

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

ORIGINAL APPLICATION No. 128 OF 2023 (SZ)

IN THE MATTER OF:

Gajjala Yoganand Foundation,
[GY Foundation, Regd. No. 287/BK-IV/2019]
Hyderabad – 500 072, Telangana

....

Applicant (s)

Versus

The State of Telangana,
rep by its Chief Secretary,
Telangana Secretariat,
Hyderabad & Others

....

Respondent(s)

REPORT OF THE TELANGANA POLLUTION CONTROL BOARD (R4)

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Place: Hyderabad.

Date: 19-08-2024.



COUNSEL FOR THE RESPONDENT (R4)

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REPORT DATED 17-08-2024 OF THE TELANGANA STATE POLLUTION CONTROL BOARD (R-4) IN O.A No. 128 of 2023 FILED BY GAJJALA YOGANAND FOUNDATION VS GOVERNMENT OF TELANGANA.

It is to submit that the Hon'ble NGT, Chennai has registered Original Application filed by Gajjala Yoganand Foundation. The grievance in the application in the interest of the public seeking a direction to the official respondents to eliminate all the unauthorized structures encroaching upon the Full Tank Level (FTL) and Buffer zone of Gopi Cheruvu and Chakalavani Cheruvu along with their associated flood water channels in Serilingampally Mandal, State of Telangana.

The Hon'ble NGT, South Zone, Chennai passed an Order dated 05.09.2023 and directed the 6th Respondant/ Greater Hyderabad Municipal Corporation (GHMC) to consider the representation given by the applicant within a period of 4 (Four) weeks from today after affording an opportunity of personal hearing and take appropriate action after inspecting the said area. Let the 6th respondent report compliance of the same after 6 (Six) weeks.

The Hon'ble NGT, South Zone, Chennai passed an Order dated 18.01.2024 in the O.A. No. 128 of 2023 as follows:

"At the request of the Learned Counsel appearing for the Greater Hyderabad Municipal Corporation (GHMC), post the matter on 27.02.2024."

In this regard, the following is submitted: -

- Chakalavani Cheruvu is located at Serilingampally Village (GPS Points: 17°29'1.32"N 78°19'17.53"E) and surrounded by East:Residential area, West Open land followed by few houses, Road & Railway line, North: Road followed by Railway line and South: Kacha road followed by residential area.
- Gopi Cheruvu is located at Serilingampally Village (GPS Points: 17°28'46.15"N, 78°19'34.73"E) and surrounded by East:Open land, upcoming residential construction project followed by road, West: Residential area, North: Residential area and South: Kacha road followed by residential area & School (South East corner).
- It was observed that, among the residential house / projects existing in the surroundings of Gopi Cheruvu, only 2 residential construction projects comes under purview of TS Pollution Control Board, Viz. 1). M/s. Legala Estates Private Limited, 2) RNP#1 by M/s. RNP Stettler Projects LLP., which are having built up area more than 20,000 Sq. mtr.
- M/s. Legala Estates Private Limited (Formerly Navyuga Legala Estates Private Limited), Sy.No.82(P), 83(P) & 84 (P), Serilingampally (V & M), is located near the Gopi Cheruvu on South East side of the water body. The residential

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project has obtained Environmental clearance order from SEIAA, vide order dated 09.04.2021 for establishment of Residential Apartment with 3 Towers 1 to 3 (3B + G + 39 Floors + Terrace) Amenities Block (3B + G + 3 Floors + Terrace). Subsequently the project obtained EC amendment (for expansion) of project, vide order dated 29.07.2022 for establishing Residential Apartments with 6 Towers (3B+G+39 Floors), Amenities (3B + G +3 Floors). The project is establishing 5 towers and construction works are under progress.

