

Item No.1:-

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

Original Application No. 225 of 2017 (SZ)

(Through Video Conference)

IN THE MATTER OF:

B. Prathap Reddy S/o. Venkat Reddy,
R/o. H. No. 1-36/1/12/37, Chandanagar Village,
Serilingampally Mandal, Ranga Reddy District,
Hyderabad and Ors.

... Applicant(s)

Versus

The State of Telangana,
Rep. by its Principal Secretary to Municipal Administration,
Government of Telangana, Secretariat Building,
Hyderabad and Ors.

...Respondent(s)

For Applicant(s): None.

For Respondent(s): Mr. J. Ramachandra Rao, Addl. Adv. General
along with Mr. Sanjeev Kumar, Spl. Govt. Pleader &
Mrs. H. Yasmeen Ali for R1 to R4.
Mr. T. Sai Krishnan for R5.

Judgment Pronounced on: 13th August, 2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. Dr. K. SATYAGOPAL, EXPERT MEMBER

ORDER

Judgment pronounced through Video Conference. The Original Application is disposed of with directions vide separate Judgment. Pending interlocutory application, if any, shall stand disposed of.

Sd/-

.....J.M.
(Justice K. Ramakrishnan)

Sd/-

.....E.M.
(Dr. K. Satyagopal)

**O.A. No.225/2017(SZ),
13th August, 2021. Mn.**

Item No.1:-

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

Original Application No. 225 of 2017 (SZ)

(Through Video Conference)

IN THE MATTER OF:

- 1) B. Prathap Reddy S/o. Venkat Reddy,
R/o. H. No. 1-36/1/12/37, Chandanagar Village,
Serilingampally Mandal, Ranga Reddy District,
Hyderabad - 500 050.
- 2) P. Laxma Reddy S/o. Narayana Reddy,
R/o. H. No. 1-36/1/12/89, Chandanagar Village,
Serilingampally Mandal, Ranga Reddy District,
Hyderabad - 500 050.
- 3) G. Lalithamma W/o. Ananthi Reddy,
R/o. H. No. 1-36/1/12/86, Chandanagar Village,
Serilingampally Mandal, Ranga Reddy District,
Hyderabad - 500 050.
- 4) V. Gangamma W/o. Malla Reddy,
R/o. H. No. 1-36/1/12/257, Chandanagar Village,
Serilingampally Mandal, Ranga Reddy District,
Hyderabad - 500 050.
- 5) T. Rajamma W/o. Satynarayana Reddy,
R/o. H. No. 1-36/1/12/60, Chandanagar Village,
Serilingampally Mandal, Ranga Reddy District,
Hyderabad - 500 050.

... Applicant(s)

Versus

- 1) The State of Telangana,
Rep. by its Principal Secretary to Municipal Administration,
Government of Telangana, Secretariat Building,
Hyderabad.
- 2) The District Collector,
Ranga Reddy District.
- 3) The Hyderabad Water Metro Work Sewage Service Board,
Rep. by Managing Director
Having its Office at Khairathabad.

4) The Greater Hyderabad Municipal Corporation,
Rep. by its Commissioner having its office at
Tank Bund Road, Hyderabad.

5) The Telangana State Pollution Control Board,
Rep. by its Chairman, having its office at
Plot No.A3, Paryavarana Bhawan, Main Road,
Sanath Nagar, Hyderabad - 500 018.

...Respondent(s)

For Applicant(s): None.

For Respondent(s): Mr. J. Ramachandra Rao, Addl. Adv. General
along with Mr. Sanjeev Kumar, Spl. Govt. Pleader &
Mrs. H. Yasmeen Ali for R1 to R4.
Mr. T. Sai Krishnan for R5.

Judgment Reserved on: 08th July, 2021.

Judgment Pronounced on: 13th August, 2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE MR. Dr. K. SATYAGOPAL, EXPERT MEMBER

Whether the Judgement is allowed to be published on the Internet - Yes/No

Whether the Judgement is to be published in the All India NGT Reporter - Yes/No

JUDGMENT

Delivered by Justice K. Ramakrishnan, Judicial Member.

