

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

ORIGINAL APPLICATION No.97 OF 2022

IN THE MATTER OF:

Dr.M.S. Tejashwari

... Applicant

AND

Union of India & Others

... Respondents

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Place: CHENNAI

Dated: 06.03.2024.

T. Hemalatha

Counsel for Applicant

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CHENNAI

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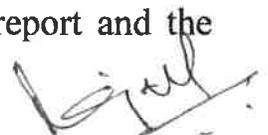
... Respondents

REPLY / OBJECTION TO THE REPORTS FILED BY RESPONDENT No.3
(TSPCB) AND RESPONDENT No.6(HMWSSB):

1. OBJECTION TO THE REPORT OF THE RESPONDENT No.3

(TSPCB):The entire report given by the 3rd Respondent (Telangana State Pollution Control Board - TSPCB) is nothing but repetitions of the false stand taken by the 2nd Respondent (Secunderabad Cantonment Board - SCB) in its counter before this Hon'ble National Green Tribunal and is also an attempt to help the 2nd Respondent (SCB) to wriggle out of the situation into which they got into.

2. The 3rd Respondent (TSPCB) issued a notice to the 2nd Respondent (SCB) dated 24.05.2023 to prevent pollution and also to prevent the sewage from entering into the Petitioner's land and the said order was not complied by the 2nd Respondent (SCB). On the other hand, the 2nd Respondent (SCB) had informed the Hon'ble National Green Tribunal (SZ) Chennai that they engaged Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) to prepare a project report and the



Hon'ble National Green Tribunal (SZ) Chennai was pleased to implead the HMWSSB as a party vide order dated 29.08.2023 and directed the HMWSSB to inspect the area in question after giving notice to the parties concerned, including the applicant and file a detailed report in this regard.

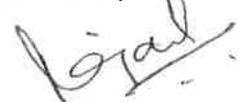
3. It is submitted that the officials of 2nd Respondent (SCB), 3rd Respondent (TSPCB) and also from the 6th Respondent (HMWSSB) had secretly inspected the area and were caught on CCTV camera and thereafter have conspired together and conducted an eye wash of an inquiry. The applicant had clearly shown the 3rd Respondent (TSPCB) and also the 6th Respondent (HMWSSB) how the natural storm water drain was flowing from west to east and was joining the Nala which was emptying into the Trimulgherry lake to which the sewage of the surrounding colonies was being emptied and the Trimulgherry lake was already polluted by sewage for more than 17 years. The printout of newspapers of the year 2017 hereby enclosed with (ANNEXURE). The 3rd Respondent (TSPCB) was also notified about the report of the environment engineer of TSPCB which clearly stated that the sewage from Chinna Kamela was flowing into the Trimulgherry lake. The report of the environmental engineer of the 3rd Respondent dated 17.04.2018 is already on record. The 3rd Respondent (TSPCB) was also shown that the drainage pipelines laid by encroachers of the defence land lying to the north of the applicant's land without any clearance [required under the Water (Prevention of Pollution) Act, 1974] from the 3rd Respondent (TSPCB) by altering the natural contours. (ANNEXURE).



4. The applicant had taken the photographs and CCTV footage of the 3rd Respondent (TSPCB) and 6th Respondent HMWSSB officials being shown the deliberately blocked storm water drain and the illegally laid sewage drainage pipelines deliberately terminated outside the northern side compound wall of the applicant. (ANNEXURE). The 3rd Respondent(TSPCB) and 6th Respondent (HMWSSB) officials had taken photographs at the instance of the applicant which surprisingly do not form the part of their reports.
5. Apart from the same, a meeting was called for by the 3rd Respondent on 26.4.2023. An eyewash of directions not intended to remedy the situations was issued dated 24.5.2023. The officer who called the meeting also revealed the CEO of the 2nd respondent had met him prior to the meeting held on 26.4.2023. The said order dated 24.5.2023 also call upon the 2nd respondent to construct STP and also falsely stated that there was a natural slope towards the applicant's land. The applicant raised objections dated 31.5.2023 to the said order dated 24.5.2023 of the 3rd respondent which is not reflected in their submissions to the NGT. There is no reference nowhere any environmental compensation for the damage caused to the environment, including cost required for restoration of the applicant's fresh water well is discussed. The effect of the prior meeting of the CEO of the 2nd Respondent with the 3rd Respondent is reflected in the order dated 24.5.2023. The 3rd Respondent did not issue any reply to the objections raised by the applicant.



6. The TSPCB task force meeting was again called on 30.01.2024 at Sanath Nagar(HQ) (and the 2nd Respondent were represented by Sri. Koteshwara Rao counsel for the 2nd Respondent, Mr. Dinesh and Mr. Uma shanker SCB Engineers). The official was directed to conduct inspection of the area on 06.02.2024. On 01.02.2024 3rd Respondent (TSPCB) and 2nd Respondent (SCB) officials inspected the site without intimation to the applicant and were caught on CCTV footage. On 07.02.2024, during inspection by the official of the 3rd respondent, they were shown CCTV footage of garbage dumped into the applicant's north eastern and northern side of the applicant's land and the proof of sewage flowing into the applicant's land which were photographed by Mr. Rajendra. These visits were not reflected in their submissions to NGT.
7. The 2nd Respondent (SCB) has taken a stand that on account of the status quo order passed by the Hon'ble High Court for State of Telangana are unable to divert the sewage. The order of the Hon'ble High Court for the State of Telangana was to maintain status quo regarding demolishing of the compound wall of the applicant or laying a public drain through the private land of the applicant. The said order did not stop the 2nd Respondent (SCB) from diverting the sewage through alternate means available to them.
8. OBJECTION TO THE REPORT OF THE RESPONDENT NO.6 (HMWSSB): The report given by the 6th Respondent (Hyderabad Metropolitan Water Supply and Sewerage Board - HMWSSB) is



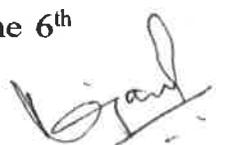
nothing but repetitions of the false stand taken by the 2nd Respondent (Secunderabad Cantonment Board -SCB) in its counter before this Hon'ble National Green Tribunal and is also an attempt to help the 2nd Respondent (SCB) to wriggle away from the situation into which they got into.

9. The 2nd Respondent (SCB) had informed the Hon'ble National Green Tribunal (SZ) Chennai that they engaged Hyderabad Metropolitan Water Supply and Sewerage Board- HMWSSB to prepare a project report and the Hon'ble National Green Tribunal (SZ) Chennai was pleased to implead the HMWSSB as a party via order dated 29.08.2023 and directed the HMWSSB (Respondent No.6) to inspect the area in question after giving notice to the parties concerned, including the applicant and file a detailed report in this regard.

10. The report dated 09.02.2024 is nothing but mere repetitions of the stand of the 2nd Respondent (SCB).

11. It is submitted that the Applicant submitted the Hard copies of the Original Application/ petition and Rejoinder to the 6th Respondent (Office of the Hyderabad Metropolitan Water Supply and Sewerage Board - HMWSSB) dated 13.09.2023. The Copy of acknowledgement is hereby enclosed with (**Annexure**).

12. It is submitted that the claim of the 6th Respondent HMWSSB that applicant's private land situated in Secunderabad cantonment Area was inspected on 16.01.2024 is factually wrong. It is submitted that the 6th



Respondent forwarded an email to the Applicant/petitioner dated 14.12.2023 to attend the inspection of site with relevant documents on 18.12.2023 at 3.30 pm without fail. The copy of the email is filed herewith (**Annexure**).

13.It is submitted that the officials of SCB and HMWSSB have inspected applicants neighboring property on 08.12.2023. The Project Manager Raghu of the 6th Respondent inspected the applicant land on 18.12.2023 and later in the day other HMWSSB officials named Prasad and Uday visited the applicant's land.

14.It is submitted that Encroachments in A-1 defense land situated on the northern side of the applicant's land are of recent origin and the drainage pipe lines are illegally laid over here recently.

15.Para 3 of the report of the 6th respondent (HMWSSB) that on account of the compound wall the sewage was accumulating outside the northern side compound wall. The same fails to take into consideration whether the compound wall is of recent origin or the illegally laid sewage lines of recent origin. The said statement is exact replica of the stand of the 2nd respondent including the choice of words drawing strong suspicion that the same was prepared at the instance of the 2nd respondent.

