

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

ORIGINAL APPLICATION No. 84 OF 2021 (SZ)

IN THE MATTER OF:

Alluri Raju,
Telangana & Ors

....

Applicant(s)

Versus

M/s. Legend Estates Private Ltd.,
Hyderabad & Ors.

....

Respondent(s)

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Place: Hyderabad

Date: 24-03-2022.

①

Report w.r.t. Hon'ble NGT order dt.04.03.2022 in Original Application No. 84 of 2021 & in the National Green Tribunal, Southern Zone, Chennai filed by Sri Alluri Raju R/o. Kokapet, Hyderabad against M/s. Legend Estates Private Limited, Hyderabad.

In compliance to the Hon'ble NGT vide order dt.29.11.2021 the SEIAA has filed Independent action taken report, on the Joint Committee report dt.19.07.2021 and the Special Chief Secretary, Environment, Science & Technology (ES&T) Govt. of Telangana was requested to take necessary action against M/s. Legend Estates (Legend Chimes, Phase-II) Kokapet (V), Rajendranagar (M), Rangareddy District for violation of EC conditions reported in the Joint Committee report dt.19.07.2021 under the provisions of the Environment (Protection) Act, 1986.

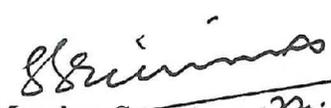
The Hon'ble NGT vide order dt.04.03.2022 has directed to file written submission, if any.

In this regard, the following status report is submitted:

M/s. Legend Chimes, Phase-II, by Legend Estates Pvt. Ltd., at Sy.No.211, 211/A, AA, E, EE, U, UU, RUU, 212/A, E, EE, U, UU RU, 213/A, AA, E, EE, U, UU, RU, 186/A to EE, 190/A to EE, 189/A to EE, 191/A to EE, 192/A to EE, 199, 199/A & AA, 200,201, 202,204, 204/A & AA, 205/A & AA, 206, 206P, 206/A, AA, E, EE, U, UU, 208, 208/A, 209, 210, 186/U, 187/U,190/U, 191/U, 192/U, Kokapet (V), Rajendranagar (M), Rangareddy District has obtained Environmental Clearance vide order dt. 25.10.2013 for construction of Residential Villas to accommodate 264 units consists of 5 Types viz., Type-A (G+2) with 28 units; Type-B (G+2) with 18 units; Type-C (G+2) with 80 Units; Type-D (G+2) with 63 Units; Type-E (G+2) with 21 Units and LIG & EWS (G+2) with 54 Units.

The EC order dt. 25.10.2013 is expired. As per the EC order, the proponent has to install STP of capacity-170 KLD within the premises to treat the waste water generated from the project. The treated waste water shall be used for flushing the toilets, HVAC purpose and development of greenery. The excess treated waste water shall be discharged into the public sewer line. However, only a part of project is completed and discharging untreated sewage outside their premises. Hence the TSPCB has issued order dt.19.01.2022 to stop construction activity.

Now, the proponent has again applied Environmental Clearance afresh in the name "**Legend Chimes Echo**" by M/s **Legend Estates Private Limited** through online portal on 24.02.2022 and it is under examination at SEIAA, Telangana.


Member Secretary, 23.3.2022
SEIAA, Telangana

Place: Hyderabad.

Date: 23/03/2022



②

Annexure - P - IV

TELANGANA STATE POLLUTION CONTROL BOARD
Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE

ORDERS ISSUED UNDER WATER (P&CP) AMENDMENT ACT, 1988

Order No. RR-I-59/TSPCB/TF/BO/2022- 1698

Dt:19.01.2022

Sub : M/s. Legend Chimes Phase-2' at Survey 211, 211/A, AA, E, EE, U, UU, RUU, 212/A, E, EE, U, UU RU, 213/A, AA, E, EE, U, UU, RU, 186/A to EE, 190/A to EE, 189/A to EE, 191/A to EE, 192/A to EE, 199, 199/A & AA, 200,201, 202,204, 204/A & AA, 205/A & AA, 206, 206P, 206/A, AA, E, EE, U, UU, 208, 208/A, 209, 210, 186/U, 187/U 190/U, 191/U, 192/U at Kokapet (V), Rajendranagar (M), Rangareddy District - Water (Prevention and Control of Pollution) Amendment Act, 1988 - **STOP CONSTRUCTION ACTIVITY - ORDERS - ISSUED** - Reg.

Ref : 1. EC Order dated 25.10.2013.
2. Inspection of your project by the Board officials on 27.07.2021 & 06.12.2021.
3. Show cause notice issued on 18.07.2021.
4. Hearing held on 18.01.2022 at Board office.