1. The above case has been filed by the applicants against the construction of Sewage Treatment Plant (STP) of 30 MLD capacity by the Greater Hyderabad Municipal Corporation within the Full Tank Level (FTL) of Lingam Kunta Tank having an extent of Ac. 13-23 Guntas in Survey

No.253 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District in violation of bylaws of the Greater Hyderabad Municipal Corporation and also precedents of the Hon'ble High Court seeking declaration that the action of the respondents is illegal and against law and restraining them from proceeding with the construction.

2. It was alleged in the application that the applicants are residents of Vemana Co-operative Housing Society Limited registered under the A.P. Societies Act vide Registered No. T.B.C. 381 of Chandanagar Villager, Serilinampally Mandal, Ranga Reddy District. The Vemana Co-operative Housing Society Limited purchased the area and thereafter, it has been handed over to the Hyderabad Urban Development Authority for the development of the same into a layout with independent house to be allotted to its member. Pursuant to the same, the Hyderabad Urban Development Authority had developed the said area and constructed the houses for its members in 1990. The said society land is adjacent to the Lingam Kunta Tank, which is a fresh water tank. The respondents had tried to construct the Sewage Treatment Plant (STP) in the year 2010 disregarding the objections raised not any by the residents of the society but also by others. The members of the applicant society as well as other adjacent colonies formed a joint council namely, Chandanagar Colonies Welfare Association and they made a representation to the authorities that construction of Sewage Treatment Plant (STP) in Lingam Kunta Tank will cause hardship to the residents in the locality and the entire sewage/drainage will flow into the Sewage Treatment Plant (STP) and the same will result in stagnation of sewage water and thereby, possibility of causing odour pollution. Further, it will cause foul smell and become

breeding source for mosquitoes and it is likely to contaminate the water in the water body.

3. It was also alleged in the application that the portion of the property was entrusted to the 3rd respondent as per order of the 2nd respondent vide Proceedings No.LC/3437/2008 having an extent of Ac. 13 - 29 Gts in Survey No.253 forming part of Lingam Kunta Tank for the purpose of construction of 30 MLD Sewage Treatment Plant (STP) in the water body. So, some of the well-wishers of the water body who had interest in protecting the water body by name BHEL, Middle Level Resident Society filed a Writ Petition as W.P. No.12727 of 2010 against the construction of Sewage Treatment Plant (STP) in the water body and the Hon'ble High Court at Hyderabad had disposed of the same with the following direction:-

“(i) Comply with the necessary requirements and secure the Consent for Establishment (CFE) from the Andhra Pradesh Pollution Control Board for establishing the Sewerage Treatment Plant near Lingamkunta tank.

(ii) Ensure that only treated water is let into the said water body at all times by maintaining records about the quality of treated water let in

(iii) Take all measures to preserve and protect the Lingamkunta Tank and its tank bed area without any further encroachment or constructions being carried thereon.

(iv) No water or drainage connection shall be provided to any such construction that might come up in the tank bed area of Lingamkunta tank henceforth.

(v) The District Collector, Ranga Reddy District, is directed to take all such necessary steps for removing the temporary and unauthorized structures/constructions which have been made and brought in the bank bund and bed areas of Lingamkunta tank and complete this task within a maximum period of three months from the date of receipt of a copy of this order. A report of removed encroachment be filed into this Court.

(vi) This District Collector, Ranga Reddy District, is also directed to ensure that after construction of the Sewerage Treatment

Plant, appropriate beautification measures are undertaken, as a restoration measures of the water body for the purpose of convenient usage of the general public. It would be open to him to assign the task of development or maintenance of Lingamkunta Water body in favour of any responsible company/corporation.

(vii) Further, ensure that no more building permissions are accorded by any of the Urban Development Authorities or Municipal or Local bodies, to come up in the lake bed area of Lingamkunta."