16.Para 5 also clearly indicates that the 6th respondent (HMWSSB) has not done the inspection properly and also not considered the nearby existing drainage pipe lines and storm water drain to which the illegally laid



sewage pipe lines can be easily connected that of Malani colony sewage lines which are already in existence. Copy of Malani Layout is hereby enclosed with (**Annexure**).(NOTE: Malani colony already gifted 40% approximately 9825 sq.yards of the land to SCB– which includes roads, drainage system, storm water drain, park area, etc.)

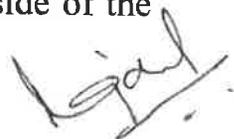
17.As regards the contents in Para 6 it is engaged for the consultation for the sewerage master plan for the entire Secunderabad Cantonment Board has nothing to do with the stoppage of the untreated sewage entering into Applicant's property and agricultural fresh water well for preparation of master plan of the entire master plan of Secunderabad cantonment board consisting of 11 villages which may take years. The 6th respondent (HMWSSB) failed to see the public drains just 10-20 feet away from the illegally laid drainage lines and that too the slope is towards the east towards the Malani which is situated on the eastern side of the Applicants property. The entire report of 6th respondent (HMWSSB) is nothing but the statements made by the 2nd respondent (SCB) and made in order to support the illegal activities of the 2nd respondent (SCB).

18.From the perusal of the report of the 6th respondent (HMWSSB) it is very clear that it is using the same language and words which are being used by the 2nd respondent (SCB) in all its submissions before this court and all other courts, even the words are also very much similar and also the language is also very much similar indicating that it is 2nd respondent (SCB) actually giving the report on behalf of the 6th respondent (HMWSSB).



19. Both the 3rd respondent (TSPCB) and the 6th respondent (HMWSSB) deliberately refused to see the topography of the land (area in question) and also existing storm water drains and nala which are passing through the Malani colony which is situated on the eastern side of the petitioners land and Trimulgherry lake bund which are already in existence and deliberately refused to see that a small piece of pipeline would have sorted out the issue of diversion of sewage from the applicant's land by connecting it to the public drain existing in Malani colony. Therefore, the report is nothing but an attempt to wash their hands of their statutory duties and the said report may be discarded. The 3rd respondent (TSPCB) and 6th respondent (HMWSSB) have been roped in to state that laying a public drain through the middle of the applicant's land highhandedly as the only panacea and to rely on the report of PS engineers which is being regularly engaged by the 2nd respondent (SCB) to suit its requirement without their being any process or allowing other private players to participate.

20. The petitioner had already submitted the geological, geophysical and Hydrological study of her land and its surrounding lands through a reputed private firm of expert geologists working in the area water, environment, mining and engineering consultancy by name "Blue Energy Build Private Limited" report already on record who are highly qualified holding doctorates from reputed universities with international accreditations who have given a detailed report opining that the natural flow of storm water discharge from the land north of the applicant's land was into the Trimulgherry lake existing on the eastern side of the applicant's land.



21. The google time line satellite pictures of the area right from 2004 shows that the applicant's well in her property was the only fresh water well and the Trimulgherry lake was already polluted right from 2004. The 2nd respondent (SCB) is not serious about solving the issue at the instance of the local politicians and 4th respondent (Shyam). The 3rd respondent (TSPCB) also failed to see that sewage drain pipelines have been laid without its permission and ought to have directed removal of the same. It is therefore prayed that appropriate action may be taken for filing false reports into this Hon'ble court.

VERIFICATION

I, Dr.M.S. Tejashwari, D/o Late M. Sathyanarayana Reddy, R/o H.No: 3-16-668/A, Trimulgherry 'X' Roads, Secunderabad -500015, Telangana, the applicant herein, do hereby verify that the contents of the above paragraphs are true to the best of my knowledge and grounds are based on legal advice and that I have not suppressed any material facts.

Dated: 06/03/2024.

Place: Secunderabad



APPLICANT

T. Hemalatha

COUNSEL FOR APPLICANT.

1/29/24, 2:29 PM

TSPCB wakes up, collects water samples from Trimulgherry lake



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बेहतम आध्यात्मिक एवं सांस्कृतिक केंद्र के रूप में
अयोध्या धाम की पुनर्स्थापना
 उत्तर प्रदेश सरकार द्वारा
₹31,000 करोड़ की निरंतर परियोजनाओं का क्रियान्वयन
₹85,000 करोड़ से आगामी 10 वर्षों में अयोध्या बनेगी विश्व की सर्वोत्तम नगरी

Telangana

Telangana State Pollution Control Board wakes up, collects water samples from Trimulgherry lake

Board acts days after Express report on pollution of the lake; is likely to issue notice to SCB | SCB officials to work with revenue dept for restoration works



File photo of Trimulgherry lake

From our online archive

Updated on: 05 Sep 2017, 1:21 pm · 2 min read



HYDERABAD: Telangana State Pollution Control Board (TSPCB) has finally woken up to the concerns of people about the pollution caused to the Trimulgherry lake. Days after Express reported on how Trimulgherry lake was turning into a cess pool due to dumping of sewage from households located in areas like Lal Bazar and Chinna Kamela under Secunderabad Cantonment Board (SCB) into the lake, officials of TSPCB took water samples from the lake on Monday to test various water quality parameters. TSPCB might send notices to SCB once pollution of lake water is proved from the water samples they took for testing.



1/29/24, 2:29 PM

TSPCB wakes up, collects water samples from Trimulgherry lake

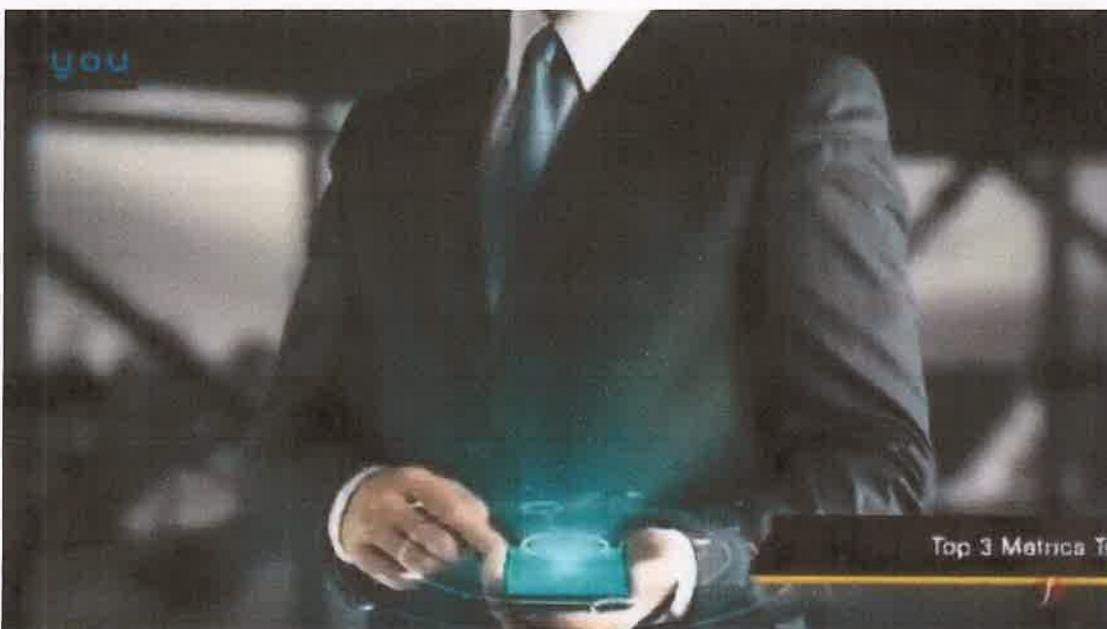
Also, many residents from residential areas surrounding the lake like Malani enclave, Indian Airlines colony, Surya Avenue, Srinagar Colony and Padmanabha Colony registered complaints with TSPCB's toll free complaint number, 1074, on lake pollution issue in the past few days. The residents recently met Member of Parliament from Malkajgiri Ch Malla Reddy, requested for funds to restore the lake and to send a letter to SCB asking it to take initiative to protect the lake from further destruction.

Express had earlier busted the argument of SCB that the lake falls under authority of Telangana tourism department. Later, SCB confirmed the same from tourism department recently and found out now that it falls under revenue department. SCB engineering officials said that they will work in coordination with revenue department to restore the lake.

Lake, a breeding ground for mosquitoes

The dumping of sewage into Trimulgherry lake is not just an environmental problem but is also a serious health concern. Venkata Ramana, who has been working towards protecting this lake says, "The lake has become a breeding ground for mosquitoes. Residents of nearby areas fear outbreak of vector-borne diseases. The lake's surroundings have become dumping ground for construction debris, household waste, animal carcasses and spot for open defecation. As a result, many pigs breed in the area, which roam in large numbers in neighbouring areas of the lake."