- Residential construction project RNP#1 by M/s. RNP Stettler Projects LLP., Sy. No. 218/7, Kondapur (V), Serilingampally (M), Rangareddy District is located near the Gopi Cheruvu on North East side of the water body. The project obtained Environmental clearance order from SEIAA, vide order dated 17.09.2020 for establishment of Residential Apartment with 3C+G+15 floors with builtup area 55,756.3 Sq. Mtr. The project is establishing the Residential Apartments and construction works are under progress.
- The TSPCB, Regional Office, Rangareddy communicated letter to the Zonal Commissioner, GHMC, Serilingampally Circle, Hyderabad for taking necessary action on dumping of Construction & demolition waste and Municipal solid waste, vide letter dated:15.02.2024 and reminder was issued on 29.06.2024.(Annexure)

Submitted.

Date: 17.08.2024
Place: Hyderabad.



ENVIRONMENTAL ENGINEER

ENVIRONMENTAL ENGINEER
Telangana Pollution Control Board,
Regional Office, Rangareddy.



(2) ANNEXURE - I

TELANGANA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE, RANGAREDDY DISTRICT

H.No.6-3-1219, Block C, Ward No.91, 2nd Floor, Backside of Country Club,
Kundanbagh, Umanagar, Begumpet, Hyderabad - 500016.

M. Venkat Narsu,
Environmental Engineer

Email:ce-rr1-tspcb@telangana.gov.in

Lr. No. RR/OA128 of 2023/TSPCB/RO-RRD/2024- 2583

Date: 15.02.2024.

To

The Zonal Commissioner,
Greater Hyderabad Municipal Corporation,
Serilingampally Circle,
Hyderabad.

Sir,

Sub: TSPCB, RO, RRD - Hon'ble NGT, South Zone, Chennai – **Original Application No. 128 of 2023** filed by Gajjala Yoganand Foundation and Human Rights & Consumer Protection Cell Trust Vs Government of Telangana regarding encroaching the Full Tank Level (FTL) and Buffer zones of Gopi Cheruvu and Chakalavani Cheruvu – Dumping of Construction waste and Municipal Solid Waste – Action – Requested – Reg.

Ref:

1. Construction and Demolition Waste Management Rules, 2016.
2. Solid Waste Management Rules, 2016.
3. The Hon'ble NGT Order Dt 18.01.2024 in OA. No. 128 of 2023.
4. Inspection of the Board Officials on 15.02.2024.

* * *

With reference to the Original Application No. 128 of 2023 in Hon'ble NGT, South Zone, Chennai filed by Gajjala Yoganand Foundation and Human Rights & Consumer Protection Cell Trust Vs Government of Telangana regarding encroaching the Full Tank Level (FTL) and Buffer zones of Gopi Cheruvu and Chakalavani Cheruvu. TSPCB officials has inspected the Gopi Cheruvu and Chakalavani Cheruvu on 15.02.2024 and observed the following:

1. Construction and demolition waste is being dumped along the periphery of Gopi Cheruvu on South side.
2. Construction and demolition waste is being dumped along the periphery Chakalavani cheruvu on South side and South West side.
3. Municipal solid waste is being dumped along the periphery of Chakalavani cheruvu on South West side.

In this regard, it is to inform you that as per Rule 6 of Construction and Demolition Waste Management Rules, 2016 & Rule 15 of Solid Waste Management Rules, 2016 notified by MoEFCC, Govt of India, the local bodies are the concerned authorities for proper management of construction and demolition waste & Municipal solid waste within their jurisdiction.

In view of the above, you are requested to take necessary action regarding the dumping of construction & demolition waste and Municipal Solid waste and requested to send a copy of action taken report to this office.


ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER
Telangana State POLLUTION CONTROL
BOARD REGIONAL OFFICE - 1,
RANGAREDDY DISTRICT.

Copy submitted to the JCEE, TSPCB, Legal Section, Board Office for kind information.

DESPATCHED
On 15/02/2024



(4)

TELANGANA POLLUTION CONTROL BOARD
REGIONAL OFFICE, RANGAREDDY DISTRICT

H.No.6-3-1219, Block C, Ward No.91, 2nd Floor, Backside of Country Club,
Kundanbagh, Umanagar, Begumpet, Hyderabad - 500016.

