

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI
ORIGINAL APPLICATION NO. 71 OF 2023

IN THE MATTER OF:

Human Rights & Consumer Protection Cell Trust,
Hyderabad.

...Applicant(s)

Versus

The State of Telangana,
Rep. by its Chief Secretary,
Hyderabad and Ors.

...Respondent(s)

REPORT OF THE HYDERABAD METROPOLITAN DEVELOPMENT AUTHORITY
(R2)

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Chennai,
28.11.2023


Counsel for 2nd Respondent

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**JOINT INSPECTION REPORT ON ILLEGAL CONSTRUCTIONS IN THE
TANK BED OF VARRA KUNTA (VORRE KUNTA) OF BOLLARAM VILLAGE
OF JINNARAM MANDAL**

Officers Present:

1. Sri. G. Veera Reddy, Additional Collector (Revenue) Sangareddy District.
2. Sri. P.Madhusudhan Reddy, Executive Engineer, Sangareddy.
3. Sri. Ch.Ravinder Reddy, Revenue Divisional Officer, Sangareddy.
4. Sri. J. Krishna Rao, Executive Engineer, Lake Protection Committee,
HMDA Hyderabad.
5. Sri. D.Ramaswamy, Dy. Executive Engineer, Patancheru
6. Sri. Dasarath Singh Rathod, Mandal Revenue officer, Jinnaram(M)
7. Sri. B.Dileep Kumar, Asst. Executive Engineer. Jinnaram Section.
8. Sri. G.Ramu, Mandal Surveyor, Jinnaram(M)

Sub:-Water Bodies- Sangareddy (Dist) - Jinnaram (M) - Bollaram (V) -
Encroachment in Varra Kunta water body by Greater Infra Projects in
Sy No.82 of Bollaram (V)- Hon'ble NGT (SZ), Chennai Passed orders
directing the District collector to conduct enquiry on encroachment of
Varra Kunta Water Body of Bollaram (V) of Jinnaram (M) and file report
- committee constituted for conduct a joint inspection of the water body
- Submitting the detailed enquiry report - Reg.

- Ref:- 1. Hon'ble National Green Tribunal (South Zone), Chennai, orders in
the O.A. No. 71 of 2023 Dated 31.05.2023.
2. The District collector, Sangareddy order vide Proc. No. D1/949/2023
Dated 14.06.2023.

-x-x-x-x-

1. Anent to the subject cited and vide ref. 1st cited, the Hon'ble National
Green Tribunal (SZ), Chennai Passed orders in O.A. No. 71 of 2023,
directing the District collector, Sangareddy as well as the HMDA,
Hyderabad Authority to conduct an enquiry with regard to the alleged
encroachments of the Varre Kunta Water Body said to be existed in Sy.
No. 82 & 83 situated at Bollaram (V) of Jinnaram (M) and a file a report
on the next date of hearing of the case i.e., 04.08.2023.
2. In this regard, the District collector, Sangareddy District has instructed to
the officials of the Revenue Department, Irrigation and Lake Protection
Committee (HMDA) Department to conduct field inspection with reference

- to the complaint which was filed by the petitioners, Human Rights & Consumer protection cell trusts, for fix up the FTL/Buffer of the Water Body as well as the inlet/outlet channels of the Varre Kunta of Bollaram (V) and examine the extent of the encroachment took place over the water body and submit a detailed report along with location sketch map.
3. In pursuance of the reference cited, the joint inspection team comprising officers of Irrigation, Revenue and Lake Protection committee (HMDA) department inspected the site on 04-07-2023. During the joint inspection, the committee verified the Revenue Records, Village Map as well as Survey of India Topo Sheet apart from the Field inspection. The joint inspection team has visited upper Tank i.e., Yellamma kunta of Bachupally (V & M) Medchal Malkajgiri District and lower reach tank Kudi Kuna of Bollaram village of Jinnaram Mandal of Sangareddy district. During the inspection, the committee has found the following observations,
4. On verification of Revenue Records i.e Sethwar (Permanent Register), Khasra, Sesala and Pahanies from 1970-71, 1980-81, 1982-83, 1983-84, 2002-03, 2010-11, 2014-15, it is observed that the Varre Kunta / Yarra Kunta (tank) is recorded in Sy. No. 83 as Sarkari Shikam Talab (Tank) with an extent of Ac.0.38 Gts. As per verification of the Sethwar and Pahanies reflects that the total extent Sy. No. 83 is pote kharab (i.e unfit for cultivation) and no assessment (Land Revenue) was levied. The officers of the concerned revenue have recorded their remarks/Sharas in column no 30 of Pahani every year as Sy. No. 83 is Padava (un cultivable) and the same is covered with Yerra kunta shikam and the supervisory officers i.e., Girdawars and Tahsildars had also certified the same in their remarks/sharas at column no 31 and 32 of pahani in every year record. On the other side, the Sy. No. 82 is recorded as Patta land with an extent of Ac.8-28 Gts., and in this extent, no pote kharab was recorded. As it is a total cultivable land with an extent of Ac.8-28Gts with an assessment of Rs.60.00/- as land Revenue in all the Pahanies.
5. Further, on observation of REVENUE MAP there is no indication or mark or noting of Yerra Kunta or any water bodies either in Sy. No. 82 (Patta) or in Sy. No. 83 (Government) of Bollaram (V).

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6. Further, on verification of the Survey of India Topo-Sheet No. E44M6 (56 K/6), there is no tank/lake/Water body is indicated in the topo sheet at respective location coordinates. Further, it is observed that a stream from the upper source i.e., Yellamma Kunta of Bachupally (V) of Medchal Malkajgiri District to the lower tank i.e., Kudi Kunta of Bollaram (V) of Sangareddy District is indicated passing through the Sy. No. 82 of Bollaram (V). During the field inspection, it is observed that the stream/Nala alignment is slightly changed with the topo sheet alignment due to urbanization and construction of drainage in ANRICH industrial layout.
7. During the field inspection, It is observed that the Government has allotted an extent of Ac.162.00Gts. of Government land in Sy No 81 & 84 to A.P. State Non-resident Indian Investment Corporation (ANRICH) layout for the development of industries vide Permit No. 2677/16P2 /H/83 Dated 29.01.1993. The Sy. No. 83 which is Shikam of Varre Kunta /Yerra Kunta was also covered in the Anrich company and which is later allotted the same to a private company in which there is one pre-fabrication unit and one industrial gas unit existed and there are no remains of water body is traced.
8. The Patta land in Sy no 82 was bounded on three sides (except east) by the Government land in Sy. No. 81 and 84 of Bollaram Village which were allotted to ANRICH Industrial Layout. The allottee on the west side of Sy. No. 82 (Patta) have constructed a compound wall to safeguard his Patta land, it may be cause to natural rain water flow impounded in the low laying area of in Sy. No. 82 (Private Patta Land) of Bollaram (V).
9. Further, as per the verification of irrigation records, no amount has been spent for any type of construction or development over the said Vorre Kunta/ yerra kunta. No amount was sanctioned by the Government of Telangana in the Mission Kakatiya Program (Development of tanks program by Telangana Government).
10. Further, The Irrigation Department officials stated that the Varre Kunta (Vorre Kunta) is a preliminary notified lake by HMDA Lake

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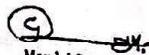
Protection Committee and published in the HMDA website in public domain on 27/02/2018 with Lake ID: 1000/89. As per the FTL map, the survey of the lake was conducted on 10.02.2017 and the FTL area of Varra Kunta is fixed up for Ac.2.871 and as per the cadastral map uploaded in the HMDA website, the tank is partly covered in the Sy. No. 81 and 84 of Bollaram (V) which is not certified by the Revenue Department officials. Hence, the cadastral map which is uploaded in the website is tentative.