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Telangana State Pollution Control Board



Smt. P. BHAGYA SREE

BOARD MEMBER

SECUNDERABAD CANTONMENT BOARD, WARD NO. 7

PRESIDENT

MAHILA CONGRESS COMMITTEE SECUNDERABAD CANTONMENT ASSEMBLY CONSTITUENCY

Cell : 9494268777
Off : 040-27798040
Res : 040-27790732



Off : D. NO. 3-16-811 & 812, Near Mahanagar Temple, Lalbazar, Trimulgherry, Secunderabad - 500 015.
Res : Plot No. 11, "Kamala Nilayam" Srinagar Colony, Trimulgherry, Secunderabad - 500 015.
E-mail : pbhagyasree63@gmail.com

To,
The CEO
Secunderabad Cantonment Board
Secunderabad court compound, Sec-Bad

Date: 15-09-2017

Sub: - Regarding laying a ring sewer line to divert the discharge of sewer water

Sir,

As you are aware Trimulgherry Lake has become highly polluted with sewage discharge causing nuisance and potential health hazard to residents highly polluted, since open drainage sewage water lines from neighbouring nearby areas are being directly let into the lake without treatment. Apart from the sewage, plastic waste covers the lake for most part.

This small lake located adjacent to Malani Enclave in Trimulgherry has become a dumping ground for all sorts of garbage sourced from nearby localities, ranging from household waste to construction debris and open defecation is rampant near the lake.

There are pigs and mosquitoes breeding near it. We are afraid that some vector-borne disease will spread to all nearby areas in Trimulgherry. Over the years, we have complained the authorities regarding the issues ranging from the elected ward members to the CEO of SCB but to no avail.

This small lake has become a serious health hazard due to accumulation of sewage in the tank and the proposed work of laying a ring sewer to divert the discharge of sewer water has to be undertaken on priority in the interest of health and hygiene of the residents of the Trimulgherry Village, the proposed ring sewer should be laid all around the lake area connecting all sewage lines into this main sewage line.

It is fundamental human right to live in an unpolluted environment under Article 21 of our constitution. In this case, all residents of Trimulgherry village are forced to live in highly polluted environment.

Residents from my Ward had submitted representations on various occasions to resolve the issue, upon request from public in my ward a detailed survey / inspection had been conducted by SCB AE Mr. Balakrishna and myself on 28th August 2017, Mr. Balakrishna inspected and found Sewage lines were constructed only upto this lake and sewage water is let out in this lake.

Considering the above mentioned facts and serious health hazards faced by Trimulgherry Villageresidents, I as a board member of Ward No 7 standing with my public as I understand their hardships faced. I personally request to take immediate action to ensure sewage water is no let into above mentioned lake.

P. BHAGYASREE

P. Bhagyasree

20/09/2022, 06:01

Sewage release turns Trimulgherry Lake into a cesspool - The Hindu

HYDERABAD

Sewage release turns Trimulgherry Lake into a cesspool

STAFF REPORTER

HYDERABAD OCTOBER 07, 2017 23:09 IST

UPDATED: OCTOBER 07, 2017 23:09 IST

It was once destined to become a tourist attraction



Uncontrolled sewage release has been choking a lake in Trimulgherry that was once destined to become a tourist attraction.

Called the Trimulgherry Lake, the water body is nestled between the prime colonies of Secunderabad Cantonment, but its contents belies its location. Untreated sewage from its neighbourhood has turned it into a cesspool and a thriving ground for swine. A scan of the neighbourhood reveals constructions.

Open drains run straight into the lake, their paths circumvented by homes that have come up in the close vicinity of the lake.

“A drain carrying sewage from Lal Bazar runs into the lake while another carries from a place called Chinna Kamela. Houses have come up on the drains, which have not been covered though funds were sanctioned for covering these drains,” said N. Venkata Ramana, a resident of the area. The custodianship of the lake was passed onto the Tourism Department for development more than a decade ago, but those did not materialise, officials say.

20/09/2022, 06:01

Sewage release turns Trimulgherry Lake into a cesspool - The Hindu

“The land is with the Revenue Department. The decision to conserve or develop it rests either with the GHMC or the Secunderabad Cantonment Board. A discussion with the cantonment board CEO is on the agenda,” said Trimulgherry MRO N. Sunil.

The CEO of Secunderabad Cantonment Board, S.V.R. Chandrashekar, said the lake has the potential for development given its location. “The SCB does not have the technical wherewithal to conserve the lake. The work is cut out for an expert agency and needs the State government’s intervention,” he said.

THE HINDU

Our code of editorial values

This article is closed for comments.

Please **Email the Editor**

Printable version | Sep 13, 2022 3:16:41 am |

<https://www.thehindu.com/news/cities/Hyderabad/sewage-release-turns-trimulgherry-lake-into-a-cesspool/article19821153.ece>

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2/26/24, 5:30 PM

Gmail - OA No.97 of 2022(SZ) inspection of site regarding

A



Tejashwari meerupati <ms.tejashwari@gmail.com>

OA No.97 of 2022(SZ) inspection of site regarding

4 messages

E BASWARAJU <dgm-pcc1@hyderabadwater.gov.in>
To: mstejashwari@gmail.com

Thu, Dec 14, 2023 at 6:14 PM

To,
The Petitioner,
Dr.M.S.Tejashwari,
D/o.Late M.Sathyanarayana Reddy

Gentlemen/Madam,

Sub: HMWSSB – PCC-I – Hon'ble NGT, Chennai – O.A.No.97 of 2022, (SZ) filed by Dr.M.S.Tejashwari,R/o Tirumalgi,Sec'bad,Hyd - Reg.

Ref: 1. Memo No.HMWSSB/STPC-I/2023-24/437 DT:10.10.2023
2. Memo No.DT/DCE/DGM-S9/2023-24/704, dt:18.10.2023

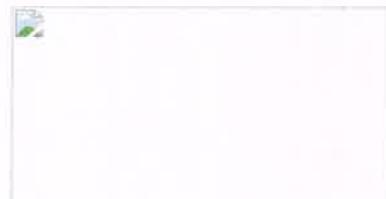
-o0o-

With reference to the above OA.No.97 of 2022(SZ) Order dated:29.08.2023 , the petitioner Dr.M.S.Tejashwari, D/o.Late M.Sathyanarayana Reddy is here by requested to attend the inspection of site with relevant documents on 18.12.2023 @3.30 PM without fail.

Please acknowledge and confirm the date & time of inspection.

With regards,
G.Raghu

Chief General Manager (E)
Project Construction Circle-I



Tejashwari meerupati <ms.tejashwari@gmail.com>
To: kodivishi@yahoo.co.in, Hema Latha <hemalathaadv@gmail.com>, rangathan rajaraman <rranga.64@gmail.com>

Thu, Dec 14, 2023 at 7:52 PM

[Quoted text hidden]

Tejashwari meerupati <ms.tejashwari@gmail.com>
To: Meerupati Raghavender <dmsr369@gmail.com>, aparna reddy <aparnareddys@gmail.com>

Thu, Dec 14, 2023 at 9:03 PM

----- Forwarded message -----

From: **E BASWARAJU** <dgm-pcc1@hyderabadwater.gov.in>
Date: Thu, 14 Dec 2023, 6:17 pm
Subject: OA No.97 of 2022(SZ) inspection of site regarding
To: <mstejashwari@gmail.com>

2/26/24, 5:30 PM

Gmail - OA No 97 of 2022(S2) inspection of site regarding

[Quoted text hidden]

Tejashwari meerupati <ms.tejashwari@gmail.com>
To: E BASWARAJU <dgm-pcc:1@hyderahadwater.gov.in>

Sat, Dec 16, 2023 at 4:16 AM

Sir/Madam,

I am in receipt of your notice for inspection of the site at on 18/12/2023 @3:30 pm it's agreeable for me.

However I would like to know in your sent email the Reference cited i & ii memos what are ? I would be grateful if you give me the copy of the same. So that nothing in secret is done.

And already you have visited the site without my presence and in presence of Secunderabad cantonment board officials and I have seen you there on the bund.

Also the documents (i.e)Petition and the Rejoinder along with annexures which I filed in NGT and the complete set of copies has been given to you on 13/09/2023.

