

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ),
AT CHENNAI
OA No. 107 OF 2020**

ANUMULA REVANTH REDDY

... Applicant

Versus

UNION OF INDIA & OTHERS

...Respondents.

REPLY AFFIDAVIT FILED BY THE 10th RESPONDENT

I, Smt. R. Sobha, W/o R. Sundervadhan aged 59 years, Designation Prl. Chief Conservator of Forests (Head of Forest Force) & Member Secretary, Telangana State Wetlands Authority with Office at Aranya Bhavan, Saifabad, Hyderabad, do hereby solemnly and sincerely state as follows:-

1. I am the 10th respondent herein and as such I am well acquainted with the facts of the case.
2. I respectfully submit that, all the allegations, averments and statements contained in the Application are denied, except those specifically admitted herein.
3. I submit that the Hussain Sagar lake is not a notified wetland. The definition of wetland contained in Rule -2 (1) (g) of the Wetlands (Conservation and Management) Rules, 2017 reads as follows:

“ wetland” means an area of marsh, fen, peat-land or water; whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters, but does not include river channels, paddy fields, human-made water bodies / tanks specifically constructed for drinking water purposes and structures specifically constructed for aquaculture, salt production, recreation and irrigation purposes.
4. I submit that, Hussain Sagar is one of the oldest man-made lake built as a source of drinking water and irrigation. The Hussain Sagar Lake is also used for recreation. The Roads & Building Department, Government of Telangana has obtained clarification from the Minor Irrigation Department that, the Wetlands (Conservation and Management) Rules, 2017 do not apply to Hussain Sagar Lake as per the definition mentioned in Sub-Rule (1) Clause (g) of Rule - 2 of the Wetlands (Conservation and Management) Rules, 2017.

R. Sobha

Deponent

Hence the contention of the petitioner that the Hussain Sagar Lake has been notified as an important Wetland is incorrect.

5. I submit that the Hussain Sagar Lake is not a notified wetland as per the Wetlands (Conservation and Management) Rules, 2017, hence the question of delineation of zone of influence and management of Hussain Sagar Lake as a notified wetland under the Wetland Rules does not arise. The delineation of zone of influence, preparation of Integrated Management Plan, Wise use of Wetlands etc., will only apply after the notification of the wetland under the Wetlands (Conservation and Management) Rules, 2017.
6. I submit that the Hussain Sagar is one of the oldest Lakes which is man-made, constructed for the purpose of providing drinking water and irrigation. The Lake is now a source of recreation as well. The Hussain Sagar Lake does not qualify as a Wetland as per the definition contained in Rule – 2, Sub-Rule – (1), clause – (g) of the Wetlands (Conservation and Management) Rules, 2017. As such, the provisions of the Wetland Rules will not be applicable to the Hussain Sagar Lake.
7. I submit that the applicant has approached this Hon'ble Tribunal on the basis of vague allegations which are contrary to the actual facts. There are no merits in the above application. I have the right to file the additional reply affidavit, if it is necessary.

For the reasons stated above, I pray that this Hon'ble Tribunal may be pleased to dismiss the O.A and pass such other or further or orders as are deemed fit and proper of the circumstances of the Case.

Solemnly affirm and sincerely
Singed before me on this the
22nd day of April, 2021 at Hyderabad.

R. Sahu
Deponent

Principal Chief Conservator of Forests
(Head of Forest Force)
Telangana, Hyderabad.

VERIFICATION

I, Smt. R. Sobha, W/o R. Sundervadhan aged 59 years, Designation Prl. Chief Conservator of Forests (Head of Forest Force) & Member Secretary, Telangana State Wetlands Authority with Office at Aranya Bhavan, Saifabad, Hyderabad, State of Telangana, verified on this the day of 22nd April, 2021 that the contents of the reply affidavit all stated above are true and correct as per the records available in the office.

Verified at Hyderabad on this the 22nd day of April, 2021.

R. Sobha

Deponent
Principal Chief Conservator of Forests
(Head of Forest Force)
Telangana, Hyderabad.

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL (SZ),
AT CHENNAI
OA No. 107 OF 2020

ANUMULA REVANTH REDDY
... Applicant.

Vs

UNION OF INDIA & OTHERS
... Respondents.

REPLY AFFIDAVIT FILED
BY THE 10th RESPONDENT

ILYASMEEN ALI
COUNSEL FOR RESPONDENT-10

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI**

I.A No. 118 of 2020

in

O.A No. 107 of 2020

ANUMULA REVANTH REDDY

... Applicant

Versus

UNION OF INDIA & OTHERS

...

...Respondents.

