

Brief Report on OA.No.85/2015 by Hon'ble Tribunal vide order Dated 08.07.2021

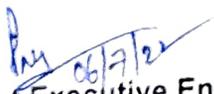
O/o The Executive Engineer, Hussain Sagar Lake Division, Hyderabad

It is to submit that, the FTL boundary of Hussain Sagar Lake prepared using Topo Sheet of year 1975 including buffer zone details were prepared by the agency M/s Aarvee Associates Hyderabad and were furnished to the Executive Engineer, Lakes & Parks Division, HMDA for issuing Preliminary notification of the Lake and as desired by the Joint Committee in its meeting with the applicant and officials of all respondents departments on 03.03.2021. The draft FTL map including buffer zone of Hussain Sagar Lake, contour plan and inflows & outflows calculation sheet have been submitted to the members of the Joint Committee i.e., Prof Dr.T.Shashidhar, IIT H, and Mrs. Poornima.B.M, Scientist 'D', CPCB through email on 22.03.2021.

Further, it is to submit that, a joint inspection conducted on 03.03.2022 by Joint Committee i.e., Prof Dr.T.Shashidhar, IITH, and Mrs. Poornima.BM, Scientist 'D', CPCB, at Hussain Sagar Lake along with officials of Irrigation Department, Telangana State Pollution Control Board. During the joint inspection, committee members enquired about the repair works to surplus weir with Gated Mechanism .

In this connection ,it is to submit that the work " construction of Hussain Sagar Surplus Weir with Gated Mechanism in the existing weir location " was Sanctioned and further was submitted for permission of tender process. In this regard, it is to submit that the work was withhold vide Engineer -In Chief ,GHMC -Proc. No.286 /EnC /GHMC /SNDP /2021-2022 /251 Dt: 21.12.2021.

Encl: compliance report


Assistant Executive Engineer/
Sub-Division-II /HSLD


Deputy Executive Engineer,
Sub-Division-II/HSLD

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The HussainSagar Lake is having two surplus weirs and sixnumber of sluices. The flood water can be directly discharged through surplus weirs whereas the sluices are choked up due to non maintenance and non operation since long time. It is desired to bring all the sluices into operation so the repair works are taken up as flood control measure and regulation of discharges.

Due to continuous inflows in the form of sewerage into this lake, during dry weather i.e., Summer season, the water level inthe sluices are under submerged condition. This has become hurdle for taking up the repair works of sluices.

In view of the abovesituation ,repairworks to the sluices are taken up before onset of monsoons and clearing of vegetation and obstruction for free flow of flood water through inlets, outlets and surplus nalas.

As mentioned in the above paras that there used to be continuous outflows from the surplus weirs throughout the year. In order to facilitate repairs to the sluices and weir, additional discharges are released through the weir into the natural surplus course.

On completion of these repair works, the flood can be controlled to some extent in case of heavy rains during the monsoon.

It is submitted that, while executing the above said works the flow of water from HussainSagarLake through the sluices have increased and having observed the same the print media and the applicant herein assumed that, the Government of Telangana is dewatering and desiltingHussainSagar Lake.

It is submitted that, the Government of Telangana have taken all precautionary measures while executing the above mentioned works. Further it is pertinent to mention that, the HussainSagar Lake is totally contaminated and the flow of water will be passing through surplus weirs into Musi River and the said natural flow of water from HussainSagar to Musi River is not continues process throughout the year. It is submitted that, there is a marginal increase of flow of waterfrom the above sluices due to the repair of sluices and said flow of water is already curtailed after completion of the repair works.

It is submitted that, the applicant herein has filed the present case on assumptions and presumptions that the Government of Telangana is dewatering and desilting the HussainSagar Lake. It is an admitted fact that applicanthis filed RTI applications before various authorities i.e. GHMC, HMDA &HMWSSB on the instance of paper clippings and none of the authorities have provided the information.But the fact is all the Departments have given their replies and that, there is no proposal of dewatering and desilting of HussainSagar Lake as alleged by the applicant.

It is submitted that, the entire process of repairs for upstream and downstream is taken up in a regular course as a part of pre monsoon maintenance and having observe the same the applicant has assumed that, the Government of Telanganahas taken up dewatering and desilting of HussainSagar Lake and filed pre matured complaint .It is submitted that the above sluices are kept open only for maintenance and repairs before the onset of monsoons as a precautionary measures for minimizing further flood due to inflow of water into HussainSagar Lake.

It is submitted that Dr.LubnaSarwanth of Save Our Urban Lake, Banjara Hills, Hyderabad has filed an application before National Green Tribunal (SZ), Chennai vide application No.85 of 2015 on 25.04.2015, duly alleging that Government of Telangana have taken up the cleaning programme of HussainSagar Lake by Dewatering De-silting and refilling and also alleged that by dewatering said lake, the polluted water is reaching Musi River and this water body is being further polluted which are causing several environmental and health problems.