Regards

Tejashwari

[Quoted text hidden]

**MARCH 2021 APPLICANT's PRIVATE LAND IN SY.NO. 96-99 PHOTOS:
NORTHEAEST CORNER: FRESH WATER WELL**



NORTH, NORTHWESTERN, CENTER PORTION



WEST SIDE

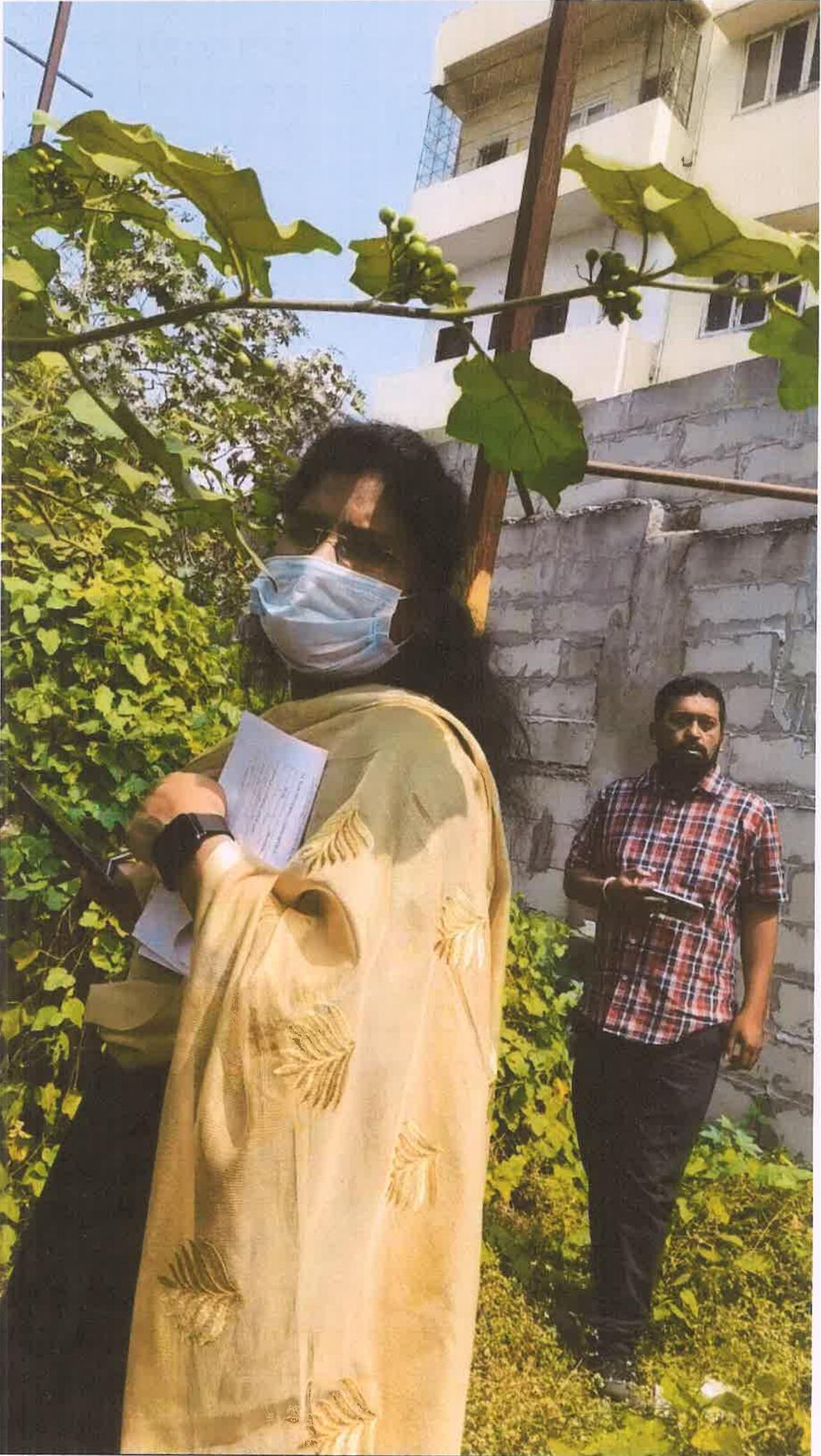


SOUTHEAST SIDE:



**ENVIORNMENTAL ENGINEER Mr. RAJENDRA AND OTHER OFFICIALS OF THE
3RD RESPONDENT (TSPCB) INSPECTION OF THE APPLICANT'S LAND ON
07.02.2024**





A

By Hand**Dt.:31.5.2023**

From:

Dr.M.S. Tejashwari,
D/o Late M.Sathyanarayana Reddy,
R/o H.No.3-16-668/A, Beside Shahi Biryani Darbar Restaurant,
Trimulgherry, P.O: Lal Bazar, Secunderabad -500015. Telangana
Mobile No: 7702892451.

To,

The Joint Chief Environmental Engineer,
Telangana State Pollution Control Board,
Zonal Office: Hyderabad
H.No: 6-3-1219, TS No.1, Block C, Ward No.91,
Near Country Club, Kundan Bagh, Uma Nagar,
Begumpet, Hyderabad; Telangana. 500037



Respected Sir,

Sub: Objection to Paragraph 11. of your letter dated 24.05.2023 in**Order No. 15-RR-II/TSPCB/ZO-HYD/TF/2023-161- reg.**

1. I am in receipt of your Order No. 15-RR-II/TSPCB/ZO-HYD/TF/2023-161 dated 24.05.2023 and I have noted the contents and I have an objection to the Paragraph 11 where it is noted that the task force meeting was held on 29.12.2022 is incorrect. I submit that I am in receipt of your letter dated 17.4.2023 in no. LR.No.NGT-97/MDC/TSPCB/ 2023-56 informing me to attend the Task force meeting to be held on 26.04.2023 (Enclosure-1). I attended the meeting on 26.04.2023 and not on 29.12.2022.
2. The sewage generated from the colonies in and around the area are **joining the natural stream** and getting stagnated in the Petitioner's land premises is incorrect. On the other hand, the natural slope is towards the Trimulgherry

lake which is already highly polluted with the sewage for many decades and all these sewages which is being accumulating is let to flow into my open fresh water well and to my land which is totally artificial and on account of human interference (illegal encroachers of A-1 defence land in collusion with Secunderabad Cantonment Board officials). I humbly submit that I filed rejoinder to the Counter filed by Secunderabad Cantonment Board in O.A. No 97 of 2022.

Kindly note the same and oblige.

Thanking you,

Yours truly,

31/05/2023
Dr.M.S. Tejashwari

Enclosure:

1. Copy of the letter LR.No.NGT-97/MDC/TSPCB/ 2023-56 dated 17.04.2023 from Environmental Engineer TSPCB, Regional office Medchal.



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

Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988)

Order No. RR-II-Legal/TSPCB/TF/BO/UH-VI/2024- 1675 Date:17.02.2024

Sub: TSPCB - The Hon'ble NGT, Chennai, Original Application No:97 of 2022 filed Dr. M.S. Tejashwari, D/o. Late Sri M. Sathyanarayana Reddy, R/o. H.No. 3-16-668/A, Trimulgherry 'X' Roads, Medchal-Malkajgiri District - Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988) - **DIRECTIONS- Issued - Reg.**

Ref:

1. Original Application No:97 of 2022 filed in the Hon'ble NGT, Chennai, by Dr. M.S. Tejashwari, Medchal-Malkajgiri District.
2. Notice issued to the Cantonment Board, Secunderabad dated:08.12.2022.
3. Hearing before the Hon'ble NGT on 21.12.2022.
4. TSPCB directions Order No. 15-RR-II/TSPCB/ZO-HYD/TF/2023-161 dt:24.05.2023.
5. RO, Medchal Report dt. 25.01.2024.
6. T.F Committee meeting held on 30.01.2024.

