

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE AT  
CHENNAI ORIGINAL APPLICATION NO.72 OF 2020 (SZ)**

**BETWEEN**

Dr. Lubna Sarwath

...Applicant

AND

The State of Telangana Rep.by its  
Chief Secretary & 8 Others

.....Respondents

**FURTHER REPORT OF THE JOINT  
INSPECTION COMMITTEE SUBMITTED BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL, SOUTHERN ZONE AT CHENNAI IN OA 72 OF 2020**

1. By the Orders of this Hon'ble Tribunal in O.A. No. 72 of 2020 dated 14-07-2022, the Joint Committee (comprising of District Collector, Rangareddy, a Senior official from Ministry of Environment Forests and Climate Change (MoEF & CC) , Regional Office, Chennai and Senior Officer from Lake Protection Committee, HMDA) was directed to submit a further report on or before 17-08-2022, after doing the following:
  - a. To verify the Satellite Imageries of the relevant area for a period of time including the time at which the master plan was prepared by the Hyderabad Metropolitan Development Authority (HMDA), to ascertain as to whether any evidence to show that the area has been shown and seen as water spread area. The imageries of this area to be captured must be for the period both during the monsoon as well non monsoon season.
  - b. To verify the pre-independence revenue records relating to this area to ascertain the classification of land that has been mentioned for these survey numbers at that time and when the changes were effected if it was shown as water body at that time.
  - c. To conduct inspection at the location in question, in which the District Collector, Rangareddy shall participate and verify the records and the Satellite images as directed by this Hon'ble Tribunal and if required, to seek assistance of National Remote Sensing Centre, Hyderabad (NRSC, Hyderabad) for this purpose and to submit a further report along with the Survey of India Topo Sketch mentioned by the District Collector, Rangareddy District in his Reply submitted before this Hon'ble Tribunal on 15-03-2021 with satellite images from the year 1990 onwards with a gap of every 5 years (monsoon and non-monsoon periods) for the purpose of identifying whether the area is a water body or not.

2. In pursuance of the aforementioned Order of this Hon'ble Tribunal, the NRSC, Hyderabad at the request of the District Collector, Hyderabad, furnished the satellite images of the said maps in respect of Longitude 17°24'5.54"N and Latitude 78°21'22.85"E, for the period 1990 onwards with a gap of every 5 years (monsoon and non – monsoon periods). (Maps are enclosed herewith)
3. The Joint Committee consisting of District Collector, Rangareddy District along with other Committee Members, as directed by this Hon'ble Tribunal, perused and verified the Satellite images furnished by the NRSC, Hyderabad from 1990 every 5 years monsoon and non-monsoon periods of the area covering Longitude 17°24'5.54"N and Latitude 78°21'22.85"E, which corresponds to Survey No. 271, 272 and 273 of Puppalguda Village, Gandipet Mandal, Rangareddy District. Upon examination of the satellite images made available by the NRSC, Hyderabad, no lake or water body is noticed in the said location under question. The images taken in monsoon & non – monsoon season every Five (5) Years starting from 1990 showing as above enclosed.
4. As regards, verification of the revenue records pertaining to the Pre-Independence period, it is informed that there are no such Pre-Independence records available in the State of Telangana, but the 'Sethwar' which is considered as the prominent official record for survey and settlement of lands in the State is available. Besides Sethwar, the Pahanis and village maps are the other important records relied upon for all the Revenue purposes. The original Sethwar and subsequent pahanis and the village maps prepared in the year 1942, in respect of the Location in question, shows that the land in survey numbers 272, 273 and 274 of the Poppalaguda Village, Serilingampally mandal of Ranga Reddy District are classified as a 'Patta Land', which was under cultivation and assessed as 'Dry Land' for the revenue purpose.
5. The Municipal Administration & Urban Development Dept. (MA&UD), Government of erstwhile united State of Andhra Pradesh vide Gazette notification dated 04-02-2010 issued draft notification to designate land use of above survey numbers viz., Survey Nos. 271 to 274 of Puppalguda Village to multipurpose use. After following due procedure as prescribed under HMDA Act 2008, the said draft variation was confirmed and final orders were issued vide G.O.Ms.No.260 dated 26-10-2019 by Municipal Administration & Urban Development Department, Government of Telangana. The said notification and G.O also states that the lands in question are

Patta Lands and there are no water bodies existing in the said survey numbers as per Revenue Records.