4. It is also clear from the directions issued by the Hon'ble High Court in the above Writ Petition that the 1st respondent has to secure Consent for Establishment from the 5th respondent namely, the Telangana Pollution Control Board for establishment of Sewage Treatment Plant (STP) near Lingam Kunta Tank. In fact, as per the direction of the Hon'ble High Court at Hyderabad, the 3rd respondent was directed to establish the plant near to the Lingam Kunta Tank and not in the Lingam Kunta Tank or in the tank bed area. As per the bylaw of Greater Hyderabad Municipal Corporation, no construction is permissible in the bed area of any tank. The bylaws mandate that buffer zone is also required to be maintained to raise any structure in the bed area of the tank. In other words, no construction is permissible within the buffer zone of the tank bed area of any tank.
5. Contrary to the orders of the Hon'ble High Court in W.P. No.12727 of 2010 and also the bylaws of the Greater Hyderabad Municipal Corporation, the 3rd respondent proceeded to make construction of Sewage Treatment Plant (STP) in the tank bed area. So, the Vemana Co-operative Housing Society Limited had approached the Hon'ble Lokayukta in C.No. 1715/2010/B1 dated 02.04.2013 to stop illegal construction being made in the tank bed area of Lingam Kunta Tank. The Hon'ble Lokayukta sought for report upon physical inspection of the property from its Director (Investigation).

Thereafter, the Director (Investigation) submitted a report on 02.04.2013 clearly concluding that the construction sought to be made in the tank bed area of the Lingam Kunta Chervu, where it was observed in Page 13 of the report that *"It is fact that the STP is being constructed in an area of 1 ½ Acre within the tank bed on eastern edge"*. As per Proceeding No. LC/3437/2008 dated 02.12.2009, while passing the order, the respondent was aware of the fact that the area in dispute is in the tank bed area, which is handed over for construction. The relevant portion of the proceedings, dated 02.12.2009 makes it clear that the land handed over to them forming part of water body reads as follows:-

"In view of the above, it is hereby ordered that the Government land to an extent of Acs.13-29 Gts. in Sy. No.253 of Chandranagar Village and an extent of Acs.4-00 Gts in Sy. No.91/p of Gachibowli Village be handed over to the representative of HMWSSB, Hyderabad immediately for erection of the Sewerage Treatment Plants by the HMWSSB in the water bodies existing in the said lands and report compliance along with copy of panchanama and sketch."

6. Further, the applicants alleged that one Mr. Dana Kishore who represented the 3rd respondent had drawn the proceedings and the respondents were aware of the fact that the construction is prohibited in the tank bed area as per the provisions of the Hyderabad Municipal Corporation Act and its bylaws framed therein and also against the directions issued by the Hon'ble High Court at Hyderabad in W.P. No.12727 of 2010. The 3rd respondent dumped construction materials and also made arrangement for raising structure and dug up a foundation pit in the tank bed area against the provisions of the laws as well as the direction of the Hon'ble Apex Court and Hon'ble High Court at Hyderabad in this regard. The

construction of Sewage Treatment Plant (STP) which is sought to be made is also adjacent to the Sri Seetaramaanjaneya Swamy Temple and not only it cause inconvenient to the residents, but also affects the religious belief of the residents of the locality. The construction of the tank in the tank bed area will not only cause air pollution, but also cause pollution to the water in the tank. There is a responsibility on the State departments to protect the water bodies and environment under Article 48 A of the Constitution of India and Article 57 A of the Constitution of India. Since the respondents are proceeding with the construction of the Sewage Treatment Plant (STP) in the water tank, the applicants have no other option, but to approach this Tribunal by filing this application seeking the following reliefs:-

“For the facts submitted above, the applicants prays that Hon’ble Tribunal may be pleased to declare the action of the respondents for construction of Sewerage Treatment Plant (STP) of 30 MLD capacity in the tank bed area (FTL) in Ac.13-23 Gts in Sy. No.253 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District in violation of byelaws of the Greater Hyderabad Municipal Corporation and law in force in the said land deems fit and proper under the circumstances of the case.”

7. The 3rd respondent/Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) filed reply affidavit contending that the application is not maintainable. In the year 1989, the then Legislature of the State of Andhra Pradesh made an enactment called the Hyderabad Metropolitan Water Supply and Sewerage Act, 1989 (Act 15 of 1989) and came into force from 01.11.1989. Under Section 3 of the said Act, the Board by name Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB)