1. WHEREAS, you have taken up construction activity at Kokapet (V), Rajendranagar (M), Rangareddy District and engaged in construction activity.
2. WHEREAS, the Board issued Environmental Compensation (EC) vide order dated 25.10.2013.
3. WHEREAS, as per the EC, total plot area of the project is 1,20,117 Sq. Mtrs, the built up area is 81,311 Sq Mtrs with green area of 12,259 Sq. Mtrs. It is a residential project proposing to accommodate 264 units
4. The Board officials inspected the project on 27.07.2021 & 06.12.2021 and following observations were made
 - i. During the inspection, it was observed that the project has started construction activity about a year back and 10 plots out of 264 units were occupied. The construction of STP in Legend Chimes, Phase-II was under progress.
 - ii. As per the EC condition, no wastewater shall be discharged outside the premises until it is connected to the public sewer line. Till such time, the excess treated sewage, if any, is to be discharged into an artificial pond within the premises and can be utilized for recreational purpose.
 - iii. The project has not obtained Consent for Establishment (CFE) before the start of construction activity which is a violation of EC General Conditions (ii). Consent for Establishment is mandatory as per Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for the construction of Residential Villas having Built up area more than 20,000 square meters.
 - iv. During the inspection, it is observed that the sewage generated from the plots occupied by the residents is not provided any treatment system, as STP is still under construction and the sewage generated is discharged outside the premises joining the Nala located adjacent to the project site.
 - v. The EC issued is valid for a period of seven years i.e., upto October 2020 and the same has been lapsed. The project construction has to be completed before the expiry of the EC duly complying with the condition stipulated. Failing which, the project proponent has to obtain extension of validity of the EC, which has not been done by the project proponent.
5. WHEREAS, the Board issued Show cause notice to the project on 18.07.2021 for commencement of the project without obtaining Consents of the Board. You have not submitted any reply to the show cause notice.
6. WHEREAS, the Board vide order dated 14.12.2021 directed the project not to take up further construction activity without obtaining Extension of validity of EC and Consent for Establishment of the Board.



7. WHEREAS, the Board has reviewed the status of Industry in the Task Force Committee meeting held on 18.01.2022. Your project representatives attended the meeting. The committee noted that
- M/s Legend Estates Pvt. Ltd is Involved in Construction activity in the name of M/s. Legend Chimes Phase-2' at Kokapet (V), Rajendranagar (M), Rangareddy District with total built up area more than 20,000 square meters
 - The project has obtained EC of the Board vide order dated 25.10.2013.
 - The EC issued is valid for a period of seven years i.e., upto October 2020 and the same has been lapsed. The project construction has to be completed before the expiry of the EC duly complying with the condition stipulated. Failing which, the project proponent has to obtain extension of validity of the EC, which has not been done by the project proponent.
 - As per the EC condition, no wastewater shall be discharged outside the premises until it is connected to the public sewer line. Till such time, the excess treated sewage, if any, is to be discharged into an artificial pond within the premises and can be utilized for recreational purpose.
 - The project has started construction activity about a year back. The construction of STP in Legend Chimes, Phase-II was under progress. It is observed that the sewage generated from the plots occupied by the residents is discharged outside the premises joining the Nala located adjacent to the project site.
 - The project has not obtained Consent for Establishment (CFE) before starting the construction activity which is a violation of EC.

The committee opined that the project has not obtained CFE of the Board for construction activity.

The committee after detailed discussions, recommended to issue stop construction activity orders as the project has not taken Consent for Establishment (CFE) for construction activity.

8. In view of the above and after careful consideration of material facts of the case, the Board is of the firm opinion that the project has not obtained CFE of the Board for construction activity and causing Air & Water pollution in the area. Under the Powers vested with Telangana State Pollution Control Board under section 31 (A) of the Air (Prevention and control of Pollution) Amendment Act, 1987 and for the reasons stated above, **the Board hereby issues orders to Stop the Construction activity** in the interest of protecting public health and environment. You are also hereby directed to immediately stop all industrial activities with immediate effect from the date of this order.
9. You are directed to take note that if you continue to operate your project even after receipt of these orders, you will be liable for prosecution in the court of Metropolitan Magistrate or Judicial Magistrate of the first class under section 41(2) of Water (Prevention and Control of Pollution) Amendment Act, 1988, the punishment for which includes imprisonment for a term which shall not be less than one year six months which may be extended to six years and with fine.