11. During the inspection, the Mandal Surveyor, Jinnaram Mandal reported that the said lake Shikam is in Sy. No. 83 Ext: Ac.0.38 Gts as per revenue records. Further, Irrigation Department officers are fixed the FTL points as per available map in the HMDA-Lakes Public Domain with Lake ID No. 1000-89. Upon fixing of FTL points, it is observed that the FTL points are falling in the Sy. No. 82 of Bollaram (V) which is a Private Patta land.
12. Further, The Villagers/Local Public/ Pattadars/ land owners can raise objections U/s 11, 13 and 54 of HMDA Act 2008 on the FTL boundary maps before the final notification.
13. During the inspection, it is observed that the upper reach tank Yellamma kunta of Bachupally (V) has no weir to the said Yellamma kunta and no outlet has observed for the upper tank. At present, there is no cultivable ayacut under the tank. The overflow may be passing through open drains and reach downstream tank of Kudi kunta of Bollaram which is nearly 750 to 800 Meters away from Yellamma kunta. In between, As per Revenue Records, there was a small kunta i.e., Varre Kunta/ yerra Kunta in Sy. No. 83, Porambok sarkari Talab. But due to allotment to Anrich industrial layout and construction of factories over the said Sy. No. 83 way backs in the 1990's, the remains of said Varre kunta not traceable on the ground.
14. On the day of inspection, the team observed that there are no traces to identify the Varre Kunta (Vorre Kunta) or Yerra kunta of Bollaram (V). Further, on verification of Google extracts since 2012, the water impounded in Sy No. 82 and the team opined that the impounding of

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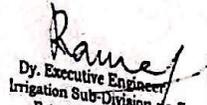
Water in the Sy. No. 82 of Bollaram Village may be due to the construction of the structures due to Urbanization on the west side of Sy No 82 and also due to the raising of ground for development and laying of roads for the ANRICH industrial layout.

15. In view of the above findings, the committee is of the opinion that the petitioner might have relied only upon Google Maps, which indicates water impounding in Sy no 82 is not supported either by Revenue Maps, Revenue Records or by Survey of India Topo sheet. Further, as per Survey and Revenue Record, the said tank which was actually recorded in Sy no 83 and covered with Anrich industrial layout as well as in industries and it may be not be possible to restore, since it was covered by industries in the 1980/90's. Further, it is evident that, there is no obstructions to the natural flow/NALAs from upper tank are reaching to the lower tank and it is reaching through drainages constructed in the Enrich industrial layout.

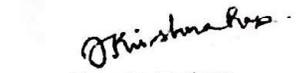

Mandal Surveyor
Jinnaram Mandal


Asst. Executive Engineer
Irrigation Section Jinnaram


Tahsildar
Jinnaram Mandal


Dy. Executive Engineer
Irrigation Sub-Division, No.5
Patancheru

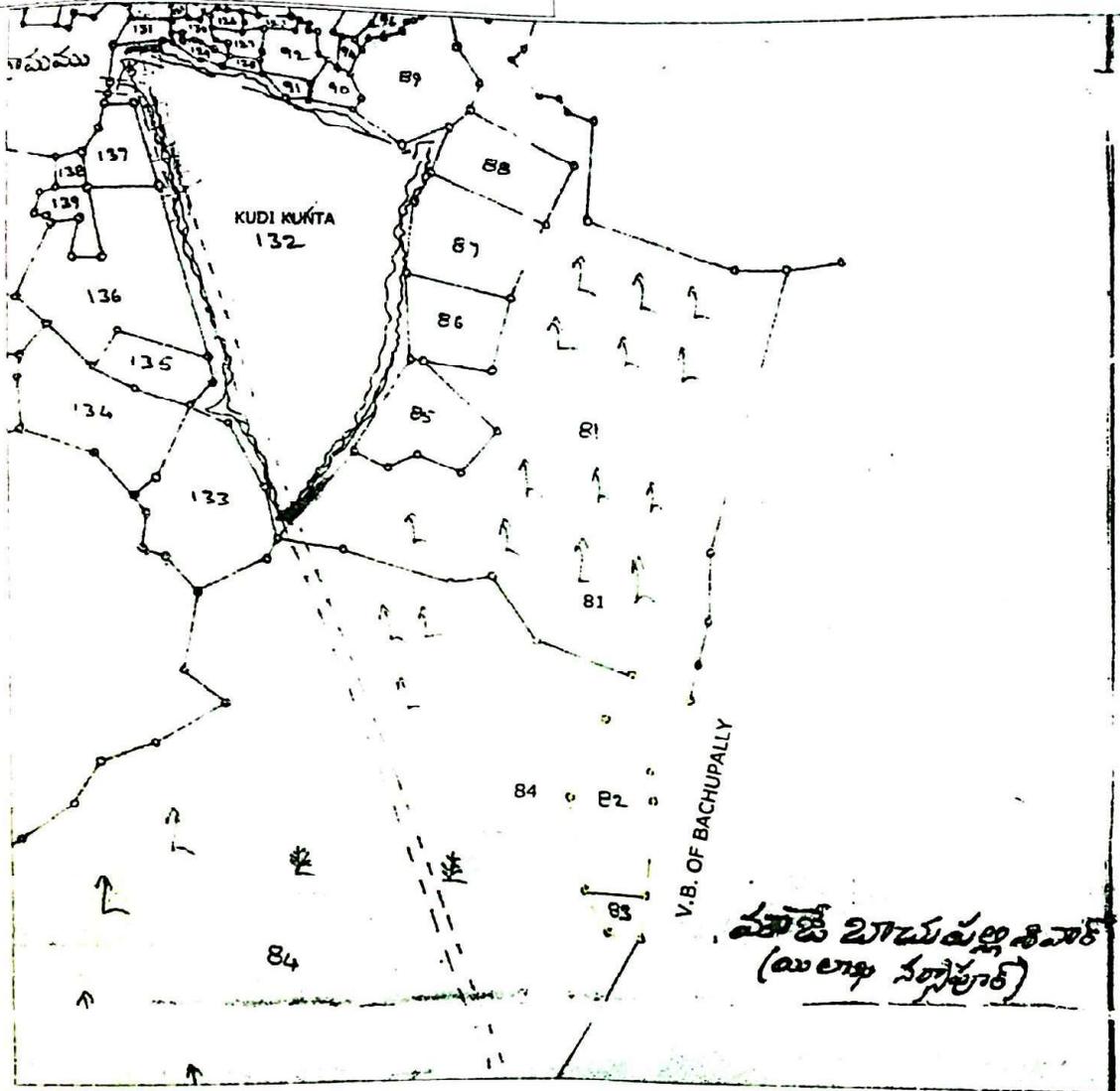

Executive Engineer
Irrigation Division.No.1
Sangareddy


Executive Engineer
Lake Protection Committee, HMDA
HMDA


Revenue Divisional Officer
Sangareddy Division


Additional Collector (Revenue)
Sangareddy District

IRRIGATION MAP SUPERIMPOSED ON REVENUE MAP
IN Sy.No. 82 & 83 OF
BOLLARAM (V) , JINNARAM (M) , SANGAREDDY Dist



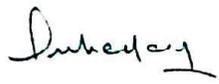
మాజీ 211వ పల్లి సీవార్
(అలాగే సర్కూల్)