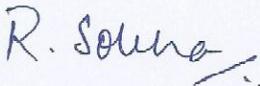
REPLY FILED BY RESPONDENT – 10

The 10th Respondent, Member Secretary, Telangana State Wetlands Authority states as follows:-

1. The Government of Telangana has issued orders in G.O. Ms. No. 5, EFS&T, dt.15.02.20219 and in G.O. Ms. No. 13, EFS&T, dt.13.03.2019 constituting the Telangana State Wetlands Authority with Hon'ble Minister for Environment and Forests, Government of Telangana as Chairperson and the Prl. Chief Conservator of Forests (Head of Forest Force) as Member Secretary. I am filing this reply affidavit as Member Secretary the Telangana State Wetlands Authority.

2. It is submitted that the Hon'ble National Green Tribunal in Order dt.27.07.2020 had directed to appoint a Joint Committee consisting of 1) a Senior Scientist from Central Pollution Control Board, Chennai, 2) a Senior Officer from Regional Office, MoEF&CC, Chennai 3) a Senior Officer from Telangana State Wetland Authority 4) a Senior Officer from Telangana State Pollution Control Board and 5) a Professor dealing with Environmental Engineering from IIT, Hyderabad, to ascertain the sufficiency of the precautions taken by the Authorities in carrying out the demolition of the present Secretariat building.

The committee was directed to inspect the area and question and submit a factual report with suggestion as to whether the precaution taken by the authorities while carrying out demolition work and disposal of the debris collected in the present secretariat building at Hyderabad are sufficient and if not sufficient, whether all further precautions to be taken by them to avoid pollution that is likely to be caused while disposing the same and if any damage has been caused to the environment including the water body i.e., the Hussain Sagar Lake situated near the disputed area, assess the environmental compensation payable and submit a detailed report regarding the same to the Tribunal within a period of 2 months. The Central Pollution Control Board, Regional Office, Chennai was made the Nodal Agency for coordination and providing logistics for the purpose. The respondent No. 10 in O. A No. 107 of 2020 was one of the Members of the Joint Committee representing the Telangana State Wetlands Authority.


10th Respondent

The Members of the Joint Committee inspected the site on 10th September, 2020 and conducted a detailed inspection and recorded their observation. The Joint Committee made the following recommendations:

- i. The C&D waste of 1.14 lac MT generated during demolition was transported to M/s Hyderabad C & D Waste Private Limited, Jeedimetla.
 - ii. The Ambient Air Quality data indicates that sufficient precautions were taken while demolishing and disposing the C&D Waste.
 - iii. Hussainsagar Lake is situated about 80 meters away from Secretariat Building Complex and in between a four-lane road is situated and there is no possibility of C&D Waste run off in the Lake, which causes pollution.
 - iv. M/s. Hyderabad C&D Waste Pvt Ltd., Jeedimetla is processing the C&D Waste received from Secretariat Demolition.
3. It is submitted that the Hussainsagar Lake in Hyderabad is not a notified Wetland. The definition of wetland contained in Rule -2 (1) (g) of the Wetlands (Conservation and Management) Rules, 2017 reads as follows:
- “ **Wetland**” means an area of marsh, fen, peat-land or water; whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six meters, but does not include river channels, paddy fields, human-made water bodies / tanks specifically constructed for drinking water purposes and structures specifically constructed for aquaculture, salt production, recreation and irrigation purposes”.
- In this regard it is submitted that, Hussainsagar is one of the oldest man-made lake built as a source of drinking water and irrigation. The Hussainsagar Lake is also used for recreation. The Roads & Building Department has obtained clarification from the Minor Irrigation Department that, the Wetlands (Conservation and Management) Rules, 2017 does not apply to Hussainsagar Lake as per the definition mentioned in Sub-Rule (1) Clause (g) of Rule – 2 of the Wetlands (Conservation and Management) Rules, 2017.
4. It is respectfully submitted that the Hussainsagar Lake is not notified under the Wetlands (Conservation and Management) Rules, 2017, hence the provisions of these rules will not be applicable to Hussainsagar Lake. It is also submitted that, the Joint Committee which inspected the site have observed that sufficient precautionary steps were taken at the time of demolition work and no damage has caused to the environment.

Dated at Hyderabad on this the 22nd day of April, 2021

Counsel for 10th Respondent

R. Sobha

10th Respondent

Principal Chief Conservator of Forests
(Head of Forest Force)
Telangana, Hyderabad.

VERIFICATION

I, Smt. R. Sobha, W/o R. Sundervadhan aged 59 years, Designation Prl. Chief Conservator of Forests (Head of Forest Force) & Member Secretary, Telangana State Wetlands Authority with Office at Aranya Bhavan, Saifabad, Hyderabad, State of Telangana, verified on this the day of April, 2021 that the contents of the reply as stated above are true and correct as per the records available in the office.

Verified at Hyderabad on this the day of April, 2021.

R. Sobha

10th Respondent
**Principal Chief Conservator of Forests
(Head of Forest Force)
Telangana, Hyderabad.**