Sd/-
MEMBER SECRETARY

To
M/s. Legend Chimes Phase-2',
Sy No. 211, 211/A, AA, E, EE, U, UU,
RUU, 212/A, E, EE, U, UU RU, 213/A, AA,
E, EE, U, UU, RU, 186/A to EE, 190/A to EE,
189/A to EE, 191/A to EE, 192/A to EE,
199, 199/A & AA, 200, 201, 202, 204, 204/A & AA,
205/A & AA, 206, 206P, 206/A, AA, E, EE, U, UU,
208, 208/A, 209, 210, 186/U, 187/U 190/U,
191/U, 192/U at Kokapet (V), Rajendranagar (M),
Rangareddy District

Copy to :

- The District Collector, Rangareddy District for kind information.
- The JCEE, ZO-Hyderabad for information and necessary action.
- The EE, RO-RR.II for information and necessary action.
- Concerned file.

// T.C.F.B.O //

B. Subbini

Senior Environmental Engineer (FAC)
(Task Force)



4

TELANGANA STATE POLLUTION CONTROL BOARD
Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500 018
Phones : 040-23887500 Fax: 040 - 23887519

BY REGD. POST WITH ACK. DUE
ORDERS ISSUED UNDER AIR (P&CP) AMENDMENT ACT, 1987

Order No. RR-I-59/TSPCB/TF/BO/2022- 16919

Dt:19.01.2022

Sub : M/s. Legend Chimes Phase-2' at Survey 211, 211/A, AA, E, EE, U, UU, RUU, 212/A, E, EE, U, UU RU, 213/A, AA, E, EE, U, UU, RU, 186/A to EE, 190/A to EE, 189/A to EE, 191/A to EE, 192/A to EE, 199, 199/A & AA, 200,201, 202,204, 204/A & AA, 205/A & AA, 206, 206P, 206/A, AA, E, EE, U, UU, 208, 208/A, 209, 210, 186/U, 187/U 190/U, 191/U, 192/U at Kokapet (V), Rajendranagar (M), Rangareddy District - Air (Prevention and Control of Pollution) Amendment Act, 1987 - **STOP CONSTRUCTION ACTIVITY - ORDERS - ISSUED** - Reg.

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1. WHEREAS, you have taken up construction activity at Kokapet (V), Rajendranagar (M), Rangareddy District and engaged in construction activity.
2. WHEREAS, the Board issued Environmental Compensation (EC) vide order dated 25.10.2013.
3. WHEREAS, as per the EC, total plot area of the project is 1,20,117 Sq. Mtrs, the built up area is 81,311 Sq Mtrs with green area of 12,259 Sq. Mtrs. It is a residential project proposing to accommodate 264 units
4. The Board officials inspected the project on 27.07.2021 & 06.12.2021 and following observations were made
 - i. During the inspection, it was observed that the project has started construction activity about a year back and 10 plots out of 264 units were occupied. The construction of STP in Legend Chimes, Phase-II was under progress.
 - ii. As per the EC condition, no wastewater shall be discharged outside the premises until it is connected to the public sewer line. Till such time, the excess treated sewage, if any, is to be discharged into an artificial pond within the premises and can be utilized for recreational purpose.
 - iii. The project has not obtained Consent for Establishment (CFE) before the start of construction activity which is a violation of EC General Conditions (ii). Consent for Establishment is mandatory as per Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 for the construction of Residential Villas having Built up area more than 20,000 square meters.
 - iv. During the inspection, it is observed that the sewage generated from the plots occupied by the residents is not provided any treatment system, as STP is still under construction and the sewage generated is discharged outside the premises joining the Nala located adjacent to the project site.
 - v. The EC issued is valid for a period of seven years i.e., upto October 2020 and the same has been lapsed. The project construction has to be completed before the expiry of the EC duly complying with the condition stipulated. Failing which, the project proponent has to obtain extension of validity of the EC, which has not been done by the project proponent.
5. WHEREAS, the Board issued Show cause notice to the project on 18.07.2021 for commencement of the project without obtaining Consents of the Board. You have not submitted any reply to the show cause notice.
6. WHEREAS, the Board vide order dated 14.12.2021 directed the project not to take up further construction activity without obtaining Extension of validity of EC and Consent for Establishment of the Board.
7. WHEREAS, the Board has reviewed the status of industry in the Task Force Committee meeting held on 18.01.2022. Your project representatives attended the meeting. The committee noted that