M.S. Jinnaram

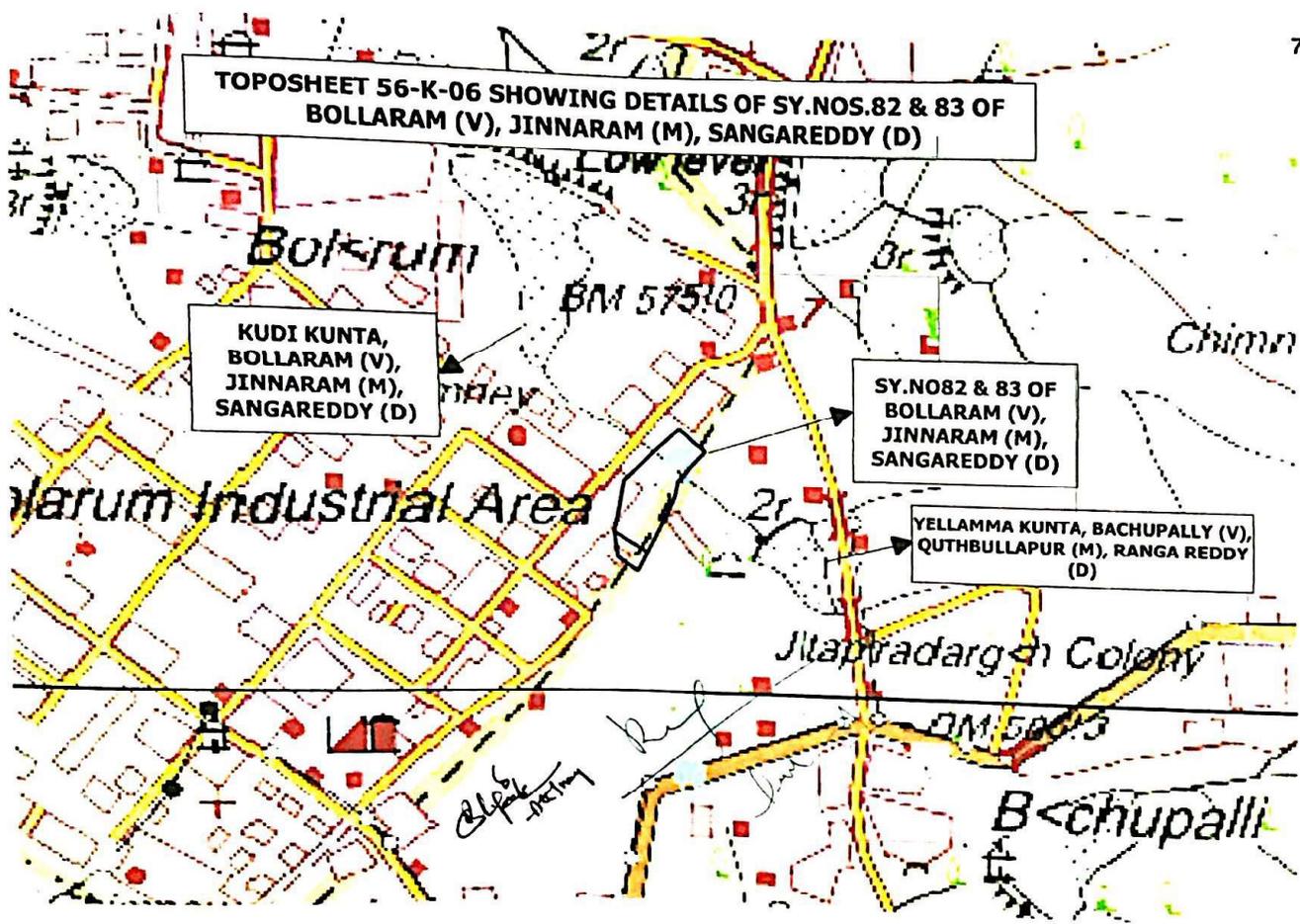

Tahsildar,
Jinnaram Mandal

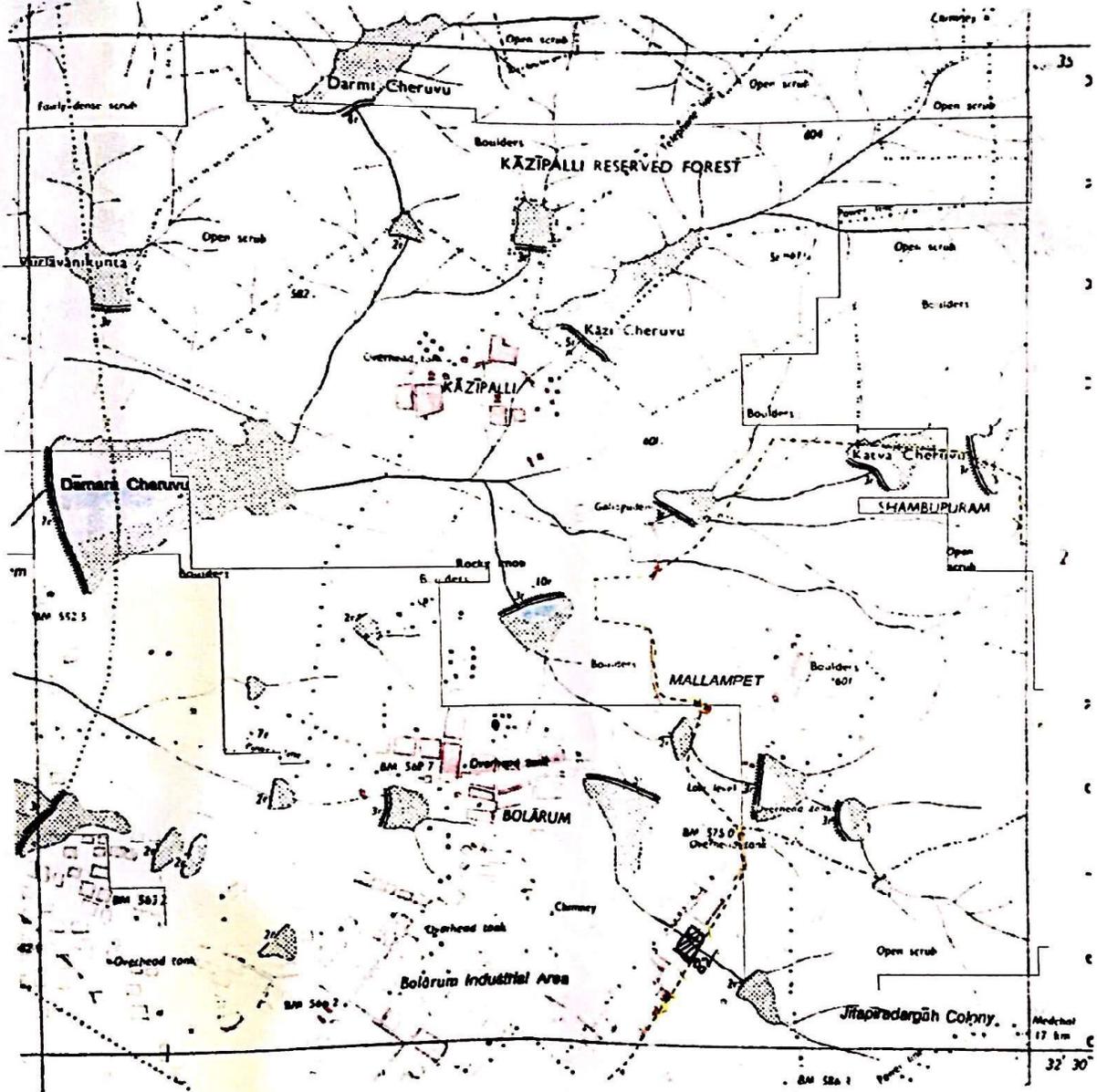

B. Lakshmi


Karp


Subuday

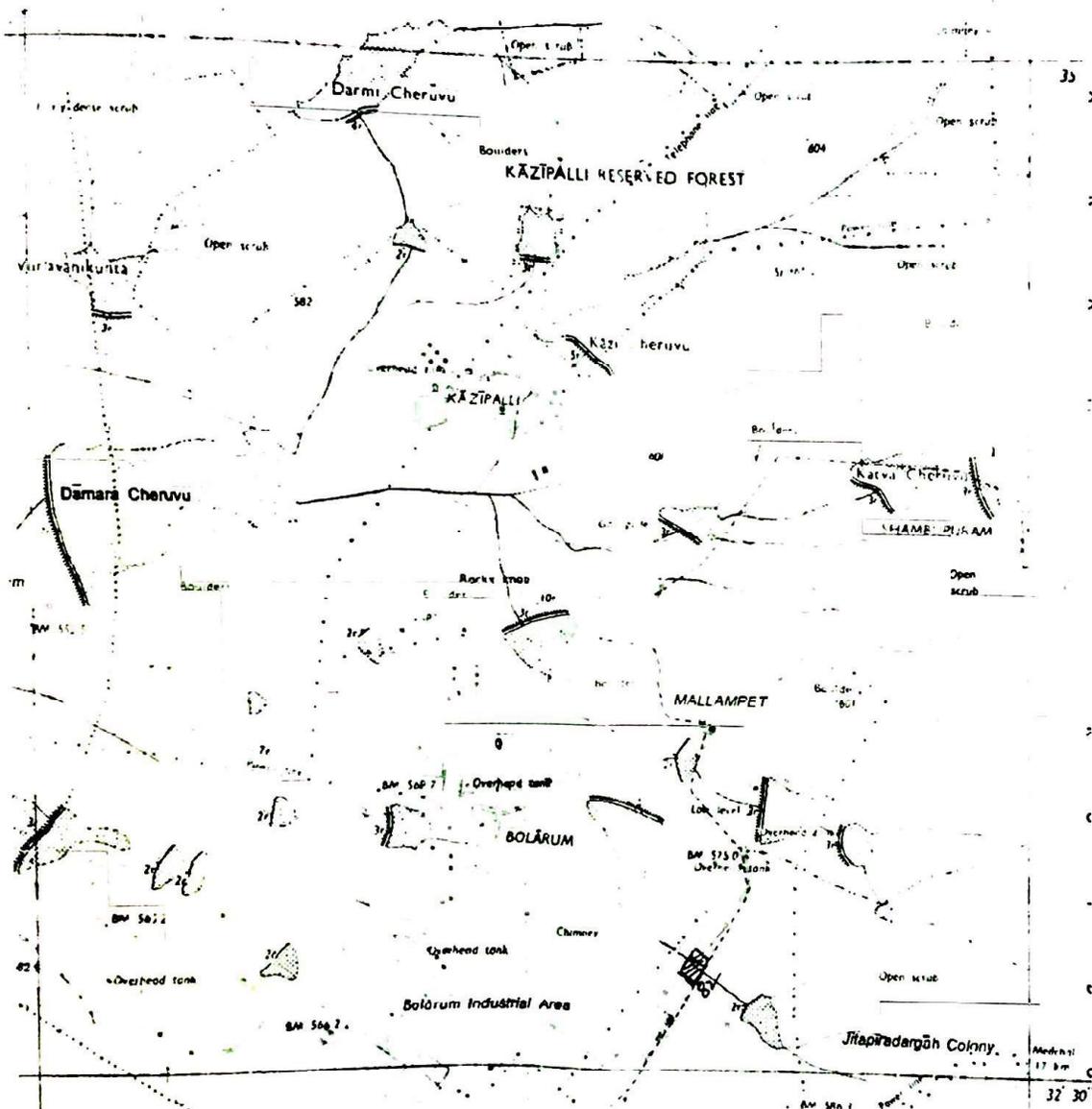

SLP





R.P. G. Arjuney

Ranj Subeey



*PLP
ARTINAY*

*Rang
Subalay*

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OFFICE OF THE HYDERABAD METROPOLITAN DEVELOPMENT AUTHORITY
APPROVAL FOR LAYOUT PERMISSION

TS-bPAS

TS-bPASS MORTGAGE LETTER

Date : 26 July, 2022

Application No. : 005547/LO/HMDA/1072/MED/2022

To
The sub - Registrar,
sangareddi; SRO,
Sanga Reddy District.

Sir,
Sub: HMDA - Planning Department - Layout with Housing Under Gated Community (With Compound Wall) in Sy.Nos. 82 situated at Bollaram Village, Jinnaram Mandal, Sanga Reddy Dist. to an extent of 29,672.94 Sq.m applied by M/S GREATER INFRA PROJECTS PRIVATE LIMITED Represented By Its Directors MANNE.. RAVI AND OTHERS, s/o NARASIMHARAO - Approval Accorded - Reg.

- Ref:** 1. Application of 005547/LO/HMDA/1072/MED/2022, Dated: 25 May, 2022
2. This office DC letter addressed to the applicant Dated: 17 June, 2022.
3. Applicant's letter Dated 20 June, 2022 submitting the Mortgage Deed No. 22400, Date: 20 June, 2022 executed at Joint Sub - Registrar- Sanga Reddy Dist. and Statement of Encumbrance on Property before mortgage & after mortgage.

Your attention is invited to the Deed of Mortgage bearing vide Document No. 22400, Date: 20 June, 2022, executed in favour of Metropolitan Commissioner, HMDA, mortgaging the Plot / Villa Nos. 1,2,3,4,5, villas - to an extent of 29,672.94 Sq.Mt. in Survey nos. 82 of Bollaram Village, Jinnaram Mandal, Sanga Reddy District as per G.O.Ms.No.276 MA dt.02-07-2010 falling in Bollaram Municipality / Municipal Corporation as security for undertaking all the required developments as specified by the HMDA in the proceedings Dt: 26 July, 2022, you have also given a certificate of Encumbrance on property, confirming that the above plots are mortgaged against HMDA.