was constituted. The Board's main duties are (a) Supply of potable water, including planning, design, construction, maintenance, operation and management of water supply system and (b) Sewage disposal and sewage treatment works, including planning, design, construction, maintenance, operation and management of all sewer and sewage treatment works in and around the twin cities of Hyderabad and Secundrabad and surrounding municipalities. Pursuant to the duties entrusted on the Board, the Board has been serving the twin cities with supply of potable water and disposal of sewer water. At the same time, the Board is also having other schemes keeping in view the future demands of the twin cities and certain municipalities. The very purpose of construction of Sewage Treatment Plant (STP) nearby water bodies is to treat the sewage to the river disposable standards, otherwise raw sewage will directly enter into the water body unauthorizedly from the surrounding areas causing pollution to the water body, ground water, air and environment. So, the proposed Sewage Treatment Plants (STP) is situated nearby the water bodies as per the standard guidelines of Central and State Pollution Control Board. As a sequel to the prevention of pollution, the Sewage Treatment Plant (STP) now proposed at Lingamkunta of Vemana Colony. Otherwise, the river body, Lingam Kunta (Cheruvu/Lake) gets polluted due to inflow of storm water and sewage from the surrounding colonies.

8. Further, they contended that the entry of sewage will be intercepted and diverted to the Sewage Treatment Plant (STP), treated at the river disposable standards so as to prevent the above causes of pollution. In fact, the proposed Sewage Treatment Plant (STP) at this location is no way obstructs the inflows into the tank, hence there will not be any danger of inundation of neighbouring areas. No feeder channels leading to tank will

be closed. So, the apprehension of the applicants on this aspect is without any basis. At the time of construction of temple, laying of CC roads, construction of septic tank of foundation stone for community hall in the same land, the applicants did not object or take any protection measures into consideration. As per the direction No.1 issued by the Hon'ble High Court at Hyderabad in W.P. No.12727 of 2010, the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) had obtained the Consent for Establishment from the Telangana State Pollution Control Board originally on 03.01.2012 and thereafter, on 23.12.2017 as per Annexure - 1 attached to this counter statement and other necessary formalities have been complied with by the Board as are applicable to them for the purpose of construction of Sewage Treatment Plant (STP).

9. It is further contended by the 3rd respondent that the Hon'ble Lokayukta in C.No. 1715/2010/B1, dated 08.04.2013 issued orders stating that it will not interfere in the matter, as the respondent has complied with the directions of the Hon'ble High Court at Hyderabad/Consumer Court and construction of Sewage Treatment Plant (STP) was undertaken after obtaining permissions from the competent authorities. The proposed Sewage Treatment Plant (STP) was based on Technical Feasibility Report and the construction was undertaken after obtaining necessary permission from the competent authorities. The purpose of constructing Sewage Treatment Plant (STP) is to protect the lake from pollution, where flow of sewage is stopped and maintain the lake hydrology. The Sewage Treatment Plant (STP) will not obstruct the free flow of water into the tanks as also flow of water from the catchment areas. The decision to setup Sewage Treatment Plant (STP) at Lingam Kunta in Sy. No.253 of Chanda Nagar is based on a detailed Technical Study done by the

consultants. Certain Sewage Treatment Plants are existing in the twin cities located in the residential areas nearby water bodies which are functioning satisfactorily without emanating any foul smell and preventing pollution of water body, ground water, air and environment. Lake Protection Committee has been formed by the Government to avoid encroachments and pollution of water bodies. The site was selected after due investigation, survey and feasibility by the experts as per its suitability and natural gradient based on the topography of the said area. The Vemana Co-operative Housing Society Limited itself had constructed a temple, CC road, septic tank for the use of colony and the same are located in the same land. Further, they have represented to the authorities for construction of a community hall in the same land, which evidently shows that the applicants have mala fide intention to occupy the vacant land available around Lingam Kunta Tank and as such, objecting to the construction of the Sewage Treatment Plant (STP) undertaken by the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) which is meant for larger public interest. The allegation of possible pollution and nuisance likely to be caused on account of establishment of Sewage Treatment Plant (STP) are not correct. They also given the possible sewage that is likely to be generated and also the characteristic of raw sewage and treated sewage and the standard of outlet that they are proposed to discharge are mentioned in the table as follows:-

Sl. No.	Description	Characteristics of	
		Raw Sewage	Treated Sewage
1.	P.H.	5.5 to 9.0	7.0 to 8.0
2.	B.O.D. (Bio-logical Oxygen Demand)	250 to 350 Mg/Litre	≤ 20 Mg/litre
3.	C.O.D. (Chemical Oxygen Demand)	300 to 500 Mg/litre	≤ 100 Mg/litre
4.	S.S. (Suspended Solids)	300 to 500 Mg/litre	≤ 30 Mg/litre