In this regard, the notice was served to Government of Telangana on 28.04.2015 and the matter was posted on 30.04.2015 for hearing and the said matter was heard by the National Green Tribunal (SZ), Chennai and interim orders were passed on 01.05.2015.

The operative part of the interim orders passed by National Green Tribunal (SZ), Chennai in A.O.No.85 of 2015 are as under.

“ Considering the entire factual aspects as we have seen on record, there is some reasonable doubt about the conduct of the respondents as to whether they have conducted any detailed scientific study about the scheme of dewatering HussainSagar Lake before proceeding further and in the absence of such materials available before us, we are of the view that the respondents must be prevented from further dewatering HussainSagar Lake and transferring to any other water bodies pending further orders of the Tribunal. Accordingly, there shall be an order of interim injunction restraining the respondents from dewatering HussainSagar Lake any further from today and what remains as on today shall maintained until further orders from the Tribunal. The respondents are directed ensure that no further discharge of water from HussainSagar Lake Shall be effected to any other water body until further orders from the Tribunal.

The respondents are directed to produce the entire file relating to the scheme and plan by the next date of hearing.

It is submitted that as per the above interim orders there are two directions from National Green Tribunal (SZ), Chennai

1. Interim Injunction restraining the respondents (i.e.,) State of Telangana and others from dewatering HussainSagar Lake any further from today and water remains as on today shall be maintained until further orders.
2. The respondents (i.e.,) State of Telangana are directed to ensure that no further discharge of water from HussainSagar Lake shall be affected to any other water body until further orders.

In this connection, a reply was submitted by the Superintending Engineer/HL & WBMC as 2nd Respondent as follows.

It is to submit that later, a two-member committee was constituted by the National Green Tribunal in the month of **July 2015** to conduct a study of the Hussainsagar lake and the allegations made by the petitioner. The committee after visiting the lake and other structures made a detailed study also covering the terms of reference and submitted a detailed report in **September 2015** to the Hon'ble National Green Tribunal.

It is further submitted that during the inspection, the committee had made a detailed study by visiting the HussainSagar Lake in different spells i.e., on **Dt. 25 .07.2015, 21.08.2015 & 22.08.2015 and finally on 31.08.2015 & 01.09.2015** the committee has examined progress of the ongoing works during their inspection to HussainSagar Lake. It is also submitted that no work was under taken by GHMC after completion of the repairs to the sluices and other maintenance works which was inspected by the expert committee. Those works except to the surplus weir portion were completed by end of the year 2017 and after that no other work is taken up.

The following works were taken up during the period in which inspection was conducted by the committee

- a. Repair works to left side surplus weir.
- b. Repairs to sluice no 1 and sluice no 2 near to the left side surplus weir.
- c. Repairs to sluice no 3 called KukkalaThumu near Dhobighat.
- d. Repairs to sluice no 4 called KhajanaThumu near Dhobighat.
- e. Construction of submerged Sluice with pipes at vent no 14 with a discharging capacity of about **550 cusecs**.

It is further submitted that all these works and their related works were completed except some balance repair works to the surplus weir. The work is already included as a part of the construction of protection walls to the downstream surplus course which is under progress now. It is to submit that this balance work to the surplus weir will be completed this season bringing total weir portion to its original level. It is also to submit that two baby immersion ponds near to the lake are constructed to encourage people immersing the Ganesh idols in these ponds than in to HussainSagar lake directly and it is purely in the interest of protecting the quality of lake water. It is to note that one pond is completed and operational and the other one is almost completed and going to be operational from next immersion.

It is further submitted that, there is no release of water from the lake in to the downstream surplus nala to join river Musi. Only the free flowing water is going over the surplus weir due to continues inflows from its inlet channels.

It is further submitted that during the months of **October 2019**, the City of Hyderabad has received good rain fall including the catchment areas of HussainSagar lake which is about **241 square km** covering Medchal, Quthbullahpur, Balanagar and Kukatpally Mandals during that period the **sluice gate at vent no 14 operated to release about 550 cusecs** water in to the downstream Musi river to keep the water level of HussainSagar lake near to **FTL of +513.410** metres above mean sea level.

It is further submitted that this lake is regularly monitored by the Pollution Control Board of the State of Telangana and quality of water is certainly improved when compared to the past. It is to submit that the State Pollution Control Board will submit the status report on water quality of HussainSagar Lake.

In this regard, again an order was passed by Hon'ble NGT on dt.22.01.2020, in which the tribunal had constituted a committee comprising of Central pollution control Board (CPCB), Ministry of Environment, Forest and Climate Change (MoEF& CC), IIT, Hyderabad and National Institute of Hydrology, Kakinada.