(5.88 % of units mortgaged in favour of Metropolitan Commissioner, HMDA Vide Plot / Villas Nos: 1,2,3,4,5, villas - through registered mortgage deed Vide Document No. 22400 , Date: 20 June, 2022 towards security for submission of conversion certificate from concerned RDO/DRO of Revenue Department.)

Taking into consideration of the agreement & Deed of Mortgage, Certificate of Encumbrance on property issued by you, this Authority released the draft **Layout with Housing Under Gated Community (With Compound Wall)** in favour of the applicant / developer vide Draft Layout Permit No. 005547/LO/HMDA/1072/MED/2022, dt. 26 July, 2022.

You are therefore, requested not to undertake any conveyance of the property covered specifically in the Plot / Villa Nos. 1,2,3,4,5, villas - to an extent of 29,672.94 Sq.Mt. as per the plan enclosed to any other persons(s) till necessary communication is sent by this Authority.

You are also requested to not to register the open spaces area and Utilities area of the Layout as shown in the Layout plan.

Yours Faithfully

TS-bp/AS



For Metropolitan Commissioner
Planning Officer

Copy to:

1. The Commissioner,
Bollaram Municipality / Municipal Corporation,
Jinnaram Mandal,
Sanga Reddy District.
2. The District Registrar, Sanga Reddy District - for information.



OFFICE OF THE HYDERABAD METROPOLITAN DEVELOPMENT AUTHORITY

APPROVAL FOR LAYOUT PERMISSION

TS-bPASS DRAFT LAYOUT LETTER

TS-bPASS

Application No. : 005547/LO/HMDA/1072/MED/2022

Date : 26 July, 2022

To
M/S GREATER INFRA PROJECTS PRIVATE LIMITED Represented By Its Directors MANNE.. RAVI AND OTHERS, s/o
NARASIMHARAO

Sir,

Sub: HMDA - Plg.Dept - **Layout with Housing Under Gated Community (With Compound Wall)** in Sy.Nos. 82 situated at **Bollaram** Village, **Jinnaram** Mandal, **Sanga Reddy** Dist. to an extent of **29,672.94** Sq.m belonging to **M/S GREATER INFRA PROJECTS PRIVATE LIMITED Represented By Its Directors MANNE.. RAVI AND OTHERS, s/o NARASIMHARAO** - Technical Approval Accorded - Reg.

