post: Mamidigi,
(M) Nyalkal District-Sangareddy,
Telangana 502249
- 4) Baroor Rajasheker Reddy,
S/o. Sangareddy, aged about:36 years,
R/o. H.No.1-19, Village & Post: Mamidigi,
(M) Nyalkal , District Sangareddy,
Telangana-502249
- 5) P. Narayan Rao,
S/o. Sangappa, aged about:67 years,
R/o. H.No.9-4-46, Gandhi Gunj Road,
Sai Colony, Bidar, Karnataka-585401.
- 6) Mrs. Chinna Rathod Jamini Bai,
W/o. Chinna Rathod, aged about:55 years,
Village: Mungi Tanda, Mandal: Nyalkal,
Post: Hadnoor-Telangana.502251.

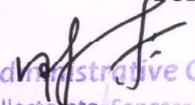

Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR

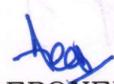

DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

- 7) M. Shankar,
S/o. Narsappa, aged about:51 years,
R/o. H.No.3-86, Village & Post: Yelgoi,
Mandal: Jarasangam, District: Sangareddy,
Telangana-502249.
- 8) Yesappa,
S/o. Balappa, aged about:60 years,
Village & Post: Yelgoi,
Mandal: Jarasangam, Dist: Sangareddy,
Telangana-502249.
- 9) Sale Lakshmi,
W/o. Srinivas, aged about:45 years,
Village: Mungi, Mandal: Nyalkal,
Post: Hadnoor, Dist: Sangareddy,
Telangana-502251.
- 10) Malipatil Vilas Reddy,
S/o. Narayan Reddy, aged about:60 years,
R/o. H.No.1-58, Village & Post: Metalkunta,
Mandal: Nyalkal, Dist: SangareddyAppellants

And

- 1) Union of India
Rep. by its Secretary
Union Ministry of Environment, Forest & CC
Indira Paryavaran Bhavan
New Delhi-110003
- 2) State of Telangana
Rep. by its Chief Secretary
Secretariat, Hyderabad-500022
- 3) Zaheerabad National Investment and Manufacturing
Zone LtdRep. by its Managing Director/CEO
TSIIC, 6th Floor, 5-9-58/B,
Parishrama Bhavan, Fateh Maidan road,
Basheerbagh, Hyderabad
Telangana-500004


Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR

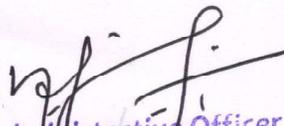

DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

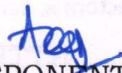
- 4) Telangana State Industrial
Infrastructure Corporation (TSIIC)
Rep. by its Managing Director,
TSIIC, 6th Floor, 5-9-58/B,
Parishrama Bhavan, Fateh Maidan road,
Basheerbagh, Hyderabad
Telangana-500004
- 5) District Collector
Sangareddy District Collectorate
Sangareddy Town & District
Telangana-502001
-Respondents

COUNTER AFFIDAVIT FILED ON BEHALF OF RESPONDENTS
NO.2 & 5

I, A.Sharath S/o Sakru aged about 57 years, working as District Collector, Sangareddy District R/o Sangareddy, do hereby solemnly and sincerely affirm and state on oath as follows.

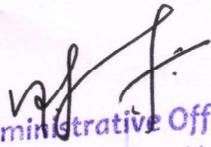
1. I am the 5th Respondent herein and as such, I am well acquainted with the facts of the case. I have gone through the contents of the affidavit filed in support of the Appeal and deny all the allegations except that of those which are specifically admitted herein, and the remaining allegations, the petitioners are put to strict proof of the same.


Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR


DEPONENT
COLLECTOR
(SANGAREDDY DISTRICT.)

2. It is respectfully submitted that, the present Appeal is filed challenging the Environmental Clearance vide EC22A031TG158692 File No.21-370/2017-IA.III, dated 29.04.2022 issued by the Ministry of Environment, Forest and Climate Change, Government of India granted for setting up of Zaheerabad National Investment and Manufacturing Zone (NIMZ) by Telangana State Industrial Infrastructure Corporation in 12,635.14 Acres at Zaheerabad of Sangareddy District in Telangana State.