The above committee was directed to go into question and consider all the objections raised by the parties to the earlier report of 2015 and come with the consolidated report showing the impact of construction in the lake as per the TOR given by the Tribunal by order dt.26.05.2015.

Accordingly, the action taken report on TOR relevant to this office has been submitted to the committee as follows.

Hon'ble NGT, Chennai Order dated 22.01.2020 in OA.No.85 of 2015		
The Hon'ble NGT constituted a joint Committee consisting of Members (CPCB), MINISTRY OF ENVIRONMENT, Forest and Climate Change (MoEF&CC), IIT, Hyderabad and National Institute of Hydrology having branch at Kakinada to go into the objections raised by Dr.LubnaSawath, Co-Convenor against the Dr.Mohan committee report on HussainSagar Lake.		
S.NO	TOR given by this Tribunal	Action Taken report to be submitted
1	Efforts made by the concerned state Government departments/authorities in taking up measures in cleaning the lake and preventing further pollution.	This Office has not taken up the work of cleaning the lake and preventing further pollution and it is looked after by HMDA department.
2	Is it a fact that the authorities have undertaken civil works for repairing the sluice gates of the lake and for this purpose only they have to release some amount of water from the lake into the River Musi?	Yes, Repair works to Sluice gates of the lake were taken up but, there is no release of water from the lake in to the downstream surplus nala to join river Musi. Only the free flowing water is going over the surplus weir due to continues inflows from its inlet channels.
3	To verify that the work undertaken by the state Government is limited to the repairs of the sluices and there is no unnecessary dewatering of the lake.	The work is limited to the repairs of sluices only and there is no unnecessary dewatering of the lake.
4	Whether the work of repairs and improvement to sluice gates is under progress and if so, what is the stage of the civil works and the due date of completion of such works.	All the work of repairs to sluice gates was completed except some balance repair work to surplus weir which will be completed shortly.

The joint committee has submitted its report before the NGT on dt.17.08.2020.

Further, the Hon'ble NGT further directed the State of Telangana to submit an interim Status Report and

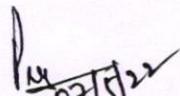
- a) Progress of work of establishment of STPs&
- b) Implementation of the directions given by Hon'ble NGT, Principal Bench , New Delhi in respect of Polluted River stretches (PRS) such as Musi River, which is likely to get water from these Nalas and also from HussainSagar Lake.

Further, an order was passed by Hon'ble NGT on dt.28.01.2021, in which the tribunal has directed the Registry to communicate this order to the members of the joint committee to enable them to comply with directions.

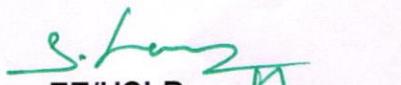
In this connection, it is to submit that this office has not taken up any work on STP's.The STP'ssewage works, as mentioned in the orders are taken up by the HMWS&SB Department.Further,the cleaning of the lake and the steps for preventing pollution of HussainSagar Lake is looked after by **HMDA department**.In this regard, the above report along with the report by the Commissioner, GHMC on behalf of the GHMC was submitted to the TSPCB &Ms.H.Yasmeen Ali on **25.03.2021 through e-mail**.

Further, it is to submit that, as desired by the Joint Committee in its meeting with the applicant and officials of all respondents departments on 03.03.2021, the draft FTL map of HussainSagar Lake, contour plan and inflows & outflows calculation sheet have been submitted to the members of the Joint Committee i.e., Prof Dr.T.Shashidhar, IITH, and Mrs.Poornima.BM,Scientist 'D', CPCB through email on 22.03.2021. The copy of draft FTL & other enclosures are herewith enclosed for ready reference.

Further, it is to submit that, a joint inspection conducted on 03.03.2022 by Joint Committee i.e., Prof Dr.T.Shashidhar, IITH, and Mrs. Poornima.BM,Scientist 'D', CPCB, at HussainSagar Lake along with officials of Irrigation Department, Telangana State Pollution Control Board. During the joint inspection, committee members enquired about the repair works to surplus weir with Gated Mechanism was proposed in the existing weir location, in this regard it was submitted that the work was withhold vide Proc. No.286 /EnC /GHMC /SNDP /2021-2022 /251 Dt: 21.12.2021.


AEE 07/5/22


Dy.EE


EE/HSLD

7/5/22

Report pertains to the OA.No.85 of 2015(SZ):

1. In the guise of repairing the Surplus weir, there was tampering of the FTL of the Hussain Sagar Lake by lowering of the weir and the lake bed was exposed and further dumped near the Kukatpally nalla side and thus 10 acres had been plotted right inside the FTL of Hussain Sagar.