Ref: 1. Application of **005547/LO/HMDA/1072/MED/2022** Dated: **25/05/2022**
2. This office DC letter addressed to the applicant Date: **17 June, 2022**.

With reference to your application cited for approval of **Layout with Housing Under Gated Community (With Compound Wall)** in Sy.Nos. **NA** situated at **Bollaram** Village, **Jinnaram** Mandal, **Sanga Reddy** Dist. to an extent of **29,672.94** Sq.mtrs. has been technically approved and forwarded to The Commissioner, **Bollaram** Municipality/Municipal Corporation, **Jinnaram** Mandal, **Sanga Reddy** District. vide this office Application No. **005547/LO/HMDA/1072/MED/2022**, Layout Permit No. **005547/LO/HMDA/1072/MED/2022** -, Date: **26 July, 2022** for release of Proceedings & plans.

Therefore, the concerned Municipal Commissioner, **Bollaram** Municipality / Municipal Corporation, **Bollaram** Village, **Jinnaram** Mandal, **Sanga Reddy** District., will release the Proceedings & Plans.

This is for information.

Yours Faithfully


For Metropolitan Commissioner, HMDA
Planning Officer

OFFICE OF THE HYDERABAD METROPOLITAN DEVELOPMENT AUTHORITY

TS-bPASS

APPROVAL FOR LAYOUT PERMISSION

TS-bPASS DRAFT LAYOUT LETTER

Application No. : 005547/LO/HMDA/1072/MED/2022

Date : 26 July, 2022

To
The Municipal Commissioner,
Bollaram Municipality / Municipal Corporation,
Jinnaram Mandal,
Sanga Reddy District.

Sir,

Sub: HMDA - Plg.Dept. - **Layout with Housing Under Gated Community (With Compound Wall)** in Sy.Nos. **82** situated at **Bollaram Village, Jinnaram Mandal, Sanga Reddy Dist.** to an extent of **29,672.94** Sq.m - Technical Approval Accorded - Reg.

Ref: 1. Application No. **005547/LO/HMDA/1072/MED/2022** Date: **25 May, 2022**

2. This office DC letter addressed to the applicant Date: **17 June, 2022**,
3. Applicant's letter Date **20 June, 2022** submitting the Mortgage Deed No. **22400**, Date: **20 June, 2022** executed at Joint Sub - Registrar- **Sanga Reddy Dist.** and Statement of Encumbrance on Property before mortgage & after mortgage.

It is to inform that, in the reference 1st cited, **M/S GREATER INFRA PROJECTS PRIVATE LIMITED Represented By Its Directors MANNE.. RAVI AND OTHERS, s/o NARASIMHARAO** has applied to HMDA for development of **Layout with Housing Under Gated Community (With Compound Wall)** in Sy.Nos. **82**, situated at **Bollaram (V), Jinnaram (M), Sanga Reddy (Dist.)** to an extent of **29,672.94** Sq.Mt. (or) Acres

The above proposal has been examined under the provisions of section-18, 19 & 20 of HMDA Act 2008 and also in accordance with the Statutory Master Plan / Zonal Development plans along with existing G.Os, Rules and Regulations which are in force. The applicant has paid all required fees and charges to HMDA including Municipality / Municipal Corporation Charges. Accordingly, the technical approval is hereby accorded vide Layout Permit No. **005547/LO/HMDA/1072/MED/2022** -, date. **26 July, 2022**.

Vide reference 3rd cited, the applicant has submitted Deed of Mortgage executed in favour of the Metropolitan Commissioner, HMDA for Plot / Villa Nos. 1,2,3,4,5, villas - as per G.O.Ms.No.276 MA dt.02-07-2010 vide Doc no. **22400**, Date: **20 June, 2022**.

The land analysis of the Draft Layout Approved is as follows:

Sr.No.	Area	Sq.Mtrs
1	Total Site area	29672.94
2	Master plan Road affected area	0
3	Net Site Area	29672.94
4	Plotted area	16607.54
5	Open space	4181.29
	(i) Park	0
	(ii) Social Infrastructure	0
6	Layout Road Area	9380.23
7	Amenities Area	0
8	Utilities Area	559.3
9	Total Built up Area	29174.31
10	Number of Plots / Villas	86

General Conditions:

1. The applicant shall not be permitted to sale the plots/Villas which are mortgaged in favour of M.C., HMDA i.e., from the Plot / Villa Nos. 1,2,3,4,5, villas - (total 5 - number of plots to an extent of 29,672.94 Sq.mts and Built up area to an extent of 29,672.94 Sq.mtrs.).
2. That the draft layout now issued does not exempt the lands under reference from purview of Urban Land Ceiling Act, 1976 / A.P. Agricultural Land Ceiling Act, 1973.
3. This permission of developing the land shall not be used as proof of the title of the land.
4. The Municipality / Municipal Corporation shall ensure that area covered by roads and open space of the layout shall take over from the applicant, by way of Registered Gift deed at free of cost, before release of final layout to the applicant.
5. The applicant / layout owner / developer are hereby permitted to sell the Plots/Villas other than mortgaged plots which are mortgaged in favour of Metropolitan Commissioner, HMDA.
6. The applicant shall construct all the Villas including mortgaged villas in all the aspects before release of Final Layout.
7. All roads should be opened for accessibility to the neighbouring sites and the applicant shall not to construct any compound wall/fencing around the site.
8. In case the applicant / developer fails to develop the layout with the infrastructure facilities as specified by HMDA the area so mortgaged in favour of HMDA shall be forfeited and also HMDA to liable to take criminal action against such applicant / developers as per provisions of HMDA Act, 2008.
9. The layout development work consist of road formation with Black top, storm water drains, providing of underground drainage lines & common septic tank / STP, internal water supply pipe lines & over head tank, assured water supply source, providing electrical supply lines along with street lights, transformer, avenue plantation, park development and rain water harvesting pits.
10. Levelling with suitable gradient and formation of all roads with proper sub-surface and camber, kerbed stones, metalling of the carriageway, side drains/gutters and central medians (for roads 18 mts and above).
11. Black topping or developing the carriageway with cement concrete (as per BIS Code of Practice) of all roads including the main approach road up to the nearest existing public road.
12. Development of drainage and channelization of NALAs for allowing storm water run-off.
13. These may be channelized in accordance with the drainage and width requirements and in such a way as to conserve or harvest the water in nearest water body or public open space, etc.
14. Undertake street lighting and electricity facilities including providing of transformers.
15. Provision of independent sewerage disposal system and protected water supply system including OHT and sumps. These shall be in exclusive area over and not part of the mandatory open spaces.
16. Undertake underground ducting of all utilities and services lines either under the footpaths or central median of the roads as the case may be with proper provisions at junctions and crossings, etc.
17. Construction of low height compound wall with Iron grill to the open spaces and handing over the open spaces along with other spaces, i.e., proposed roads area and road affected area, open spaces area, social infrastructure area, utilities area at free of cost and through Registered Gift Deed to the local body.
18. The layout applicant is directed to complete the above developmental works within a period of FIVE (5) YEARS as per G.O.Ms.No. 62 MA dt.21-03-2020 and submit a requisition letter for release of mortgage plots / area which is in favour of Metropolitan Commissioner, HMDA and for approval of final layout duly enclosing letter of Local Body with regard to roads, open spaces taken over by the Local Body.
19. The layout applicant shall display a board at a prominent place in the above site showing the layout pattern with permit L.P.No., and with full details of the layout specifications and conditions to facilitate the public in the matter.
20. The applicant shall make necessary arrangements for providing connectivity of its potable/drinking water supply duly laying the necessary pipelines of the sized as prescribed to the main trunk/connecting pipeline under Mission Bhagiratha or any other as approved by the relevant authorities such as HMWSSB/ EnC PH / RWS deptt.;
21. For all layouts less than 10 acres in size, the developer shall put in place a mechanism for septage treatment in accordance with Telangana State FSSM policy; further, the treated sewerage shall be connected to the existing public sewerage system up-to the point as specified;
22. In case of layout sites more than 10 Acres, provision shall be made for construction of Sewerage Treatment Plan

HMDA i.e., from
Built up area
Act.