5.	Faecal Coliforms	5 x 10 ⁶ MPN/100 ml	< 1000 MPN/100 ml
----	------------------	--------------------------------	-------------------

10. It is further contended that they have not violated any bylaws or pollution laws. They have done everything in compliance with the guidelines and orders of the Hon'ble High Court in W.P. No.12727 of 2010 and also following the guidelines mentioned in the Judgment of the Hon'ble Apex Court dated 22.02.2017. The Sewage Treatment Plant (STP) itself was constructed on the basis of the guidelines given by the State as well as Central Pollution Control Board. They will be discharging the treated sewage water, after attaining necessary standard to be mandated for the treated water before it is discharged into the water body without affecting its water quality. The capacity of the proposed Sewage Treatment Plant (STP) is 30 MLD and it is going to be constructed in Ac.13-23 Gts in Sy. No.253 of Chandanagar Villager, Serilingampally Mandal, Ranga Reddy District and it is being constructed after obtaining necessary permission. They will comply with all the environmental norms issued by the Government. There is no bonafide on the part of the applicants in filing this application and there are other writ petitions pending like, W.P. No.5280/2018 before the Hon'ble High Court at Hyderabad in respect of similar issue. They prayed for considering their objection and pass appropriate orders.

11. As per order dated 22.01.2020, after considering the pleadings, this Tribunal had constituted a Joint Committee comprising of (i) River Lake Protection Committee, Hyderabad, (ii) District Collector, Rangareddy District, (iii) Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), (iv) Commissioner, Greater Hyderabad Municipal Corporation and (v) Telangana State Pollution Control Board to inspect the

area in question and ascertain whether the construction is in the Full Tank Level (FTL) of the tank or within the buffer zone, where the permanent construction activities are prohibited and if so, what are all the steps taken by the authorities to remove such construction, if it is done in violation of such provisions and the Telangana State Pollution Control Board was designated as the nodal agency for co-ordination and also for providing necessary logistics for this purpose.

12. This Tribunal also directed the learned counsel appearing for the State of Telangana to submit about the status of the Writ Petition namely, W.P.No.5280 of 2018 pending before the Hon'ble High Court at Hyderabad wherein, there was a prayer for removal of Sewage Treatment Plant (STP) constructed in the Full Tank Level (FTL) of the above said water body.

13. The Joint Committee has submitted the report dated 08.07.2021 before this Tribunal which reads as follows:-

"1.0. PREAMBLE

In the matter of OA No. 225 of 2017 (SZ), the Hon'ble National Green Tribunal (NGT), Principal Bench vide its order dated 22nd January, 2020 has constituted a Joint Committee comprising of (i) River Lake Protection Committee, (ii) Hyderabad District Collector, (iii) Ranga Reddy District Collector, (iv) Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), (v) Commissioner, Greater Hyderabad Municipal Corporation and (vi) Telangana State Pollution Control Board to inspect the area in question and ascertain whether the construction is in the FTL of the tank or within the buffer zone where permanent construction activities are prohibited and if so, what are the steps taken by the authorities to remove such constructions if it is done in violation of the such provisions and directed to submit the present status report of the pendency of the case before the High Court of Telangana at Hyderabad namely Writ Petition like W.P.No.5280/2018. The SPCB will be the Nodal Agency for coordination and compliance.

In compliance to said order, the respective departments have nominated the following members for the Joint Committee:

Sl. No.	Name of official which designation	Department
1	Kum. Chandrakala	Revenue Divisional Officer, Rajendranagar, Rangareddy District Collectorate, R.R.District
2	Sri M.L.Prasanna Kumar, Chief General Manager (Engg), STP Division.	HMWS&SB, Khairathabad, Hyderabad
3	Sri S.Murali Krishna, Superintending Engineer,	HL&WBM Circle, Greater Hyderabad Municipal Corporation, Hyderabad.
4	Mr.G.Hanumanth Reddy, Joint Chief Environmental Engineer (FAC),	Telangana State Pollution Control Board (TSPCB), Zonal Office, Hyderabad
5	Sri Vijay Kumar, Dy. EE.	Lake Protection Committee, HMDA, Hyderabad

