

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ),  
AT CHENNAI

O.A No.39 of 2020

DR.LUBNA  
...Applicant

SARWATH

-VS-

The State of Telangana.  
Rep.by its Chief Secretary  
Secretariat, Hyderabad  
and 8 others

...Respondents

**REPLY FILED ON BEHALF OF THE 5<sup>th</sup> RESPONDENT**

I, P.K Revathi Bai W/o. M. Natarajan aged about : 55 years, working as General Manager(AM)(Legal) Industries Department, Ranga Reddy District, do hereby solemnly affirm and sincerely state as follows:

1. I submit that, I am authorized to file affidavit on behalf of the 5<sup>th</sup> respondent herein and as such I am acquainted with the facts and circumstances in my official capacity.
2. I submit that, the Government of Telangana vide G.O.Ms.No.29 Panchayat Raj and Rural Development (PTS.II) Department dt.01/06/2018 transferred certain powers and functions of the Grama Panchayat at Puppalguda (v), Gandipet Mandal, Ranga Reddy District to the control of Telangana State Industrial Infrastructure Corporation Limited for systematic and better maintenance of Industrial Park projects in Sy.No.285, 286 & 287 to an extent of (28-31) acres. On 28/07/2018 through TS-iPASS/DPMS TSIIC Limited has received an application from M/s Phoenix Spaces Pvt. Ltd., for approval of Building Plans for construction of Commercial Building in Sy.No.285/P, 286/P and 287 situated at Pupalguda village, Gandipet Mandal, Rangareddy District with required documents.
3. I submit that as per the Revenue Records Sy.No.285/P, 286/P and 287 are patta lands (copies enclosed). The Executive Engineer, I & CAD.Department I.B. Division, Hyderabad vide Lr.No.EE/IB/Hyd/DB/HD/2019-20/1250 dt.30/07/2019 has clarified that there is no kunta existing physically on the ground. After scrutiny of documents M/s Phoenix Spaces Pvt. Ltd was directed to remit required Development charges and other charges for according permissions. Accordingly, M/s

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4. Phoenix Spaces Pvt. Ltd has remitted required fees towards Building Plan approval. TSIIC Limited has issued following permissions to M/s Phoenix Spaces Pvt. Ltd.
5. I submit that the Building Plan approval for construction of IT/ITES Office building in Sy.No.285/P of Puppalguda (v), Rajendranagar Mandal, Rangareddy District was issued on 26/09/2019 vide File No.HC/0757/2018 for construction of IT/ITES Building consisting of 4 combined basements + 1 stilt floor (parking) + 16 upper office floors + terrace with a height of 64.80 M for Tower - 1 & 2 on the basis of technical approval issued by the Chief Engineer, TSIIC Ltd., vide Pro.No. 0691/TSIIC/MSB/M/s Phoenix Spaces Pvt. Ltd.,/2019 dt.24/09/2019.
- (i) Office Building with Tower A & B in Sy.No. 285/P of Puppalguda (v), Rajendranagar Mandal, Rangareddy District vide File No.IALA/PPG/2018 dt.14/09/2018 Building for Ground/Stilt-1 & Stilt-2 with a height of 8.40 mtrs.
- (ii) Commercial Building of M/s Phoenix Spaces Pvt. Ltd., Sy.No.286/P of Puppalguda (v), RajendranagarMandal, Rangareddy District File No. IIC/0407/2018 dt.08/08/2018 for Building with Tower-A & B for approval of 4 combined Cellars + Ground Floor + 2 Upper floors with a height of 12.60 mtrs.
6. I submit that the water body Mamasanikunta exists in the Sy.No.288. As per G.O.Ms.No.29 Panchayat Raj and Rural Deveopment (PTS.II) Dept., dt.01/06/2018, Sy.No.285, 286 & 287 extent (28-31) acres situated at Pupalguda (v) has been notified as Industrial Area Local Authority (IALA). Thus, no building permissions was given in Sy.No.288 Mamasanikunta by TSIIC.
7. I submit that during the rainy season of July 2019, one, smt Lubna Sarwath filed complaint against M/s Phoenix Spaces Pvt. Ltd., stating that Navanaami residency in Puppalguda (v) adjacent to Phoenix site was flooded with water due to negligence of Phoenix Spaces Pvt.Ltd., and the residency owner is pumping out water from basement with his own expenses and requested to resolve the issue.On receipt of said complaint TSIIC officials inspected the site and directed M/s Phoenix Spaces Pvt. Ltd., to restore the free flow of water adjacent to his site by cleaning soil from the culvert and there by restore the free flow of water immediately by the TSIIC, even though the Culvert is situated in the public road.

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8. I submit that accordingly, M/s Phoenix Spaces Pvt. Ltd has cleaned the box culvert crossing service road. Culvert size is 2.80 x 2.20 m (approx). Upstream side silt and deposited boulders and soil layers have been removed. Upstream side catchment is surrounded by the hilly terrain of other land owners. Downstream side flow allowed to flow to manage out flow through 2 Nos. 600 mm dia Hume pipe is planned by M/s Phoenix Spaces Pvt. Ltd., are in Sy.No.285 and 286 Puppalguda (v). The construction of 2 Nos. of 900 mm dia storm water drain is in progress and already completed 130 m out of total length of 400 m. Downstream is completely connected to the nala by M/s Phoenix Spaces Pvt. Ltd., by constructing the storm water drain as per the department instructions and there is no further work pending and is not effecting any of the down stream connections to the nala.
9. I submit that the TSIIC Limited has accorded building permissions to M/s Phoenix Spaces Pvt. Ltd., only in the Sy.No.285/P and 286/P situated at Puppalguda village of Gandipet Mandal, Rangareddy District. But, not in the Water body as alleged by the Petitioner. Water Body being alleged by the Petitioner is in Sy.No.288 of Pupalguda (v) and M/s Phonix Spaces Pvt. Ltd., has no connection to Sy.No.288 of Pupalguda.
10. I submit that the 3<sup>rd</sup> respondent office engineers have inspected the work during execution and guided M/s Phoenix Spaces Pvt. Ltd., in the construction of storm water drain of 320 mts. length with 2 Nos. of 900 mm diahume pipes. An inspection was carried on 22<sup>nd</sup> July 2020 by the officials of TSIIC Zonal office. It is revealed that the entire work is completed as per the directions and instructions. Due to the completion of the storm water drainage work, it is observed that during the current monsoon period there is no obstruction for the flow of storm water from MamasaniKunta to BulkapurNala.

Therefore I pray that this Hon'ble Tribunal may be pleased to dismiss the case and pass such further or other orders and thus render justice.

**VERIFICATION**

I, P.K Revathi Bai W/o. M. Natarajan aged about : 55 years, working as General Manager(AM)(Legal), do hereby declare that the contents are true and correct to the best of my knowledge and the information available on records.

Hence, verified at \_\_\_\_\_ on this the \_\_\_\_\_ day of February , 2021.

*P.K. Revathi Bai*  
DEPONENT  
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**H.YASMEEN ALI**

**Counsel for the 5<sup>th</sup> Respondent**

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