6. The Joint Committee on 10-08-2022, conducted the physical inspection of the area covering Longitude 17°24'5.54"N and Latitude 78°21'22.85"E, which corresponds to Survey No. 271, 272 and 273 of Puppalguda Village, Gandipet Mandal, Rangareddy District ("said location") with the help of revenue records such as Sethwar, Pahanis, Village map, the satellite images supplied by NRSC pertaining to the area in question and google maps. During physical inspection of the site under question, it is noticed that part of the location falling in Sy. No. 272 is dug up for cellars for construction of the proposed I.T Parks for which all construction approvals have been obtained by M/s Phoenix Global Spaces Pvt Ltd. Rest of the land in adjacent survey numbers did not yield any evidence of a water body.
7. It is pertinent to mention that the Superintendent Engineer, Hyderabad Lakes & Water Bodies Management Circle, Telangana, has inspected the site in Sy. Nos 271 to 274 on 30-07-2013 and observed that though Survey of India map shows an indication of existence of water body in the said land without exhibiting the water colour in it, and that the low ground, slushy in condition in the said site might be due to the diversion of the water into the said site from the Bulkapur nala (Disused Canal) whose continuity was disturbed at the time of construction of ORR and service road without connecting the Bulkapur Nala, owing to which water might be stagnating in the said site.
8. The Committee also examined various observations made by the Hon'ble Tribunal in their order as to :
  - a) the variance between the Reply filed by the District Collector, received on 15-03-2021 and the Joint Committee Inspection Report dated 25-03-2022.
  - b) the basis of preparation of lake list with lake IDs and the process of notification of the lakes
9. Upon examination of the District Collector's reply dt.15-03-2021 submitted to the Hon'ble Tribunal, it is noticed that it was prepared based on the observations in the Inspection Report dated 24-07-2020. It is seen that the para. 1 of the report viz., *"The said Narsingi lake -2 (HMDA Tank ID No. 2939) is situated adjacent (south side) to the Bulkapur nala which is a disused nala and North side to the Osman Sagar lake water pipeline."* and the Location sketch attached to the report together created confusion giving an impression that the lake is actually existing and situated at such

location, although the rest of the report and the conclusion is otherwise. When the report is read in entirety, it appears that the sentence should have started with "THE LOCATION OF" which could have brought clarity to the intent of the sentence. The revised sentence could read as "*THE LOCATION OF the said Narsingi lake -2 (HMDA Tank ID No. 2939) is situated adjacent (south side) to the Bulkapur nala which is a disused nala and North side to the Osman Sagar lake water pipeline.*" The location sketch was also prepared for the same purpose of indicating the alleged location.

10. Also, the Location sketch submitted along with report dt.15-03-2021, is giving a wrong impression that the sketch has been prepared after fixing the boundaries and measuring the said Narsingi lake-2. However, it has been brought to the attention of the JIC that the Location sketch was an attempt to Locate the area inspected with reference to Survey of India map by superimposition of Survey of India map on to the village map. The Location sketch was not intended to establish that there is an actual lake or waterbody found at the said Location.
11. However, the Inspection Report clearly states that as per the Village Revenue Map, there is no water body existing in the said location and as per Sethwar and Pahanis the said land has been recorded as Patta land for cultivation, and also that as per the physical verification, there exists no waterbody at the said location. The Joint Committee Inspection Report and the Reply of the District Collector, when read together reconciles and conforms with each other. Therefore, the Joint Committee observes that there is no conflict between the Joint Inspection Report and the Reply of the District Collector, Ranga Reddy. apparently, poor drafting of the 1<sup>st</sup> para of the report caused all the confusion.
12. The Joint Committee also examined the HMDA Lake list, its source and methodology adopted for preparation and notification of the lake list, and the sequence of procedure of notification of lakes as follows:
  - a) the Master Plan Section of HMDA has prepared the list of lakes with the help of GIS maps and Satellite imageries, each one of which were given unique Lake IDs.
  - b) The list of 2857 such lakes was placed on the website of HMDA for information of public with a unique Lake IDs. Based on the feedback further refining of the list was to be done.
  - c) Consultants M/s Aarvee Associates were engaged to assist the Irrigation and Revenue Departments in demarcation and Fixing of FTL boundaries.