- i. M/s Legend Estates Pvt. Ltd is involved in Construction activity in the name of M/s. Legend Chimes Phase-2' at Kokapet (V), Rajendranagar (M), Rangareddy District with total built up area more than 20,000 square meters
- ii. The project has obtained EC of the Board vide order dated 25.10.2013.
- iii. The EC Issued is valid for a period of seven years i.e., upto October 2020 and the same has been lapsed. The project construction has to be completed before the expiry of the EC duly complying with the condition stipulated. Failing which, the project proponent has to obtain extension of validity of the EC, which has not been done by the project proponent.
- iv. As per the EC condition, no wastewater shall be discharged outside the premises until it is connected to the public sewer line. Till such time, the excess treated sewage, if any, is to be discharged into an artificial pond within the premises and can be utilized for recreational purpose.
- v. The project has started construction activity about a year back. The construction of STP in Legend Chimes, Phase-II was under progress. It is observed that the sewage generated from the plots occupied by the residents is discharged outside the premises joining the Nala located adjacent to the project site.
- vi. The project has not obtained Consent for Establishment (CFE) before starting the construction activity which is a violation of EC.

The committee opined that the project has not obtained CFE of the Board for construction activity.

The committee after detailed discussions, recommended to issue stop construction activity orders as the project has not taken Consent for Establishment (CFE) for construction activity.

8. In view of the above and after careful consideration of material facts of the case, the Board is of the firm opinion that the project has not obtained CFE of the Board for construction activity and causing Air & Water pollution in the area. Under the Powers vested with Telangana State Pollution Control Board under section 31 (A) of the Air (Prevention and control of Pollution) Amendment Act, 1987 and for the reasons stated above, **the Board hereby issues orders to Stop the Construction activity** in the interest of protecting public health and environment. You are also hereby directed to immediately stop all industrial activities with immediate effect from the date of this order.
9. You are directed to take note that if you continue to operate your project even after receipt of these orders, you will be liable for prosecution in the court of Metropolitan Magistrate or Judicial Magistrate of the first class under section 37(1) of Air (Prevention and Control of Pollution) Amendment Act, 1987, the punishment for which includes imprisonment for a term which shall not be less than one year six months which may be extended to six years and with fine.

Sd/-
MEMBER SECRETARY

To
M/s. Legend Chimes Phase-2',
Sy No. 211, 211/A, AA, E, EE, U, UU,
RUU, 212/A, E, EE, U, UU RU, 213/A, AA,
E, EE, U, UU, RU, 186/A to EE, 190/A to EE,
189/A to EE, 191/A to EE, 192/A to EE,
199, 199/A & AA, 200, 201, 202, 204, 204/A & AA,
205/A & AA, 206, 206P, 206/A, AA, E, EE, U, UU,
208, 208/A, 209, 210, 186/U, 187/U 190/U,
191/U, 192/U at Kokapet (V), Rajendranagar (M),
Rangareddy District

Copy to :

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2. The JCEE, ZO-Hyderabad for information and necessary action.
- ~~3.~~ The EE, RO-RR.I for information and necessary action.
4. Concerned file.

// T.C.F.B.O //

Senior Environmental Engineer (FAC)
(Task Force)

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No. 84 of 2021 (SZ) &
I.A. No. 64 of 2021 (SZ)

(Through Video Conference)

IN THE MATTER OF

Alluri Raju,
Telangana and others.

...Applicant(s)

Versus

M/s. Legend Estates Pvt. Ltd.,
Hyderabad and others.

....Respondent(s)

Date of hearing: 04.03.2022.

CORAM:

HON'BLE Mr. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

M/s. Sai Bhavana Vemuri.

For Respondent(s):

Mr. N. Ramakrishnan for R1 & R2.

Mr. M.V.V.N Sivanthi for R3.

Mr. D. Srinivasan for R4.

Mr. T. Sai Krishnan through

Ms. J. Dayana for R5 & R7.

Mr. Meyyappan represented

Mrs. Me. Saraswathy for R6.



ORDER

1. The above case has been posted to today for completion of pleadings, consideration of further report, filing objections (if any) to the Joint Committee report and also for hearing.
2. The case was originally posted to 21.12.2021 as per order dated 29.11.2021 and thereafter, it was taken up on 03.02.2022 and on that date, this Tribunal had considered the further report submitted by the Telangana State Pollution Control Board dated 20.12.2021, e-filed on 19.01.2022 and extracted in Para (5) of the order and also considered the action taken report submitted by the Member Secretary, SEIAA - Telangana signed on 04.12.2021, e-filed on 19.01.2022 and extracted in Para (6) of the order and then, passed the following order:-

"7. The learned counsel appearing for the Respondents No.1 to 3 wanted to file their objections to the Joint Committee report, for which, they wanted two weeks time.