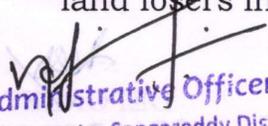
3. In reply to Para A and B of the grounds on which the Environmental Clearance is challenged, it is humbly submitted that, TSIIC has acquired land for the development of Industrial Park which is identified as a Project of National Importance and declared as a National Investment and Manufacturing Zone (NIMZ), duly following the orders issued by the Government from time to time and as per the land acquisition policy in vogue. Further, the lands were acquired duly taking the consent of the farmers. The total proposed Project Area is 12635.14 Acres in Bardipur, Cheelapally and Yelgoi Villages of Jharasangam Mandal of

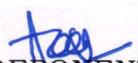

Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

Sangareddy District and Rukmapur, Mungi, Malkanpahad, Hadnoor, Nyamathabad, Huselli, Rejinthal, Gunjetti, Gangwar, Kalbemal, Ganeshpur, Mamidgi, Metalkunta and Basnthpur Village of Nyalkal Mandal of Sangareddy District under Parcel-I & II. Out of the total proposed land for Acquisition, Government Land is 3862.10 Acres (Assigned (817.10 Acres) & Unassigned (3045.00 Acres)) and Patta / Private Land is 8773.04 Acres.

4. It is respectfully submitted that, out of the total land proposed for acquisition, the extent acquired and possession handed over to TSIIC is Ac 3356.3750 Gts for which compensation paid to the land losers is Rs.179,30,01,888.00. Out of the total land acquired the Government Land acquired extent is Ac 1634.19 Gts (Assigned Land extent Ac 1496.31 Gts and Unassigned Land extent Ac 137.28 Gts) for which ex-gratia paid is Rs.55,33,98,750.00 and the Patta Land acquired extent is Ac 1722.1850 Gts for which compensation paid is Rs.123,96,03,138.00. Further the compensation paid for the structures existing in the lands attached is Rs.5,72,21,982.00. Thus the total compensation paid to the land losers including the structures is Rs.185,02,23,870.00.


Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR

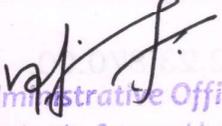

DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

5. It is respectfully submitted that, the Land Use / Land Cover Map was prepared as per the National Remote Sensing Centre 2019-20 Satellite Imagery is found that around 44.6% of land is Scrub Land followed by Agriculture Crop Land of 27.65%, Agriculture Plantation of 0.8% and Agriculture Fallow Land of 26.21%.

Sl.No	Land Use Type	Area (Ha)	% of Total Area
1	Scrub Land	2280.21	44.60
2	Agriculture Crop Land	1413.70	27.65
3	Agriculture Fallow	1339.92	26.21
4	Agriculture Plantation	40.89	0.80
5	Rocky Area	27.77	0.43
6	Built up Rural	15.63	0.31
7	Water Bodies: Tanks / Ponds / Lakes	0.89	0.02
Total		5113	100

4. Hence, the allegations made in the paras A and B are incorrect and denied.

5. It is respectfully submitted that, the implementation of NIMZ project in the Sangareddy District will create a vast source of employment opportunity in the Project implementing area as well as the surrounding regions. It is humbly submitted that, the implementation of project will

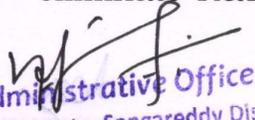

Administrative Officer
Collectorate, Sangareddy Dist.

ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

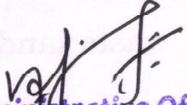
create employment opportunity directly and indirectly to more than 2.00 lakhs (approximately) people.

6. In reply to Para C of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, during 182nd meeting held on 21.12.2017, EAC has sought the details about proper criteria followed for selection of proposed site out of (3) alternate sites, as proposed site is having 13 reserved forests around it. A detailed Clarification was submitted on 16.01.2018. During its 183rd meeting of EAC held on 24.01.2018 that keeping in view of requirements as per Government of India, National Manufacturing policy for NIMZ for future investments after analyzing the most suitable site location. Considering the sufficient Land availability, Minimal R&R, Involvement of Scrub land, Barren/Uncultivable/Waste land, better connectivity and without any Environmental Sensitive Areas, near Zaheerabad has been selected for the Development of NIMZ. TSIIC along with their project consultants IL&FS Infrastructure Development Corporation (IIDC) has carried out thorough analysis of land delineation with an aim to eliminate R&R, to include mostly scrub land and waste land


Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

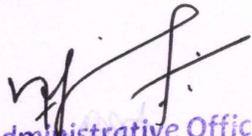
etc., It is pertinent to mention that there is no forest land involved in the area proposed for NIMZ development. Though there are Reserve Forests observed in the study area, there is no Flora and Fauna of conservation significance is observed. This site was assessed with regard to connectivity, physical site features, impact on adjoining land use, etc., for suitable integration to form into a single NIMZ region. In order to assimilate the land parcels into a contiguous land parcel, intermittent areas were identified, by excluding settlements / Goutan lands (Village Site), and confirming to the NMP guidelines. The land delineated for the NIMZ therefore primarily includes waste lands and government-owned lands. The selected site was approved by the High Level Committee (HLC) including Ministry of Environment and Forests, chaired by the Secretary to GoI (DIPP) as per NIMZ Scheme and final approval for the Zaheerabad NIMZ was accorded on January 22, 2016. The existing land use at the site is therefore primarily scrub land, followed by single crop agricultural lands. The government land constitutes 31% and 69% is private land. Hence, the allegation made in Para C is incorrect as such denied.


Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR


DEPONENT
COLLECTOR
(SANGAREDDY DISTRICT.)

7. In reply to Para D of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, Public Hearing was conducted duly following the COVID pandemic rules and every opportunity was given to each and every individual present in the public hearing and also accepted all the representations given by the public. The present petitioner is also one of the participants in the public hearing and the opportunity was given to express his views. Hence, the allegation made is incorrect.

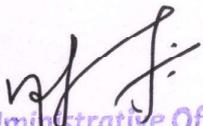
8. In reply to Para E of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, the allegation that baseline studies are conducted during winter which will not give accurate picture is incorrect. Hence denied and the Applicant is put to strict proof of the same. It is submitted that, duly following the Technical Environmental Impact Assessment Guidance manual for Industrial Estates, MoEF & CC, GoI, EIA the studies were conducted during non-monsoon season.


Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

9. In reply to Para F of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, the socio-economic profile is studied and analyzed based on the Census of India, 2011 and also the socio-economic profile of the Project villages is developed from the Samagra Kutumba Survey (SKS) conducted by Government of Telangana in 2015 (refer G.O.Rt.No.50 Planning (VIII) Department dated 04.08.2014). Hence the allegation made in the Para F is denied and the Applicant is put to strict proof of the same.

10. In reply to Para H of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, TSIIC has acquired land at Zaheerabad for establishment of NIMZ as per rules. After taking consent, compensation was paid to the Assignees/Pattadars as per G.O.Ms.No.123 Revenue (JA & LA) dated 30.07.2015. The possession of the land was handed over to TSIIC under cover of proper Panchanama. From then onwards the subject lands are in the possession of TSIIC only.


Administrative Officer
Collectorate, Sangareddy Dist.

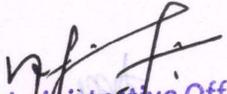
ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

The contention that possession of the land is with land owners till date is incorrect. Hence, the allegation made in Para H is incorrect and denied.

11. In reply to Para I, J and K of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, the NIMZ Project is still in the initial stage and all environmental precautionary measures will be taken up in the implementation stage as per the norms and following the conditions laid down in Environmental Clearance with regard to Water Bodies and Green Belt etc.,. Hence, the allegations made in Para I, J and K are incorrect and denied.

12. In reply to Para L of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, during the Public hearing ample opportunity was given to all the farmers and the representations received during Public Hearing, representations received through e-mail and grievances raised during the Public Hearing were addressed and included in the final EIA report. After considering the replies, the EAC, MoEF & CC has granted the

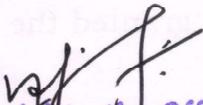

Administrative Officer
Collectorate, Sangareddy Dist.
ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

Environmental Clearance on 29.04.2022. Hence, allegation made in the Para L is incorrect and denied.

13. In reply to Para M of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, the complete land details of the project area are submitted to EAC, MoEF & CC. Subsequently, the MoEF & CC has issued Environmental Clearance considering the facts. Further as per MoEF & CC guidelines an area of 33% of the project is earmarked / would be developed as greenbelt in the project which would be around 4200 Acres.