* * *

1. **WHEREAS**, an original application was filed in the Hon'ble NGT, Chennai by Dr. M.S. Tejashwari, D/o. Late Sri M. Sathyanarayana Reddy, R/o. H.No. 3-16-668/A, Trimulgherry 'X' Roads, Secunderabad, regarding damage of Boundary wall, laying of the drainage pipeline from the dwellings located in the Northern side of the petitioner's land and sewage entering into petitioner's land and open well thereby causing water pollution.
2. **WHEREAS**, the Board issued a notice dated 08.12.2022 to the Chief Executive Officer, Secunderabad Cantonment Board directing to take immediate measures for prevention of untreated sewage discharges and provide necessary treatment system for the sewage generated from the house holds in the locality.
3. **WHEREAS**, the issue was placed in the Task Force committee meeting at Zonal Office, Hyderabad. After detailed discussions, Committee recommended to issue directions to the Secunderabad Cantonment Board (SCB). Based on the recommendations of the committee, the Board issued directions vide order Dt. 24.05.2023 to the SCB.
4. **WHEREAS**, the Secunderabad Cantonment Board submitted reply dated 14.06.2023 to the Board Directions and informed that SCB is taking up a project of rejuvenation of Trimulgherry lake by laying a ring sewer line through HMWS&SB in 15th Finance Commission Funds. A request has already been taken up with HMWS&SB for inclusion of the subject proposal in the said project by carrying out site inspection by the experts for preparing DPR and feasibility report after considering all the relevant aspects of environmental conservation. Further, representative informed that the HMWS&SB was requested to furnish the timelines and action plan in compliance with the directions of TSPCB vide proceedings dated: 24.05.2023 and the detailed action plan with its timelines shall be intimated in due course and since the matter being sub-judice, requested the Board to not to initiate any prosecution proceedings against Secunderabad Cantonment Board.
5. **WHEREAS**, the Board officials inspected the said land and surroundings on 27.01.2024 and observed that the sewage is still joining the Petitioner's land no measures were taken up by the SCB for treatment of the sewage / diversion of the sewage.
6. **WHEREAS**, the issue was reviewed in the Task Force committee meeting held on 30.01.2024. During the meeting, the representative of SCB informed the following:
 - i. It is a low lying area and father of the petitioner earlier has applied for permission of the local body for construction of the boundary wall and as per the layout there are underground pipeline.

- ii. After construction of the boundary wall, there formed a cess pool of the sewage and rain water from the upstream side. Hence, the locals made a hole into the boundary wall to let the water go in the downstream.
- iii. Writ petition has been filed by the petitioner in the Hon'ble High Court. The SCB filed a writ appeal in the High Court. As per the orders of the High Court, the SCB has passed speaking orders dated 29.04.2022 with the options suggested in the feasibility report of M/s. P.S. Engineering Consultants along with the recommendation.
- iv. But the petitioner has filed another W.P. No. 22126 / 2022 in the Hon'ble High Court. The High Court has issued interim orders dt. 29.04.2022 for status Quo. Hence, no works can be taken up in the said land.
- v. After that, the petitioner has filed O.A.No. 97 of 2022 in the Hon'ble NGT. The SCB has approached the HMWS&SB for taking up a project to construct STP for treatment of the sewage. Also deposited an amount of Rs.1.90 crore with HMWS&SB who has been taking up the project and will submit the DPR and the proposed details once they finalize the same.

After detailed discussions, the Committee recommended that the SCB shall submit a time bound action plan to collect and treat the sewage. The committee also recommended to issue directions to the SCB in this regard for expediting the process.

7. After careful consideration of the material facts of the case, the Board hereby issue following directions to the Secunderabad Cantonment Board (SCB) under Water Act:
 - i. The Secunderabad Cantonment Board shall provide proper I&D structure/ drainage system to collect and divert the sewage joining into the natural storm water drains.
 - ii. The Secunderabad Cantonment Board shall provide STP of suitable capacity to treat the sewage generated from the colonies in the area. Proper study shall be carried out to assess the quantity of sewage generated keeping in the future requirements on quantity of sewage to be generated.
 - iii. The I&D channels shall be connected to the proposed STP and the treated waste water shall be reused for gardening purpose in the area.
 - iv. Secunderabad Cantonment Board shall furnish a detailed Action Plan with timelines within 07 days to treat the Sewage generated in the area.
8. In view of the above, the Secunderabad Cantonment Board is hereby directed to comply with the above directions.
9. These directions are issued under Section 33(A) of Water (Prevention and Control of Pollution) Act, 1974 (as amended by Act 53 of 1988).
10. It is also to note that, in case of any violation of the above Board directions, action will be initiated by the Board under Water Act.

**Sd/-
MEMBER SECRETARY**

To
The Chief Executive Officer,
Secunderabad Cantonment Board,
Court Compound Secunderabad Cantonment Board,
Sardar Patel Road, Secunderabad,
Telangana State - 500 003

Copy to :

1. The JCEE, TSPCB, Zonal Office, Hyderabad for information.
2. The Environmental Engineer, TSPCB, Regional Office, Medchal for information. He is directed to verify the compliance on the directions.
3. Dr. M.S. Tejashwari, D/o. Late Sri M. Sathyanarayana Reddy, R/o. H.No. 3-16-668/A, Trimulgherry 'X' Roads, Secunderabad.
4. Concerned File

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

P. Jannabhai
 Senior Environmental Engineer
 (TF-HYD-UH-VI)

To,
Dr. M. S. Tejeshwari,
R/O. H. NO. 3-16-668/A,
Tismulgherry 'X' Roads,
Sec. 16th.

OFFICE OF THE
T.S. Pollution Control Board
Paryavaran Bhavan
A-III, I.E. Sanathalagar
Hyderabad 500 018

500018 22 02 2024
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₹6.00
INDIA
P988447



A -

Date: 13.09.2023

By Hand**To,**

The Hyderabad Metropolitan Water Supply and Sewerage Board
 Represented by its Managing Director,
 Khairtabad, Hyderabad - 500004
 Telangana.

From,

Dr. M.S. Tejashwari
 D/o Late M.Sathyannarayana Reddy
 H. No: 3-16-668/A, Trimulgherry 'X' Roads
 Secunderabad 500015. Telangana.
 Mobile No: 7702892451

Sub: Submitting Copy of the order of the Hon'ble National Green Tribunal, South zone, Chennai dated 29.08.2023, Office copy of O.A. No 97 of 2022 along with documents, Office copy of Rejoinder and the documents filed along with the rejoinder to the counter filed by the Respondent No.2 for your kind reference - reg

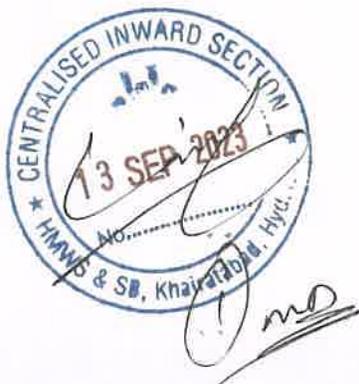
Respected Sir,

Please find enclosed the office copy of the O.A.No. 97 of 2022 along with documents filed by me before the Hon'ble National Green Tribunal, Chennai and also the rejoinder and the documents filed along with the rejoinder to the counter filed by the Respondent No.2. You are impleaded as a party as Respondent No.6 in OA. No 97 of 2022 and you are directed to supply with the copy. The copy of the order of the Hon'ble National Green Tribunal, Chennai dated 29.08.2023 is also enclosed for your kind reference. Kindly acknowledge the receipt of the same.

Thanking you,

Yours faithfully

Dr.M.S. Tejashwari.



Enclosure:

1. Copy of the order of the Hon'ble National Green Tribunal, Chennai dated 29.08.2023
2. Office copy of O.A. No 97 of 2022 along with documents.
3. Office copy of Rejoinder and the documents filed along with the rejoinder to the counter filed by the Respondent No.2.

PROJECT MANAGER RAGHU OF 6TH RESPONDENT (HMWSSB) INSPECTING APPLICANT'S LAND ON 18.12.2023.





INSIDE OF NORTHEASTERN CORNER OF APPLICANTS PRIVATE LAND NEAR THE WELL; RECENT PHOTOGRAPHS SHOWING GARBAGE DUMPED BY THE ILLEGAL ENCROACHERS OF A-1 DEFENCE LAND