8. The official respondents who have not filed their independent response to the allegations made in the application are directed to file the same before the next hearing date, without further delay.

9. The parties are directed to file their independent response, objections (if any) to the Joint Committee report on or before 18.02.2022 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules and get ready with the matter on 25.02.2022 for hearing.

10. The Registry is directed to communicate this order to the official respondents by e-mail for their information and compliance of directions."

3. Respondents No.1 to 3 have filed their objections to the report submitted by the Telangana State Pollution Control Board.
4. The 6th Respondent has filed their reply affidavit.
5. Today, we have received another report submitted by the Telangana State Pollution Control Board dated 24.02.2022, e-filed on 02.03.2022 which reads as follows:-

"REPORT DATED 24-02-2022 OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R5) IN ORIGINAL APPLICATION No. 84 OF 2021 IN THE MATTER OF ALLURI RAJU Vs M/s. LEGEND ESTATES PRIVATE LIMITED, HYDERABAD AND OTHERS BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE, CHENNAI.

It is to submit that the Hon'ble NGT, Chennai in its Order dated 03.02.2022 directed the Official Respondents to file their independent report before the Tribunal in the matter.

In this regard, the following is submitted: -

a) M/s. Legend Chimes, Phase-II, by Legend Estates Pvt. Ltd proposed to build Residential Villas of total built up area is more than 20,000 square meters and started construction of Residential Villas at Sy.No. 211, 211/A, AA, E, EE, U, UU, RUU, 212/A, E, EE, U, UU RU, 213/A, AA, E, EE, U, UU, RU, 186/A to EE, 190/A to EE, 189/A to EE, 191/A to EE, 192/A to EE, 199, 199/A & AA, 200,201, 202,204, 204/A & AA, 205/A & AA, 206, 206P, 206/A, AA, E, EE, U, UU, 208, 208/A, 209, 210, 186/U, 187/U 190/U, 191/U, 192/U, Kokapet (V), Rajendranagar (M), Rangareddy District.

9

b) The project has obtained Environmental Clearance vide order dated 25.10.2013.

c) As per the EC, total plot area of the project is 1,20,117 Sq. Mtrs, the built up area is 81,311 Sq Mtrs with green area of 12,259 Sq. Mtrs. It is a residential project proposing to accommodate 264 units. As per the EC condition, no wastewater shall be discharged outside the premises until it is connected to the public sewer line. Till such time, the excess treated sewage, if any, is to be discharged into an artificial pond within the premises and can be utilized for recreational purpose.

d) During the inspection, the following were observed

i. The project has started construction activity. Out of total 264 units, 10 units are under construction.

ii. The construction of STP is under progress,

iii. The project has not obtained Consents of the Board under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

iv. Sewage generated by the construction workers is being discharged outside the premises joining the Nala located adjacent to the project site.

v. The validity of Environmental Clearance expired, extension of the EC has to be obtained.

Based on the above observations, the Board has issued notice to the project vide Order dated 14.12.2021 (Annexure – I) directing not to take up any further construction activity without obtaining Extension of validity of EC and Consent for Establishment of the Board.

Further, the issue was reviewed in the Task Force Committee meeting held on 18.01.2022. After detailed discussions, the committee recommended to Stop the Construction Activity as the project proponent has not obtained extension of EC and Consent for Establishment (CFE)-of the Board.

Accordingly, the Board has issued stop construction activity vide order dated 19.01.2022 (Annexure - II).

Subsequently, the project proponent has challenged the stop construction activity order issued by the Board before the Hon'ble Appellate Authority in Appeal No. 2 of 2022. The appeal is under adjudication before the Hon'ble Appellate Authority. (Annexure - III)

Submitted."

6. The learned counsel appearing for Respondents No.1 to 3 wanted to file their objections to the same.
7. They are directed to file their objections (if any) to the report submitted by the State Pollution Control Board on or before **25.03.2022** by e-filing in the form of Searchable PDF/ OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules and parties are directed to get ready with the matter on **30.03.2022** for hearing.
8. In the meantime, the other respondents who have not filed their independent statement are directed to file the same and the parties are also directed to file their written submissions (if any) in support of their case before the next hearing date.

(11)

9. The Registry is directed to communicate this order to the official respondents by e-mail for their information and compliance of directions.

10. For completion of pleadings, filing objections (if any) to the report, consideration of report and also for hearing, post on 30.03.2022.

Sd/-
Justice K. Ramakrishnan, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.84/2021(SZ) &
I.A. No.64 of 2021 (SZ),
04th March 2022. Mn.