- d) FTL survey by the consultants under the guidance of Irrigation and Revenue Departments
- e) Preparation of lake maps with FTL boundaries & buffer zones showing Lat-Long co-ordinates and all other lake structures by the consultants
- f) Certification of Lake FTL maps by the Irrigation Department.
- g) Superimposition of the Revenue Survey numbers by the consultants on the FTL maps certified by the Irrigation Department.
- h) Preliminary notification of FTL maps with FTL boundaries & buffer zones, showing Lat-Long co-ordinates and Revenue survey numbers for general public to offer remarks/comments within a month's time.
- i) Verification and confirmation of Revenue survey numbers superimposed on FTL maps by the District Collectors.
- j) Fixation of boundary pillars by consultants under the supervision of Irrigation Department and Revenue Department.
- k) Issuing of Final notification of lake maps.
- l) Taking Protection and preventive measures wherever required.
- m) After FTL demarcation the FTL maps are to be super imposed with Revenue Survey numbers for preparation of lake documents and for notification of lakes after through verification of the revenue survey numbers falling in FTL and buffer zones of the lakes. (Ref: HMDA letter Lr. No. 613/LPC Cell/HMDA/2013 dt.28-01-2014)

13. As can be seen from the above, the very first step in the process is to give a lake ID to the lakes identified from the GIS/ Satellite data. The lake ID is to be corrected based on the feed back received. In the instant case, the lake ID 2939 and the name Narsingi lake-2 was given to a particular location on the GIS map. It's a well-known fact that, in Telangana State lake names end with *Cheruvu/Kunta/Talab* but not an English word like *Lake*, much less *Lake-2*. Further, while naming the unidentified locations, temporary names like Narsingi Lake-1,2,3 etc with lake IDs were given. The location of the said Narsingi lake-2 falls in Poppalaguda village and not in Narsingi, the neighboring village. Further, after the preliminary survey, the consultants have reported back stating that *"the lake is not recorded in the Revenue Records and also not existing on the field as reported by the Collector"*. This goes to show that the said Narsingi lake-2 with lake ID 2939 is neither existing physically on the field nor in the Irrigation and Revenue Records and therefore, it has not even been notified preliminarily.

14. After numerous such cases being noticed the State Government reversing the earlier process followed by HMDA, issued a G.O vide G.O.Ms.No. 74 dated 24-04-2021 appointing Additional Collectors of Districts as Nodal Officers to identify lakes based on the Revenue & Irrigation records/ and after field survey, superimpose the same on GIS maps to resolve or reconcile the discrepancies. Such exercise is in progress.
15. In view of the aforementioned, the Joint Committee submit that there is no water body in the said Location of Sy. Nos 272,273 or 274 of Poppalaguda Village, Gandipet Mandal, R.R Dist, at any relevant point of time, as corroborated by the Satellite images furnished by the NRSC, Hyderabad, Google maps, Irrigation and Revenue Records mentioned above.

1.

  
Mr.K.V.V. Ravi Kumar, Spl. Dy. Collector, Land Protection, Collectorate, Ranga Reddy District (representing the District Collector, Ranga Reddy District)

2.

  
Mr. Tarun Kathula, Director/Scientist --"F", IRO, Ministry of Environment Forests and Climate Change (MoEF&CC), Hyderabad.

3.

  
Mr. J. Krishna Rao, Executive Engineer, Lakes Protection Committee Cell, Hyderabad Metropolitan Development Authority.

4.

  
Mr. S. Balakrishna, Director Planning-I, Hyderabad Metropolitan Development Authority.