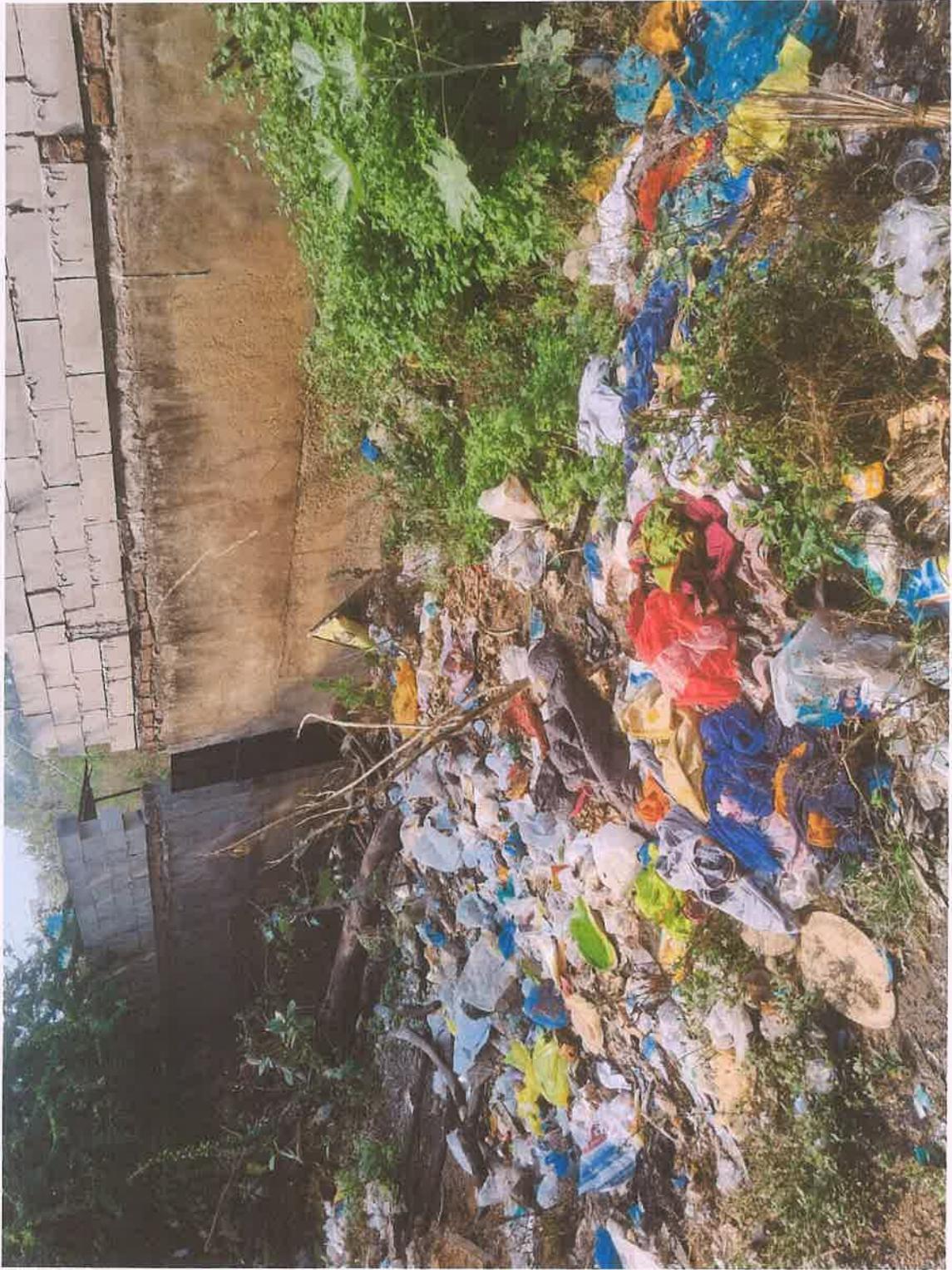


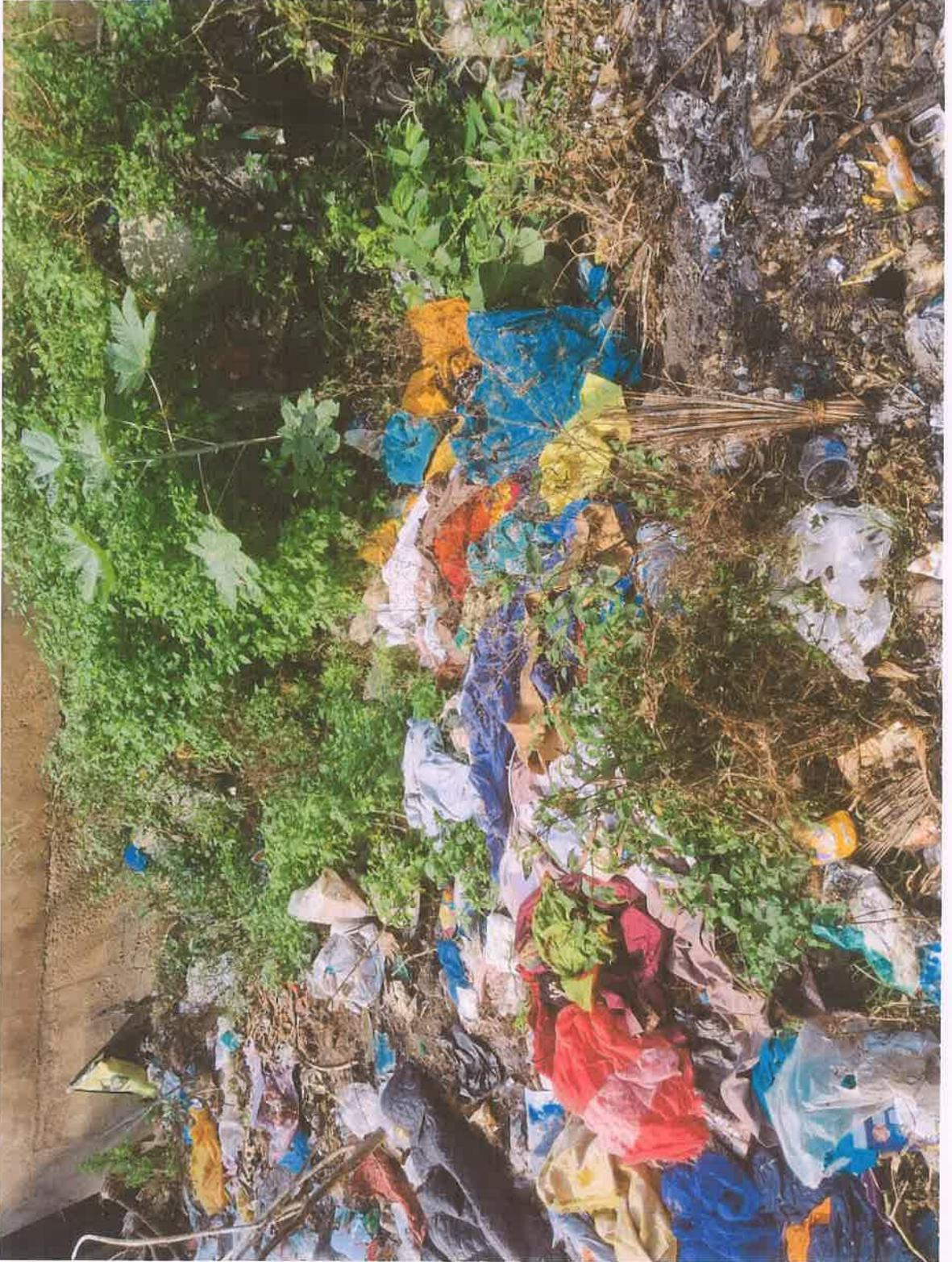






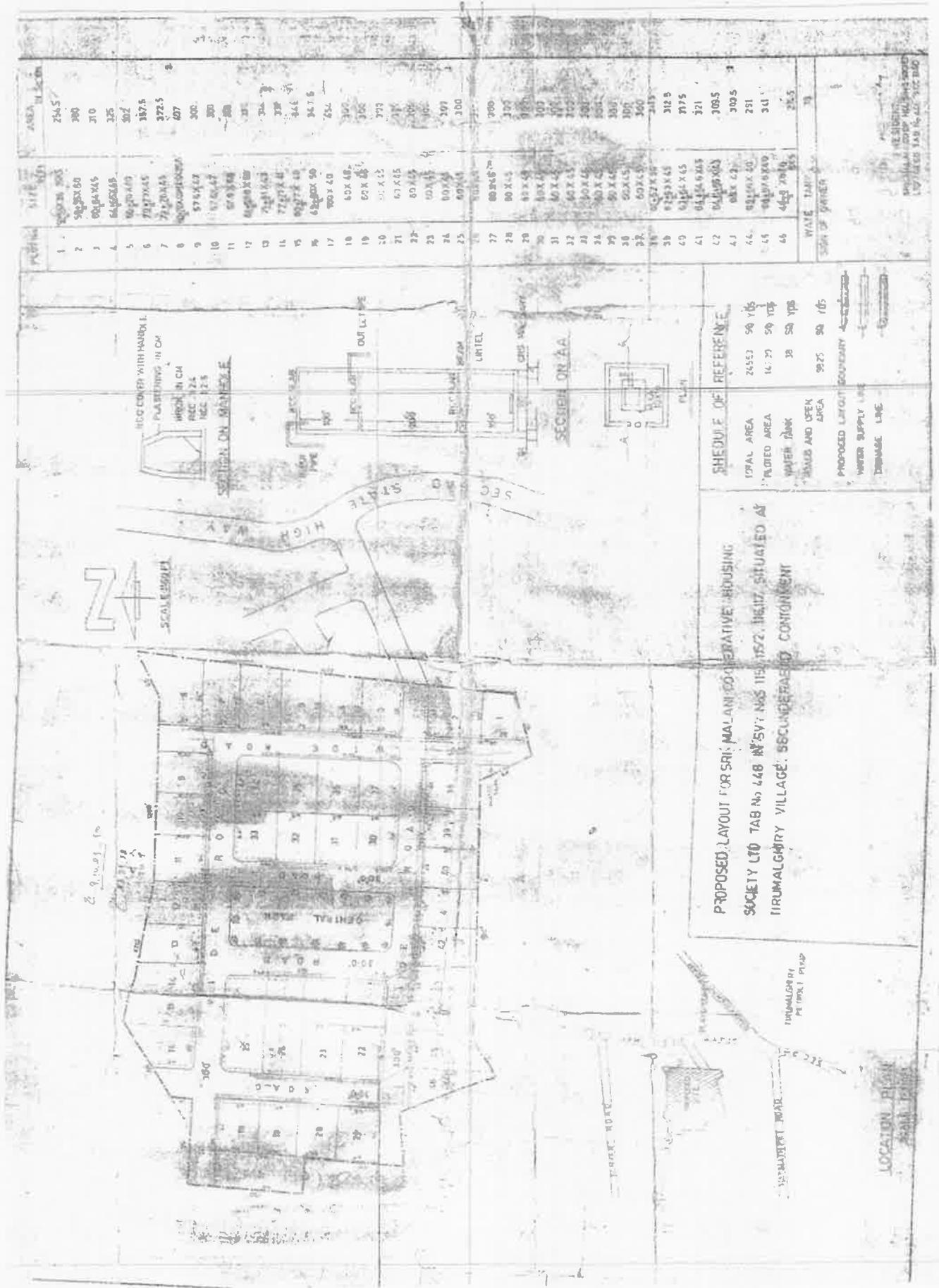
EASTEN SIDE OF APPLICANTS COMPOUND WALL:







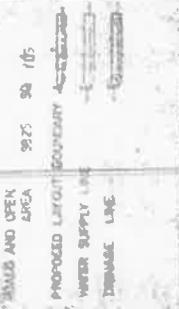
**NORTHEAST CORNER OF APPLICANTS LAND AT HIGHER ELEVATION
OUTSIDE SLOPE IS FROM WEST TO EAST**



PROPOSED LAYOUT FOR SRI MALANI CO-OPERATIVE HOUSING SOCIETY LTD. TAB No. 448 N° 5V. HAS 115, 152, 161, 17, SITUATED AT TIRUMALGIRY VILLAGE, SECUNDERABAD CONTINENT

SCHEDULE OF REFERENCE

TOTAL AREA	24553	59 Yds
FLOORED AREA	14,79	59 Yds
WATER TANK	30	50 Yds
STATUS AND OPEN AREA	9275	50 Yds



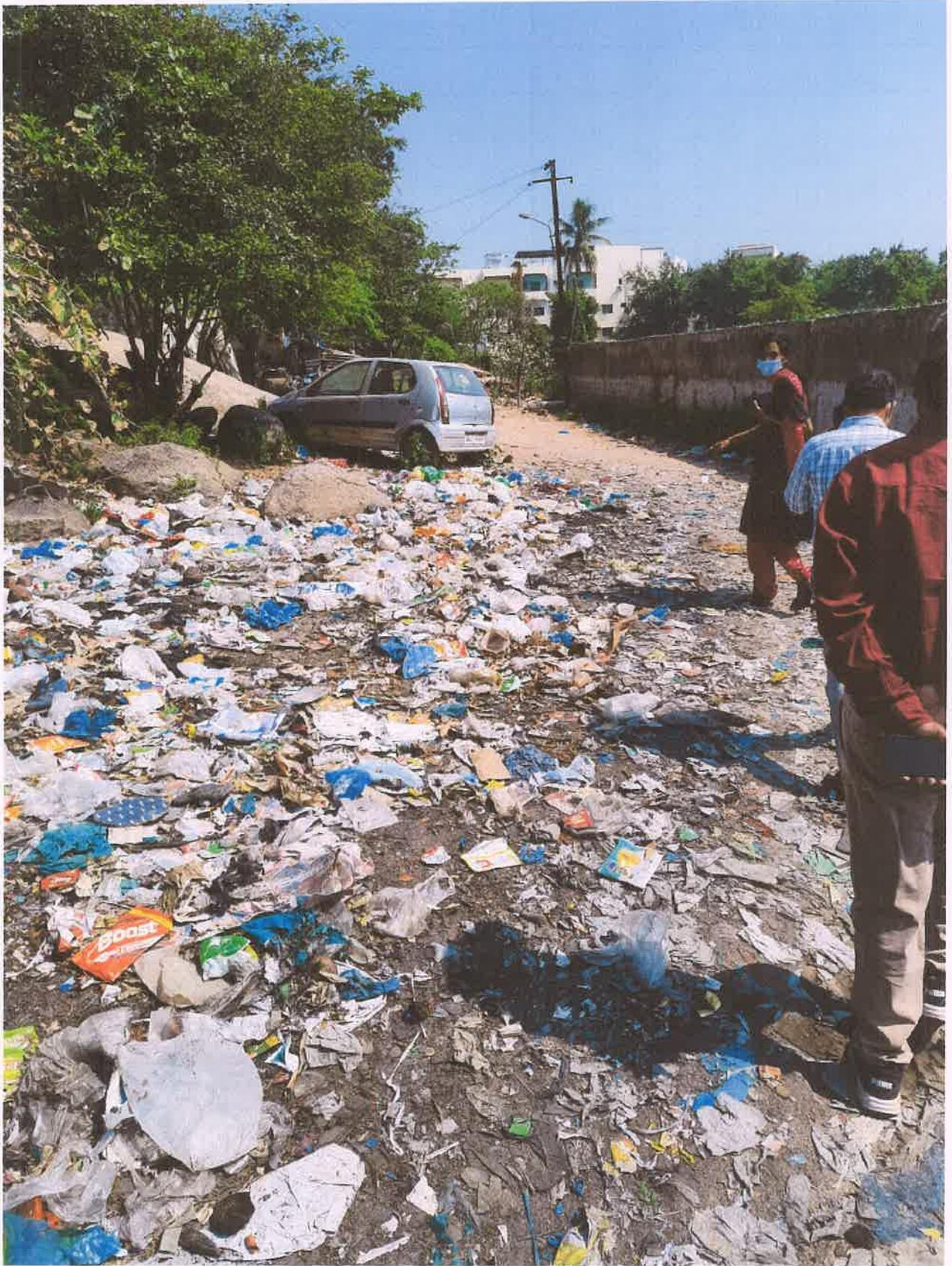
NO.	SECTION	SIZE (FT)	AREA (SQ. FT)
1	SECTION 1	80' X 60'	2545
2	SECTION 2	80' X 60'	290
3	SECTION 3	80' X 60'	310
4	SECTION 4	80' X 60'	325
5	SECTION 5	80' X 60'	302
6	SECTION 6	80' X 60'	307.5
7	SECTION 7	80' X 60'	327.5
8	SECTION 8	80' X 60'	407
9	SECTION 9	80' X 60'	300
10	SECTION 10	80' X 60'	300
11	SECTION 11	80' X 60'	300
12	SECTION 12	80' X 60'	300
13	SECTION 13	80' X 60'	300
14	SECTION 14	80' X 60'	300
15	SECTION 15	80' X 60'	300
16	SECTION 16	80' X 60'	300
17	SECTION 17	80' X 60'	300
18	SECTION 18	80' X 60'	300
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20	SECTION 20	80' X 60'	300
21	SECTION 21	80' X 60'	300
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23	SECTION 23	80' X 60'	300
24	SECTION 24	80' X 60'	300
25	SECTION 25	80' X 60'	300
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28	SECTION 28	80' X 60'	300
29	SECTION 29	80' X 60'	300
30	SECTION 30	80' X 60'	300
31	SECTION 31	80' X 60'	300
32	SECTION 32	80' X 60'	300
33	SECTION 33	80' X 60'	300
34	SECTION 34	80' X 60'	300
35	SECTION 35	80' X 60'	300
36	SECTION 36	80' X 60'	300
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57	SECTION 57	80' X 60'	300
58	SECTION 58	80' X 60'	300
59	SECTION 59	80' X 60'	300
60	SECTION 60	80' X 60'	300

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**03.11.2022 APPLICANT ALONG WITH THE OFFICIALS OF THE 3RD RESPONDENT
INSPECTING THE APPLICANT LAND, SURROUNDINGS, TRIMULGHERRY LAKE:**