(STP) duly earmarking separate area in addition to mandatory layout open spaces.

23. The applicant shall undertake underground ducting of all utilities and services lines either under the footpaths or under central median of the roads as the case may be with proper provisions at junctions and crossings, etc.
24. Shall earmark space for disposal and dumping of solid waste within layout site, in addition to mandatory open space and bio-compost unit shall be developed in accordance with the Telangana Solid Waste Management rules;
25. A mechanism for Source segregation of garbage shall be put in place;
26. Shall develop Avenue plantation within the median (in 60 feet and above roads) and by the side of foot paths towards the plot boundary duly leaving the entire footpath space for pedestrians.
27. Shall provide the underground storm water drainage system.
28. All the foot paths shall be paved with tiles and any other such material.
29. Cycling tracks should be developed within the layout;
30. Transformer yard shall be provided in the area earmarked for utilities.
31. All the street light shall be provided with LED lighting.
32. Shall make necessary arrangements for complete stoppage of usage of plastic in layout and shall have necessary mechanism and create awareness among the plot owners/ purchasers;
33. Green foliage shall be planned and taken up in a manner prescribed and saplings will be in place and surviving as per the plan before the Final Layout is issued.
34. The applicant shall register the project in TS RERA if applicable.

Additional/Other:

1. The Municipality / Municipal Corporation should ensure that the open space shall be developed by the applicant along with other developments with ornamental compound wall and grill as per sanctioned layout plan before it is taken over by the Municipality / Municipal Corporation.
2. The applicant shall solely be responsible for the development of Gated Community Layout and in no way HMDA will take up development works.
3. The permission does not bar any public agency including HMDA to acquire the lands for any public purpose as per law.
4. This permission of developing the land shall not be used as proof of the title of the land and the draft approval shall not mean responsibilities or clearance of ownership of the site and casement rights.
5. If there is any misrepresentation found in the file, the draft layout shall be cancelled without any notice.
6. If there is any court case pending, the applicant / developer shall be responsible for settlement of the same and the proposal is subject to outcome of court orders.
7. If there are any court orders against the applicant / developer, the approved draft Layout will be withdrawn and cancelled without notice.
8. The applicant is solely responsible if any discrepancy / litigation in ownership documents, and HMDA is not responsible and approved layout plans shall be deemed to cancelled and withdrawn without notice and action will be taken as per law.
9. If any disputes / litigation arises in future, regarding the ownership of a land, schedule of boundaries etc., the applicant shall be responsible for the settlement of the same, HMDA or its employees shall not be a party to any such dispute / litigations.
10. If the land is declared as surplus / Government in future, the same shall vest in the Government and layout proceedings automatically stands void. The charges already remitted to HMDA shall stand forfeited and the applicant cannot claim for refund of the same.
11. If it is observed that, the permission is obtained by Misrepresentation or suppression of facts, the permission shall be revoked under section 22 of HMDA Act, 2008.
12. The applicant shall comply the conditions mentioned in G.O.Ms.No.33 MA dt.24.01.2013 and G.O.Ms.No.276 MA dt.02.07.2010.
13. Any conditions laid by the Authority are applicable.
14. The applicant shall handover the Layout roads area **9380.23** Sq.mtrs (**31.61** %), Open space area **4181.29**

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Sq.mtrs (14.09 %) Social infrastructure area 0 Sq.mtrs (0 %) to the Local Body before release of Final Layout plans by HMDA.

15. **55.97 %** of plotted area mortgaged i.e. **16607.54 Sq. Mtrs** in Plot / Villa Nos. **1,2,3,4,5, villas** - (total - number of plots/Villas)
Mortgaged in favour of The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Tamaka, Hyderabad, Vide Document No. **22400**, Date: **20 June, 2022**.

Additional Conditions

1. 1. The applicant shall not be permitted to sale the units and area which are mortgaged in favour of M.C., HMDA i.e., from the villa Nos. 1 to 5 (Total 05 plots) to an extent of 961.53 Sqm vide document no. 22400/2022 dt: 20/06/2022.
2. 2. That the draft layout with housing now issued does not exempt the lands under reference from purview of Urban Land Ceiling Act, 1976 / A.P. Agricultural Land Ceiling Act, 1973.
3. 3. This permission of developing the land shall not be used as proof of the title of the land.
4. 4. The applicant / layout owner / developer is hereby permitted to sell the Plots other than mortgaged plots which are mortgaged in favour of Metropolitan Commissioner, HMDA.
5. 5. The Executive Authority should ensure that the open space shall be developed by the applicant along with other developments with ornamental compound wall and grill as per sanctioned layout plan before it is taken over by the Executive Authority
6. 6. The applicant shall construct the STP as per Indian standard code of practice for installation of STP specifications and has to certify the same by the Licensed Structural Engineer
7. 7. The layout applicant shall display a board at a prominent place in the above site showing the layout pattern with permit L.P.No., and with full details of the layout specifications and conditions to facilitate the public in the matter.
8. 8. The Applicant/Developer is directed to complete the above developmental works within a period of Six (6) YEARS as per G.O.Ms.No.276 MA dt. 2-7-2010 and submit a requisition letter for release of mortgage plots / area which is in favour of Metropolitan Commissioner, HMDA and for approval of final layout duly enclosing letter of Local Body with regard to roads, open spaces taken over by the Local Body.
9. 9. Provision of rain water harvesting pits per Acre minimum four numbers.
10. 10. Construction of low height compound wall with Iron grill to the open spaces and handing over the open spaces along with other spaces, i.e., proposed roads area and road affected area, open spaces area, social infrastructure area, utilities area at free of cost and through Registered Gift Deed to the local body.
11. 11. Undertake greenery in the Scheme/ layout including avenue plantation, in public open spaces as per norms prescribed with a view to enhancing the environmental quality.
12. 12. Provision of independent sewerage disposal system and protected water supply system. These shall be in exclusive area over and not part of the mandatory open spaces.
13. 13. Undertake street lighting and electricity facilities including providing of transformers. Yours Faithfully
14. 14. These may be channelized in accordance with the drainage and width requirements and in such a way as to conserve or harvest the water in nearest water body or public open space, etc.
15. 15. Development of drainage and channelization of NALAs for allowing storm water run-off.
16. 16. Black topping or developing the carriageway with cement concrete (as per BIS Code of Practice) of all roads including the main approach road up to the nearest existing public road.
17. 17. Levelling with suitable gradient and formation of all roads with proper sub-surface and camber, kerbed stones, metalling of the carriageway, side drains/gutters and central medians (for roads 18 mts and above).
18. 18. The layout development work consist of road formation with Black top, storm water drains, providing of underground drainage lines & common septic tank / STP, internal water supply pipe lines & Hydro Pneumatic System for water supply source, providing electrical supply lines along with street lights, transformer, avenue plantation, park development and rain water harvesting pits. The details are as follows
19. 19. In case the applicant / developer fails to develop the layout with Housing project with the infrastructure facilities as specified by HMDA the area so mortgaged in favour of HMDA shall be forfeited and also HMDA to liable to take criminal action against such applicant / developers as per provisions of HMDA Act, 2008
20. Additional Conditions
21. 1. The applicant shall solely be responsible for the development of Gated Community scheme and in no way HMDA will take up development works
22. 2. The permission does not bar any public agency including HMDA to acquire the lands for any public purpose as per law
23. 3. This permission of developing the land shall not be used as proof of the title of the land and the draft approval shall not mean responsibilities or clearance of ownership of the site and casement rights.
24. 4. If there is any misrepresentation found in the file, the draft layout shall be cancelled without any notice
25. 5. If there is any court case pending, the applicant / developer shall be responsible for settlement of the same and if any there are court orders against the applicant / developer, the approved draft Layout will be withdrawn and cancelled without notice.