Environmental Engineer

Email: ee-rr1-tspcb@telangana.gov.in

Lr. No. RR/OA128 of 2023/TSPCB/RO-RRD/2024- 406

Date: 29.06.2024.

To
The Zonal Commissioner,
Greater Hyderabad Municipal Corporation,
Serilingampally Circle,
Hyderabad.

REMINDER

Sir,

Sub: TGPCB, RO, RRD - Hon'ble NGT, South Zone, Chennai – **Original Application No. 128 of 2023** filed by Gajjala Yoganand Foundation and Human Rights & Consumer Protection Cell Trust Vs Government of Telangana regarding encroaching the Full Tank Level (FTL) and Buffer zones of Gopi Cheruvu and Chakalavani Cheruvu – Dumping of Construction waste and Municipal Solid Waste – Reminder for Action – Reg.

Ref: 1. Construction and Demolition Waste Management Rules, 2016.
2. Solid Waste Management Rules, 2016.
3. The Hon'ble NGT Order Dt 18.01.2024 in OA. No. 128 of 2023.
4. Inspection of the Board Officials on 15.02.2024.
5. T.O.letter dated 15.02.2024

* * *

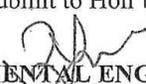
With reference to the Original Application No. 128 of 2023 in Hon'ble NGT, South Zone, Chennai filed by Gajjala Yoganand Foundation and Human Rights & Consumer Protection Cell Trust Vs Government of Telangana regarding encroaching the Full Tank Level (FTL) and Buffer zones of Gopi Cheruvu and Chakalavani Cheruvu. TSPCB officials has inspected the Gopi Cheruvu and Chakalavani Cheruvu on 15.02.2024 and observed the following:

1. Construction and demolition waste is being dumped along the periphery of Gopi Cheruvu on South side.
2. Construction and demolition waste is being dumped along the periphery Chakalavani cheruvu on South side and South West side.
3. Municipal solid waste is being dumped along the periphery of Chakalavani cheruvu on South West side.

This office vide reference 5th cited, addressed a letter to take necessary action regarding the dumping of construction & demolition waste and Municipal Solid waste and send a copy of action taken report to this office.

In this regard, it is to inform you that as per Rule 6 of Construction and Demolition Waste Management Rules, 2016 & Rule 15 of Solid Waste Management Rules, 2016 notified by MoEFCC, Govt of India, the local bodies are the concerned authorities for proper management of construction and demolition waste & Municipal solid waste within their jurisdiction.

In view of the above, you are once again requested to take necessary action regarding the dumping of construction & demolition waste and Municipal Solid waste immediately and requested to send a copy of action taken report to this office enabling to submit to Hon'ble NGT.


ENVIRONMENTAL ENGINEER
ENVIRONMENTAL ENGINEER

Copy submitted to the JCEE, TGPCB, Legal Section, Board of Environmental Engineers, Regional Office, Rangareddy.

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ANNEXURE - II

Item No.8:-

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

(Through Video Conference)

Original Application No.128 of 2023 (SZ)

IN THE MATTER OF:

Gajjala Yoganand Foundation
[GY Foundation Regd. No. 287/BK-IV/2019]
Hyderabad – 500 072, Telangana.

...Applicant(s)

Versus

The State of Telangana
Rep. by its Chief Secretary
Telangana Secretariat,
Hyderabad – 500 063, Telangana State and Ors.

...Respondent(s)

Date of hearing: 15.07.2024.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): None.

For Respondent(s): Mr. Mohammed Aathic represented
Mrs. H. Yasmeeen Ali for R1, R5, R7 & R8.
Ms. C.P. Kavitha Renjini represented
Mr. T. Sai Krishnan for R4.

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ORDER

1. At the request of the learned counsel, let the matter be listed on 22.08.2024 for filing the compliance report.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.128/2023 (SZ)
15th July, 2024. Mn.