Along with the above team constituted, Sri Ramappa Siddi, Assistant Environmental Engineer and Smt. P.Padma, Assistant Environmental Scientist Regional Office, Rangareddy District, TSPCB accompanied for co-ordinating the team during inspection

II. JOINT INSPECTION OBSERVATIONS:

In compliance with Hon'ble Tribunal orders, the Joint Committee visited the Lingamkunta STP on 10-03-2020 to inspect the Lingam Kunta STP site, to ascertain whether the construction is in the FTL of the tank or within the buffer zone where permanent construction activities are prohibited and if so, what are the steps taken by the authorities to remove such constructions if it is done in violation of the such provisions and directed to submit the present status report of the pendency of the case before the High Court of Telangana at Hyderabad namely Writ Petition like W.P.No.5280/2018. The SPCB will be the Nodal Agency for coordination and compliance.

The following observations were noted by the Joint Committee:

A) Lingam Kunta Tank Details:

1. The Lingamkunta Water Tank is located at an altitude of 17°30'21.26"N 78°18'56.18"E and at an elevation of 1798ft. The Google Map showing Lingamkunta water tank as on 06.11.2003 (Figure 1) and Google Map showing Lingamkunta Tank as on 06.09.2019 (Figure 2).

2. The FTL survey of Lingam Kunta Tank is preliminarily notified by the HMDA with ID No.3724 and placed in HMDA website on 03.12.2014 for obtaining objections from the public before issuing final notification. As per preliminary notification, the details hydraulic particulars are as under.

(i) FTL area	:	26.420 Acres
(ii) Full Tank Level	:	+99.400 m
(iii) Full Tank Level Perimeter	:	1426.184 m
(iv) Bund Length	:	650.00 m
(v) Encroachments	:	22

3. After reconciliation of Revenue records and on superimposition of FTL boundary plan on Revenue village Maps by re-assessing/ confirmation of the survey numbers falling within FTL area and Buffer Zone, the Chairman of the Lake Protection Committee will issue final Notification. However, final notification is yet to be issued.

B) Lingam kunta STP details:

i. The Sewage Treatment Plant was constructed within Full Tank level of lingam Kunta tank. As per FTL boundary map of Lingam Kunta, 22 residential houses and one temple of petitioners colony are all falling under FTL of Lingam Kunta Tank, in addition to the STP. But the DC Cum Tahsildar, Serilingampally Mandal reported vide his Lr No. B/16/2010, Dated:27.06.2020 that in FTL/Buffer zone there are 75 Encroachments.

iii. The Revenue Divisional Officer (RDO), Rajendranagar, Ranga Reddy Dist has issued instructions to the Revenue Authorities i.e., Deputy Collector & Tahsildar, Serilingampally Mandal, to take necessary action as per law following due procedure for removal of encroachments in Sikham land.

iv. The HMWS&SB requested RDO to demarcate the boundaries at the earliest.

v. The Hon'ble High Court of Hyderabad, Andhra Pradesh at Hyderabad vide order dated 11.11.2011 directed the Hyderabad Metro Water Supply Sewerage Board- the third respondent to comply with the necessary requirements and secure the Consent for Establishment (CFE) from the Andhra Pradesh Pollution Control Board for establishing the Sewerage Treatment Plant near Lingamkunta Tank.

vi. Accordingly, the Hyderabad Metro Water Supply Sewerage Board (HMWS&SB), Khairtabad, Hyderabad has obtained CFE vide Order No. 882-RR-II/PCB/ZOH/CFE/2011-04, dated 03.01.2012 from APPCB to set up the Sewage Treatment

Plant of 30 MLD capacity in Sy.No.253, Chandanagar(V), Serilingampally (M), RR District with certain conditions and subsequently the TSPCB has extended the validity period for a period upto 02.01.2020. The STP is ready for commission, the STP shall obtain Consent for Operation from the State Pollution Control Board before starting of the operation, based on the Hon'ble NGT Orders.

4. The STP of 30 MLD was constructed in Full Tank Level of Lingamkunta. STP consists of Inlet chamber with bypass arrangement, Coarse Screen Channel, Raw Sewage Collection Sump, Pumps & Motors, Stilling Chamber, Screening Channels, Grit Chambers, Moving Bed Biological Reactor, Clarifier / Claritube settler, Chlorine Contact Tank, Clarifier sludge sump, Thickner, Centrifuge Building, Thickner overflow / Centrate collection sump, Office cum laboratory building, Operation Building, Blower Room, Chlorine Tonner Building & Chlorinator Room, Outfall sewer, Interconnecting pipes, gates, valves, flow meters / weirs, valve chamber, channels for conveyance of waste water, sludge and filtrate.