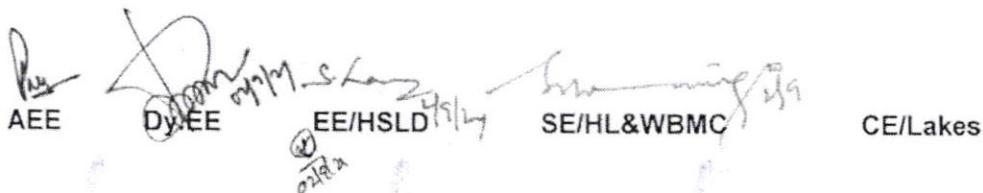
REPORT:

It is to submit that, the FTL boundary of Hussain Sagar Lake prepared using Topo Sheet of year 1975 including buffer zone details were prepared by the agency M/s Aarvee Associates Hyderabad and were furnished to the Executive Engineer, Lakes & Parks Division, HMDA for issuing Preliminary notification of the Lake and as desired by the Joint Committee in its meeting with the applicant and officials of all respondents departments on 03.03.2021. The draft FTL map including buffer zone of Hussain Sagar Lake, contour plan and inflows & outflows calculation sheet have been submitted to the members of the Joint Committee i.e., Prof Dr.T.Shashidhar, IIT H, and Mrs. Poornima.BM, Scientist 'D', CPCB through email on 22.03.2021.

Further, it is to submit that the allegations regarding tampering of the FTL of the Hussain Sagar Lake by lowering of the weir is false, ~~rather~~, since no changes have been made in the silent features of the Hussain Sagar Lake. The FTL boundary of the Hussain Sagar Lake is prepared based on the Survey of India, 1975 Toposheet.

In response to the allegation made regarding the lake bed exposure and further dumping near the Kukatpally nala side and thus 10 acres had been plotted right inside the FTL of Hussain Sagar, it is to submit that no such activity of dumping near Kukatpally nala was taken up by the Irrigation Department. As such the above said allegations may be dropped.

4. Compliance report: Enclosed .


AEE Dy.EE EE/HSLD SE/HL&WBMC CE/Lakes

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In view of the above situation ,repair works to the sluices are taken up before onset of monsoons and clearing of vegetation and obstruction for free flow of flood water through inlets, outlets and surplus nalas.

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It is submitted that, while executing the above said works the flow of water from Hussain Sagar Lake through the sluices have increased and having observed the same the print media and the applicant herein assumed that, the Government of Telangana is dewatering and desilting Hussain Sagar Lake.

It is submitted that, the Government of Telangana have taken all precautionary measures while executing the above mentioned works. Further it is pertinent to mention that, the Hussain Sagar Lake is totally contaminated and the flow of water will be passing through surplus weirs into Musi River and the said natural flow of water from Hussain Sagar to Musi River is not continues process throughout the year. It is submitted that, there is a marginal increase of flow of water from the above sluices due to the repair of sluices and said flow of water is already curtailed after completion of the repair works.

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It is to submit that later, a two- member committee was constituted by the National Green Tribunal in the month of July 2015 to conduct a study of the Hussainsagar lake and the allegations made by the petitioner. The committee after visiting the lake and other structures made a detailed study also covering the terms of reference and submitted a detailed report in September 2015 to the Hon'ble National Green Tribunal.

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3	To verify that the work undertaken by the state Government is limited to the repairs of the sluices and there is no unnecessary dewatering of the lake.	The work is limited to the repairs of sluices only and there is no unnecessary dewatering of the lake.
4	Whether the work of repairs and improvement to sluice gates is under progress and if so, what is the stage of the civil works and the due date of completion of such works.	All the work of repairs to sluice gates was completed except some balance repair work to surplus weir which will be completed shortly.

The joint committee has submitted its report before the NGT on dt.17.08.2020.

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- a) Progress of work of establishment of STPs&
- b) Implementation of the directions given by Hon'ble NGT, Principal Bench , New Delhi in respect of Polluted River stretches (PRS) such as Musi River, which is likely to get water from these Nalas and also from Hussain Sagar Lake.

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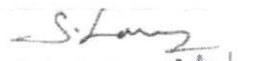
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Further, it is to submit that, as desired by the Joint Committee in its meeting with the applicant and officials of all respondents departments on 03.03.2021, the draft FTL map of Hussain Sagar Lake, contour plan and inflows & outflows calculation sheet have been submitted to the members of the Joint Committee i.e., Prof Dr.T.Shashidhar, IITH, and Mrs. Poornima.BM, Scientist 'D', CPCB through email on 22.03.2021. The copy of draft FTL & other enclosures are herewith enclosed for ready reference.

Regarding repair works to left side surplus weir, it is submitted that the surplus weir with Gated Mechanism is proposed in the existing weir location and the tenders have been floated for the work with last date of bid submission on 16.09.2021. Once the tender is finalised, the work will be taken up and completed within 18 months.


AEE


Dy. EE


EE/HSLD 4/9/21
21/9/21