6. The applicant is solely responsible if any discrepancy / litigation in ownership documents, and HMDA is not responsible and approved layout with housing plans shall be deemed to be cancelled and withdrawn without notice and action will be taken as per law.
7. If any disputes / litigation arises in future, regarding the ownership of a land, schedule of boundaries etc., the applicant shall be responsible for the settlement of the same, HMDA or its employees shall not be a party to any such dispute / litigations.
8. If the land is declared as surplus / Government in future, the same shall vest in the Government and layout proceedings automatically stand void. The charges already remitted to HMDA shall stand forfeited and the applicant cannot claim for refund of the same.
9. The applicant shall comply with the conditions mentioned in G.O.Ms.No.33 MA dt.24.01.2013 and G.O.Ms.No.276 MA dt.02.07.20 & G.O.Ms.No. 168 MA dt:07-04-2012.
10. Any conditions laid by the Authority are applicable.
11. The applicant / builder have to mortgage an additional area of 5% built up area / land as an additional security for allowing them for payment of development charges & capitalization charges in instalments.
12. In case the applicant completes the project / development within the period of allowable instalments, he shall pay the total balance charges along with final layout application / applicant for release of Mortgage.
13. In case cheque bounce of post dated cheques, legal action shall be initiated as per law against the applicant.
14. If any applicant / promoter / builder fails to pay the instalments as per the schedule of post dated cheques, the amount paid till then shall be forfeited and the approval accorded for layout / building project is deemed to be cancelled and the applicant has to apply afresh.
15. The applicant has to develop Amenities before releasing of the final layout.
16. The applicant shall hand over open space (parks/utility) areas, roads area to the Local Body at free of cost by registered gift deed before approval of final Gated Community layout with housing development plan from HMDA
17. The applicant shall construct the sufficient Harvesting Pits i.e. 4 nos per Acre, Septic tank and Sump / OHT etc., as per standard specifications.
18. In large projects where it is proposed to temporarily house the construction workers on the site, proper hygienic temporary shelter with drinking water and sanitary measures shall be provided.
19. The applicant shall construct the units as per the Draft gated community layout plan approved by HMDA
20. The applicant shall handover the Layout roads area 9380.23 Sq.mtrs (31.61 %), Open space area 3125.53Sq.mtrs (10.53 %) utilities 559.3 Sq.mtrs (1.88 %) to the Local Body before release of Final Layout plans by HMDA.
21. 5.95 % of plotted area mortgaged i.e. 961.53 Sq. Mtrs in Plot / Villa Nos1,2,3,4,5. - (total - number of plots/Villas) Mortgaged in favour of The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Tamaka, Hyderabad, Vide Document No. 22400, Date: 20 June, 2022.
22. The applicant shall comply with all conditions mentioned from HMDA.
23. If any deficiency noted in payment of fees in future same should be remitted by The applicant on demand by HMDA.

Yours Faithfully

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For Metropolitan Commissioner, HMDA
Planning Officer

Copy to:

1. M/S GREATER INFRA PROJECTS PRIVATE LIMITED Represented By Its Directors MANNE.. RAVI AND OTHERS, s/o NARASIMHARAO,
2. To The Sub- Registrar, sangareddy SRO, Sanga Reddy District.
3. The District Registrar, Sanga Reddy District.
4. The Collector, Sanga Reddy District.
5. The Special Officer & Comp. Authority, Urban Land Ceilings, 3rd Floor, Chandra Vihar Complex, M.J.Road, Hyderabad. - for information.

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GOVERNMENT OF TELANGANA
ABSTRACT

Municipal Administration & Urban Development Department Hyderabad
Metropolitan Development Authority - Change of Land use from Manufacturing use
zone to Residential use zone situated at Sy.No.82 of Bollaram (V), Jinnaram Mandal,
Sangareddy District to an extent of 29863.89 sq.mts. Confirmation of Draft
variation Notification Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Plg.I(1)) DEPARTMENT

G.O.Ms.No.197

Dated:18.11.2021.
Read the following:

1. From the M.C., HMDA Letter.No.024324/SKP/CLU/U6/HMDA/
03062019 Dated:15.01.2021.
2. Minutes of the CLU committee meeting held on 6.4.2021
3. Govt. Memo No.1066/Plg.I(1)/2021, Dated:25.06.2021.
4. From the M.C., HMDA Letter.No.024324/SKP/CLU/U6/HMDA/
03062019 Dated:05.09.2021.
5. Govt. Letter No.1066/Plg.I(1)/2021, Dated:29.09.2021.
6. From the M.C., HMDA Letter.No.024324/SKP/CLU/U6/HMDA/
03062019 Dated:09.11.2021.

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ORDER:

The draft variation to the land use envisaged in the notified Master Plan-2020
vide G.O.Ms.No.288, MA, dt:03.04.2008, issued in Government Memo 3rd read above,
was published in the next issue of extraordinary issue of the Telangana Gazette
No.132, Dated:5.7.2021. No objections or suggestions have been received from the
public within the stipulated period. It is reported by the Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority Hyderabad that the applicant has
paid an amount of Rs.44,79,584/- (Rupees Forty Four Lakhs Seventy Nine Thousand
Five Hundred and Eighty Four only) paid vide Ch.No.1412, dt:16.10.2021 towards
conversion charges. Hence, the draft variation is confirmed.

2. The following notification shall be published in the next issue of Extra-
ordinary of the Telangana Gazette.

3. The Metropolitan Commissioner, Hyderabad Metropolitan Development
Authority, Hyderabad shall publish a notice in newspapers as specified in sub-
section (4) of Section 15 of HMDA Act, 2008 on or before the date of Gazette
Notification and furnish the copies of same to the Government.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 15 of
Hyderabad Metropolitan Development Authority Act, 2008 (Act No. 8 of 2008), the
Government hereby makes the following variation to the land use envisaged in the
notified Master Plan vide G.O.Ms.No.288, MA, dated:03.04.2008, as required by sub-
section (1) of the said section.

VARIATION

The site in Sy.No.82 situated at Bollaram (V), Jinnaram (M), Sanga Reddy
District to an extent of 29863.89 Sq. Mtrs, which is presently earmarked as
manufacturing use zone as per the notified Master Plan notified by the Government
vide G.O.Ms.No:288 MA dt: 03.04.2008, is now designated as Residential use zone,
subject to the following conditions:

- a) The applicant shall comply the conditions laid down in G.O.Ms No. 168 MA Dt:
18.11.2021.
- b) The applicant shall obtain prior permission from HMDA before undertaking
any development on the site under reference.

P.T.O

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- c) If any dispute occurs regarding ownership of the applicant will be the whole responsible for that.
- d) The applicant is whole responsible if any discrepancy occurs in the ownership aspects & ULC aspects & if any litigation occurs, the Change of Land Use orders will be withdrawn without any notice.
- e) CLU shall not be used as proof of any title of the Land.
- f) The applicant has to fulfill any other conditions as may be imposed by the Competent Authority.
- g) The Change of land Use does not bar any public agency including HMDA/Local Authority to acquire land for any public purpose as per law.
- h) To demolish the existing old sheds and old building before undertaking any development on the site under reference.

SCHEDULE OF BOUNDARIES

- East : Existing G+5 and G+2 buildings.
West : Existing shed and MEDRICH-Bio company and Photon Energy Company.
North : Neighbours land.
South : Existing 18mts wide BT road and TRANSGENE bio research and development company.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

ARVIND KUMAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery & Stores Purchase, Hyderabad.
The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority, Hyderabad.