C) Present status report of the pendency of the WP No.5280 of 2018 before the Hon'ble High Court of Telangana:

a. W.P.No. 5280 of 2018 filed by Shri. Perudi Suresh, Chandanagar, Serilingampally(M), Rangareddy District in Hon'ble High Court, regarding challenging the construction of Sewage Treatment plant (STP) of capacity 30 MLD in the tank bed area (FTL) in Sy.No.253 of Chandanagar (V), Serilingampally (M), Rangareddy District .

b. HMWS&SB has filed Counter Affidavit on 24.07.2018 and T.S. pollution Control Board also submitted a report.

c. The Case was heard on 04.06.2018 but, thereafter the case was not listed for hearing. The case is pending.

III. DC & Tahsildar, Serilingampally Mandal Report(Lr No.B/16/2010, Dated:27.06.2020):

a. The land in Sy.No.253 of Chandanagar village was alienated to the Hyderabad Metro Water Supply & Sewerage Board, vide Collector R.R.Dist., Proc. No.LC1/3437/2008, dated: 02.12.2009 for the purpose of construction of 30 MLD Sewerage Treatment Plant (STP) in Lingamkunta Cheruvu. The possession of the land in Sy.No.253 an extent of Ac. 10-37 gts., (out of total area of Ac.13-29 gts.,) of Chandanagar village has been handed over to the representative of HMWS & SB under cover of Panchanama dated:12.12.2009.

b. The Mandal Girdawar, Serilingampally Mandal reported that there nearly (75) families are residing in the subject land and the HMWS & SB department has completed the construction of STP and started working in the land allotted in favour of HMWS & SB for establishment STP. The Mandal Surveyor, Serilingampally Mandal has demarcated the STP and prepared the location sketch along with google map and it reveals that STP was constructed in an extent of Ac 03-11 gts and completely falls in FTL of Lingamkunta Cheruvu, Chandanagar Village, Serilingampally Mandal.

IV. CONCLUSION & RECOMMENDATION :

a. The Joint Committee has found that the Sewage Treatment Plant was constructed in full tank level of Lingamkunta Tank.

b. As per Hon'ble High Court Order dated 11.11.2011 in the WP No.12727 of 2010, the Hyderabad Metro Water Supply Sewerage Board (HMWS&SB), Khairatabad, Hyderabad has obtained CFE vide Order No. 882-RR-II/PCB/ZOH/CFE/2011-04, dated 03.01.2012 from APPCB to set up the Sewage Treatment Plant. The construction of STP by HMWSSB has been completed and is ready for commission.

c. A W.P.No. 5280 of 2018 filed by Shri. Perudi Suresh, Chandanagar, Serilingampally(M), Rangareddy District in Hon'ble High Court of Telangana State. The Case was heard on 04.06.2018 but, thereafter the case was not listed for hearing. The case is pending."

14. Thereafter, as per order dated 27.08.2020, after considering the report, this Tribunal had directed the parties to file their objections (if any) to the report and also how the construction of Sewage Treatment Plant (STP) in the Full Tank Level (FTL) of the water body is justified.

15. Thereafter, the 3rd respondent has filed an additional affidavit giving details and the circumstances under which they have constructed the Sewage Treatment Plant (STP) in the present site as follows:-

"Status Report:

(i) In compliance of the directions as at Para-6 of the Impugned Order, it is submitted that the construction of STP in the Lingamkunta water body was proposed 12 years back, i.e., in 2007

DPR, mainly for the purpose of treating sewage generated from the upstream areas, viz, Miyapur, Prashanth Nagar, Allwyn Colony, BHEL Tara Nagar, Bollaram Road, Gangaram, JP Nagar, Jawahar Nagar, Lingampally, Madinaguda, Chanda Nagar, Deeptisri Nagar, etc, of Miyapur-BHEL catchment area of Serilingampally, which covers an area of 29.01 Sq. Kms. There was vast urbanization, thus cluster of residential complex have come-up in the area and sewage from such households was flowing through the Storm Water Drains upto Lingamkunta Lake, which is now being treated by the present 30 MLD STP.