14. In reply to Para N of the grounds on which the Environmental Clearance is challenged, it is respectfully submitted that, all the representations and the written representations received during Public Hearing including representations received through e-mail and grievances raised during the Public Hearing were addressed and included in the final EIA report. After considering the replies, the EAC, MoEF & CC has granted the Environmental Clearance on 29.04.2022.


Administrative Officer
Collectorate, Sangareddy Dist.

ATTESTOR


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the Appeal as devoid of merits, in the interest of justice.

Sworn and signed before me
On this the day of November, 2022


DEPONENT
COLLECTOR
SANGAREDDY DISTRICT.

Before Me

ATTESTOR

VERIFICATION STATEMENT

I, A.Sharath, S/o. Sakru, Aged about 57 years, Occ:
District Collector, Sangareddy R/o Sangareddy the deponent
herein do hereby state the contents of the above paras are
true to the best of my knowledge and belief.

Verified on this the 12th day of November, 2022


Deponent
COLLECTOR
SANGAREDDY DISTRICT.

ATTESTOR

Date: 12.11.2022
Place: Sangareddy


H.Yasmeen Ali
Counsel for the Respondent No.5

GOVERNMENT OF TELANGANA

From: S.Ramesh Babu,
Special Deputy Collector, (LA) NIMZ &
Revenue Divisional Officer,
Zaheerabad

To
The District Collector,
Sangareddy.

Lr.No.80/NIMZ/2021, Dated: 4.11.2022.

Sir,

Sub:- Hon'ble National Green Tribunal (SZ), Chennai Appeal Cases No.38 of 2022 & 42 of 2022 – Sangareddy District – Appeals filed challenging the Environmental Clearance issued to TSIIC NIMZ Project – Request to furnish report called for submitted – Reg.

Ref:- 1.Hon'ble NGT (SZ), Chennai Appeal Case No.38 of 2022
Dated:10.06.2022.
2.Hon'ble NGT (SZ), Chennai Appeal Case No.42 of 2022.
3.The District Collector, Sangareddy Lr.No. H2/2052/2022-1,
Dated:14.10.2022.

-:O:-

I am to invite kind attention to the references cited and in the reference 3rd cited it was informed that, one Ganapathi Dixith and others filed Appeal before the Hon'ble NGT (SZ), Chennai vide Appeal No.38 of 2022 and also informed that, Sri Mali Patel Raju Reddy, S/o. Ram Reddy, R/o. Mamidigi Village of Nyalkal Mandal and (9) others filed the Appeal Case No.42 of 2022 while challenging the Environmental Clearance vide EC22A031TG158692 File No. 21-370/207-IA.III, Dated: 29.04.2022 issued by the Ministry of Environment, Forest and Climate Change, Government of India granted for setting up of National Investment and Manufacturing Zone (NIMZ) Zaheerabad by Telangana State Industrial Infrastructure Corporation Ltd., in Ac .12,635.14 Gts. at Zaheerabad of Sangareddy District in Telangana State and also informed that the case is adjourned to 14.11.2022 and requested to this office to send the specific details of Land Acquisition made along with the details of compensation paid to the pattadars and the details of possession of the lands handed over to TSIIC for establishment of NIMZ Project.

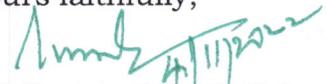
In this regard it is to submit that, the requisition proposals for an extent of Ac.12,635.14 gts. have been submitted by the Zonal Manager, TSIIC, Patancheru with the District Collector, Sangareddy for establishment of National Investment and Manufacturing Zone (NIMZ) Project, Zaheerabad. As per the instructions of the District Collector, Sangareddy the same extent has been notified.

H-Supt.
Radd
5/11/22

The details of land acquisition and land compensation/ ex-gratia paid in respect of patta and Government Assigned Lands to the pattadars/land owners and the acquittance rolls and possession handed over panchanama copies are enclosed. Further the village-wise land acquired and payment made and possession handed over to TSSIC Patancheru are shown in the statement enclosed as desired.

Encl: cited above.

Yours faithfully,



Special Deputy Collector (LA) NIMZ &
Revenue Divisional Officer, Zaheerabad.