Copy to:

The individual through the Metropolitan Commissioner, Hyderabad
Metropolitan Development Authority, Hyderabad.
The Special Officer and Competent Authority,
Urban Land Ceiling, Hyderabad. (jn name cover)
The District Collector, Sanga Reddy District.
Sf /Sc.

//FORWARDED BY ORDER//


SECTION OFFICER
KL

**BRIEF NOTE ON APPLICATION NO. 71/2023 IN THE HON'BLE GREEN
TRIBUNAL NGT, CHENNAI FILED BY HUMAN RIGHTS COMMISISON**

It is submitted that Sri.C. Krishna Rao & Smt. C.K. Durga Rao initially applied for Change of Land Use of land in Sy.no. 82 of Bollaram Village, Bollaram Municipality, Jinnaram Mandal, Sanga Reddy District from manufacturing use zone to Residential use zone in Sy.No. 82 of Bollaram (V.) in an extent of 29178 sq mts vide file No 024324/SKP/CLU/U6/HMDA/362019 duly enclosing the inspection report of the Tahlisildar Jinnaram Mandal wherein it is stated that no lands are converted under any Irrigation Source / FTL and Buffer Zone arid passing any paths / Nala and canal Etc.

Further submitted that as per the notified Master plan 2021, Shambupur zone segment, the sy no. 82 is earmarked as manufacturing use Zone and minor part industrial open space buffer zone. The said land is abutting to existing 60 feet road and there is no water body in the vicinity of the said land and surrounded by industries on one side and most of them are under shifting and other side residential developments.

It is submitted that the said application was examined by this Authority and proposal were forwarded to the Government for necessary orders. Accordingly, the Government vide Memo No.1066/Plg.I(1)/2021 Dt. 25.06.2021 ordered to call for objections and suggestions from the General Public. Accordingly, this office vide notification dated 29.07.2021 has issued paper notification in the Pioneer and Namaste Telangana duly calling objections and suggestions from the General Public. However, no objections were received.

Further this office has submitted factual report to the Government and the Government vide G.O.Ms.No 197 Dt 18.11 2021 issued orders for change of land use from Manufacturing Use Zone to Residential use Zone to an extent of 29863 89 Sq Mtrs in Sy No. 82 situated at Bollarm (V) Jinnaram (M) Sanagreddy District. Accordingly this office has issued paper notification on Dt., 05.01.2022 calling objections and suggestions, if any, from General public. However, no objections have been received from the public.

Accordingly, this Office has implemented the said G.O., for change of land use in Sy.No. 82 of Bollaram Village, Jinnaram Mandal, Sanga Reddy District, to an extent of 29863.89 Sq.Mtrs., which was earmarked as Manufacture Use Zone as per the notified Master Plan notified by the Government, vide G.O.Ms.No. 288, MA, Dt. 2008 and designated as Residential Use Zone, vide G.O.Ms.No. 197, MA&UD Dept., Dt. 18-11-2021.

Further it submitted that M/s. GREATER INFRA PROJECTS PRIVATE LIMITED Represented By Its Directors MANNE . RAVI AND OTHERS, s/o NARASIMHARAO applied for Residential Layout with Housing Under Gated Community (With Compound Wall) consisting of 1 Ground + 2 upper floors in sy no. 82 of Bollaram Village & Municipality, Jinnaram Mandal, Sanga Reddy District in an extent of 29672.94 sq mts and verified the following documents and issued the draft Residential Layout with Housing Under Gated Community for the said land vide Lr.No. 005547/LO/HMDA/1072/MED/2022 Dt. 26.07.2022 accordingly.

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1. Nala certificate in an extent of Ac 7.20 Gts vide proc No A2/5507/2020 Dt 13.08.2020 along with Revue Sketch
2. Inspection report dt.1.8.2018 of the Tahsildar Jinnaram Mandal, stating that no lands are converted under any Irrigation Source / FTL and Buffer Zone and passing any paths / Nala and canal Etc.
3. Notified Master Plan
4. Revenue Sketch
5. Revenue Village Map.
6. Google Map
7. As per the Master Plan, Village Map, NALA Orders issued by RDO, Sanga Reddy Vide No A2/5507/2020 Dt 13.08.2020 and inspection report of Tahsildar vide 1.8.2018 there is no water body either in the site or in the vicinity of the said land.

It is submitted that, with regard to the allegation of issuance of layout permission without mentioning any survey number i.e 82, it is to submit that, due to software / technical issue of TS-bPASS, the Sy.No 82/P was mentioned as Sy.No N/A and the same is rectified in the TS-bPASS.

It is submitted that Subsequently, Sri. A. Satish, BJP Nizampet Municipal Corporator filed a complaint dated 26.4.2023 alleging that the Varra kunta (Id:1000/89) Lake is spread over 2.871 acres of land in survey no's 81,82,84 of Bollaram Village, Jinnaram Mandal, Sanga Reddy District and HMDA Lake Protection Committee has identified the same in the Primary notification of the pond in 2014 and requested to order for comprehensive survey immediately to identify the water body (Varra kunta) site, demarcate and fence the boundaries.

And an O.A. No. 71 of 2023 filed by Human Rights & Consumer Protection Cell Trust before this Hon'ble Tribunal to remove the the constructions in 1000/89 Varrakunta located in Sy.No.82 & 83, Bollaram Village, Jinnaram Mandal, Sangareddy District being constructed by Respondent Nos 10-12 at their won cost and restore the said water body immediately to its original along with bund, weir, sluice, inlet & outlet channels and to form form a committee for the investigation.

The Hon'ble Tribunal passed orders on 31.5.2023 directing the District collector, Sangareddy as well as the HMDA, Hyderabad Authority to conduct an enquiry with regard to the alleged encroachments of the Varre Kunta Water Body said to be existed in Sy. No. 82 & 83 situated at Bollaram (V) of Jinnaram (M) and a file a report on the next date of hearing of the case i.e., 04.08.2023.

In pursuance of the said directions, the District collector, Sangareddy District vide Proc.No.D1/949/2023 dated 114.6.2023, instructed the officials of the Revenue Department, Irrigation and Lake Protection Committee (HMDA) Department to conduct field inspection with reference to the complaint which was filed by the Petitioner, Human Rights Consumer protection Cell Trust for fix up the FTL/Buffer of the Water Body as well as the inlet/outlet channels of the Varre Kunta of Bollaram (V) and examine the extent of the encroachment took place over the water body and submit a detailed report along with location sketch map.

In pursuance of the reference cited, the joint inspection team constituted comprising officers of Irrigation, Revenue and Lake Protection committee (HMDA) department and inspected the alleged site on 04-07-2023.

The Joint Inspection Committee, during their joint inspection, verified the Revenue Records, Village Map as well as Survey of India Topo Sheet apart from the Field inspection and visited upper Tank i.e., Yellamma kunta of Bachupally (V & M) Medchal Malkajgiri District and lower reach tank Kudi Kuna of Bollaram village of Jinnaram Mandal of Sangareddy District and opined that the Petitioner might have relied only upon Google Maps, which indicates water impounding in Sy no 82 is not supported either by Revenue Records or by Survey of India Topo Sheet. Further, as per Survey and Revenue Record, the said tank which was actually recorded in Sy.No. 83 and covered with Anrich industrial layout as well as in industries in may be not be possible to restore, since it was covered by industries in 1980/90's. Further, it is evident that, there is no obstruction to the natural flow/NALAs from upper tank are reaching to the lower tank and it is reaching through drainages constructed in the Enrich Industrial Layout. (Copy of the detailed Report of the Joint Inspection Committee dated 04.07.2023 along with Topo Sheet and Revenue Map. Topo Sheet in Sy.no 82 & 83 of Bollaram (V), Jinnaram (M), Sangareddy District and same is enclosed herewith)

[Signature]
APO (S)

[Signature]
21/8/2023
PO (DYR)

[Signature]
Director Planning-II