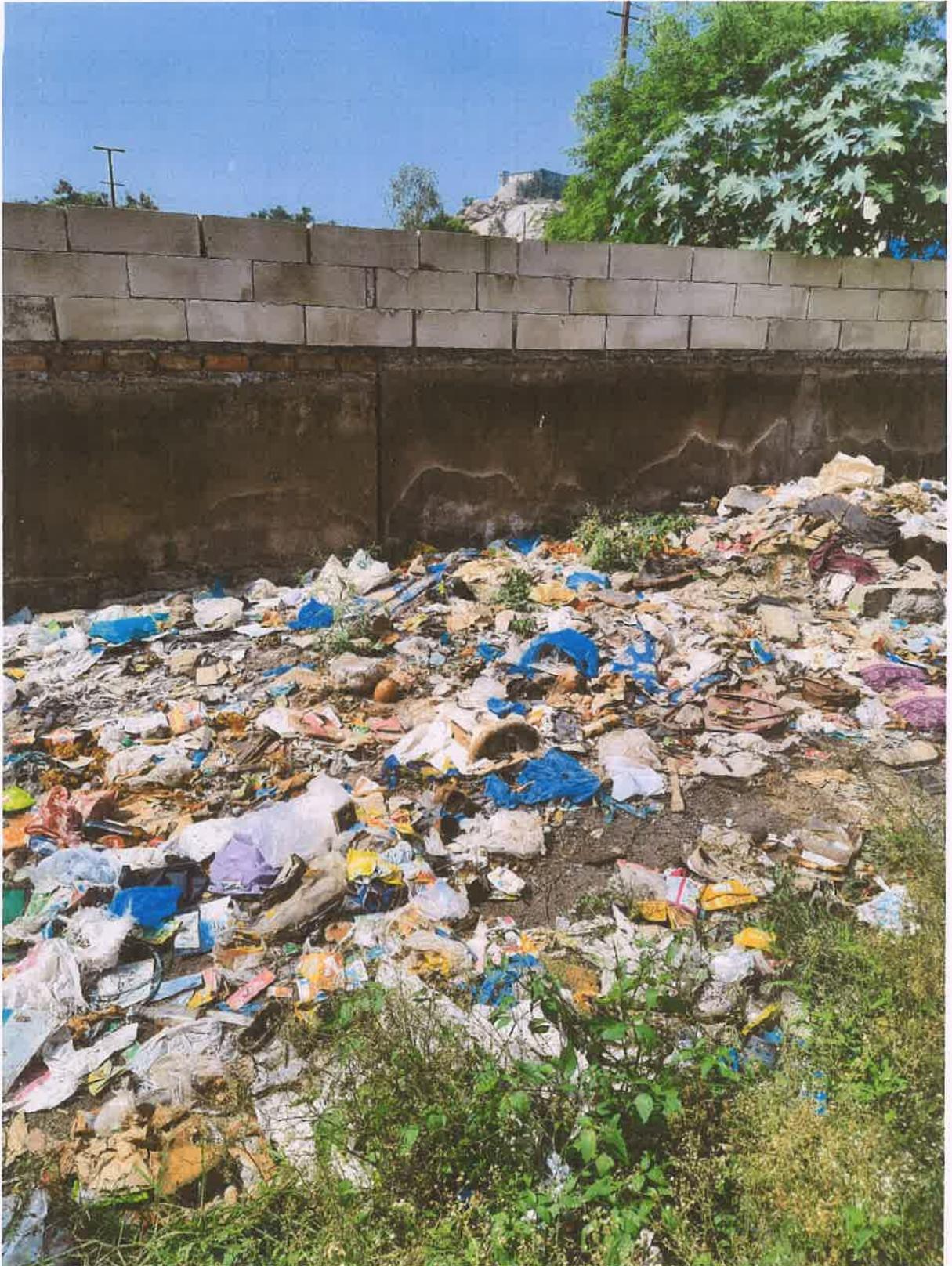
**NORTHERN SIDE OF APPLICANTS PROPERTY A-1 DEFENCE LAND (REVENUE Sy.
No 114)**





EASTERN SIDE OF THE APPLICANTS LAND:







RECENT ILLEGAL ENCROACHMENTS ON THE NORTHERN AND NORTH EASTERN ASPECT OF APPLICANTS LAND: CORRELATE WITH GOOGLE SATELLITE IMAGERY



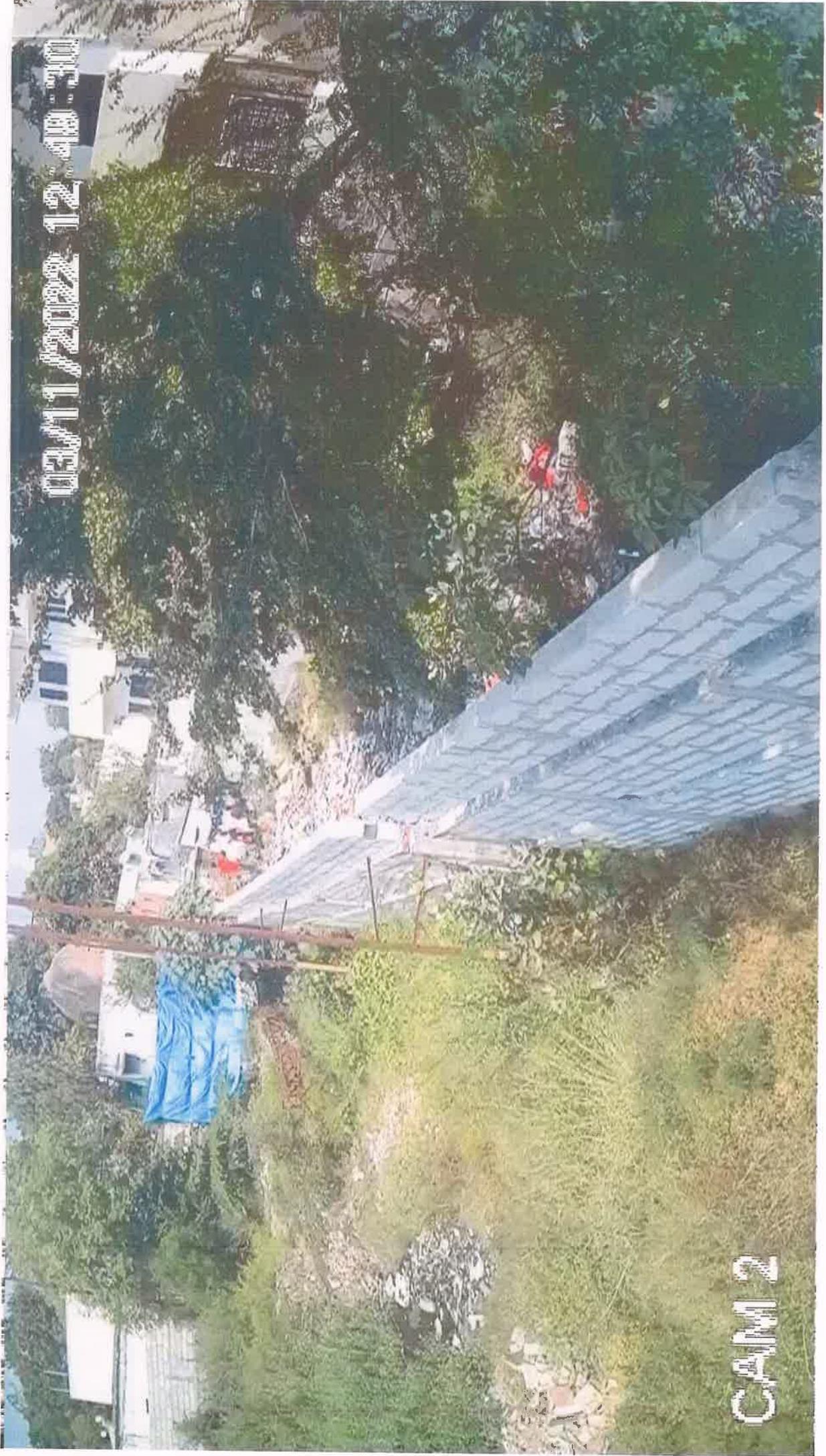






03/11/2022 12:24:35

CAM 2



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

ORIGINAL APPLICATION No.97 OF 2022

IN THE MATTER OF:

Dr.M.S. Tejashwari

... Applicant

AND

Union of India & Others

... Respondents

**REPLY / OBJECTION FILED ON BEHALF OF
THE APPLICANT**

**T.HEMALATHA, R.RAJMOHAN AND S.DEEPIKA
COUNSEL FOR APPLICANT**