**Statement showing the details of Patta/, Govt.land and Assigned lands procured and payment made to the land lowners for establishment of NIMZ - project.Sangareddy Dist.
as on 31.10.2022**

PARCEL -I

Sl.No.	Name of the Mandal	Name of the Village	Extent for which requisition filed			Details of lands acquired and Land compensation / Ex-gratia paid to the land owners					Total extent acquired (Col.No.7+9+10) (Ac.Gts)	Total Land Compensation paid (Col.No.8+12)	Total Structure Value paid to the r lands attached .	Total land compensation + Structure value paid (Col.No.14+15)	Physical possession handed over to the TSIC (Ac.Gts)
			Patta land (Ac. Gts)	Govt./Assigne d land (Ac. Gts)	Total extent (Ac. Gts)	Patta land Acquired (Ac.Gts)	Land Compensation paid	Govt. Land (Ac.Gts)	Assigned land (Ac.Gts)	Amount of ex-gratia paid					
1	2	3	4	5	6	7	8	9	10	12	13	14	15	16	17
1	Jharasangam	Bardipur	230.14	216.13	446.27	144.07	79179499.00	0.00	205.03	71530625.00	349.10	150710124.00	6806602.00	157516726.00	349.10
2	Jharasangam	Cheelapally	446.12	170.11	616.23	279.28	178696390.00	59.11	102.00	36712500.00	440.39	215408890.00	6768144.00	222177034.00	440.39
3	Jharasangam	Yelgoi	1452.04	931.26	2383.30	866.31 1/2	571501375.00	37.36	796.35	293116875.00	1701.22 1/2	864618250.00	32600319.00	897218569.00	1701.22 1/2
4	Nyalkal	Rukmapur	270.09	190.32	461.01	157.00	106757999.00	5.30	158.15	60399375.00	321.05	167157374.00	9681685.00	176839059.00	321.05
5	Nyalkal	Mungi	271.14	283.02	554.16	140.36	102617875.00	34.31	234.18	91639375.00	410.05	194257250.00	1365232.00	195622482.00	410.05
	Total	Total	2670.13	1792.04	4462.17	1588.22 1/2	1038753138.00	137.28	1496.31	553398750.00	3223.01 1/2	1592151888.00	57221982.00	1649373870.00	3223.01 1/2

Sl.No.	Name of the Mandal	Name of the Village	Extent for which requisition filed			Details of lands acquired and Land compensation / Ex-gratia paid to the land owners					Total extent acquired (Col.No.7+9+10) (Ac.Gts)	Total Land Compensation paid (Col.No.8+12)	Total Structure Value paid to the lands attached .	Total land compensation + Structure value paid (Col.No.14+15)	Physical possession handed over to the TSIC (Ac.Gts)
			Patta land (Ac. Gts)	Govt./Assigned land (Ac. Gts)	Total extent (Ac. Gts)	Patta land Acquired (Ac.Gts)	Land Compensation paid	Govt. Land (Ac.Gts)	Assigned land (Ac.Gts)	Amount of ex-gratia paid					
1	2	3	4	5	6	7	8	9	10	12	13	14	15	16	17
P A R C E L - II															
6	Nyalkal	Malkhanpad	145.39	70.06	216.05	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7	Nyalkal	Hadnoor	512.31	78.12	591.03	133.36	200850000.00	0	0.00	0.00	133.36	200850000.00	0.00	200850000.00	133.36
8	Nyalkal	Nyamthabad	768.03	442.07	1210.10	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9	Nyalkal	Huselli	594.13	133.16	727.29	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
10	Nyalkal	Rejinthal	1481.14	253.2	1734.34	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	Nyalkal	Gunjetti	291.33	0	291.33	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	Nyalkal	Gangawar	38.17	0	38.17	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
13	Nyalkal	Kalbemal	171.16	184	355.16	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14	Nyalkal	Ganeshpur	433.00	188.15	621.15	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
15	Nyalkal	Mamidigi	1214.31	253.09	1468.00	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
16	Nyalkal	Metalkunta	318.1	362.07	680.17	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
17	Nyalkal	Basanthpur	132.24	104.34	237.18	0	0.00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Total		6102.31	2070.06	8172.37	133.36	200850000.00	0	0	0	133.36	200850000.00	0	200850000.00	133.36
	Grand Total		8773.04	3862.10	12635.14	1722.18 1/2	1239603138.00	137.28	1496.31	553398750.00	3356.37 1/2	1793001888.00	57221982.00	1850223870.00	3356.37 1/2


 Special Deputy Collector (LA) NIMZ
 Zaheerabad.