(ii) HMWSSB has also received several complaints from the local people, surrounding Lingamkunta about stagnation of sewage and health hazards. To arrest the stagnation of sewage and keep the environment clean, HMWSSB has proposed the STP in the present location of Lingamkunta, which found to be suitable location to construct/commission STP.

(iii) The location chosen by HMWSSB in consultation with the Revenue Authorities, i.e., the District Collector and the Local Tahsildar. The above place belongs to the Government, and the Government has allotted the land for the said purpose.

(iv) The local people without understanding the importance of construction of STP, imagining that some big structure/buildings, etc, are being constructed there and raised objections for construction of STP.

(v) The local people including encroachers of our land are objecting for construction of STP, and they have been continuously litigating the matter and creating several legal problems.

(vi) The local people have earlier filed Applications before Lokayukta, High Court, NGT, etc, obstructing the construction of STP, thus work has been stopped in 2010-2011.

(vii) Due to multiple litigations created by the local people, the construction of STP is considerably delayed from 2009 to December, 2019/January, 2020 (10 years).

(viii) As the local people, including illegal occupants are objecting to the construction of STP, the Revenue Authorities, HMWSSB and Government have brought the facts to the Notice of the Hon'ble High Court, and the Hon'ble High Court has taken the stock of the situation in detail and finally passed an Order dated 11.11.2011 passed in WP/12727/2010 that an STP can be constructed subject to certain conditions.

Accordingly, HMWSSB has restarted the work after a gap of 7 years after revising the cost of STP with an increase of Rs. 5.81 crore (Original cost: Rs. 22.69 crore) and has constructed the STP

which has been commissioned in March, 2020. The State Pollution Control Board has processed our Application for issue of CFO and issued CFO vide Order No. 1287-RR-1/TSPCB/ZOH/CFO/2020-1145 dated 19.09.2020 (valid upto 31.03.2025), a copy of the same is enclosed as Exhibit No. 1.

(ix) The Hon'ble NGT would appreciate that there is no commercial motive in construction of STP except in the public interest.

(x) Status of Lingamkunta Water Body:

(a) The Lingamkunta Lake is spread over, as per old records into Ac. 26.420 of land. However, there is no storage of water for more than 20 years, and it is a dry land with low lying area and land-locked surface. The dry land remained in isolated place and outskirts the city, which was pruned to encroachments. Hence, out of Ac. 26.420 of land, only about Ac. 10.37 of land remained to be unoccupied and empty, which has been allotted to HMWSSB. As the location happened to be low lying, the gravity from the upstream houses, the sewer flows and accumulates at the present location of the lake. The stagnation of sewer is seen for long, which is likely to cause health hazards to the surrounding localities. The Respondent No. 3 has also received several complaints about stagnation of sewage.

(b) The location of the lake is a land-lock area, and there did not appear to be any exit route to flow further, hence, the raw sewage from the surrounding area, has been stagnated in this place. Further stagnation of the sewage water over a period of time would lead to percolation of sewage into the ground, thereby polluting the underground water table. Over the underground water table is polluted, it will become unfit for use and is irreparable.

(c) HMWSSB has identified this place, while Survey was conducted some time during the year 2005 and found that this place is suitable for construction of STP, as per gradient and topography, mainly to treat the accumulated sewage. The action taken by HMWSSB is in the interest of the Public, and mainly with a view to abatement of pollution. In fact establishment of STP proposed in the area during 2007, when the Government has sanctioned establishment of an STP in the year 2008. The Construction of STP at this place was felt to be appropriate after due survey by the Departments of Revenue, Municipal Administration and HMWSSB. As there is no alternate place available for construction of STP in the surrounding area, it was convenient to take the Government's land without any problem.

(d) No water storage is seen in the Lingamkunta Lake for about 15 years.

(e) At present there is no water at all in the Lake, except it is a dry land lying idle, while the above land belongs to the Government (Revenue Authorities).

(f) As there is no water in the Lingamkunta Lake for the last 20 years and the area happened to be outskirts of the Hyderabad City, huts, small houses, etc, have come-up in the Government place and they are staying for more than a decade.

(g) The land grabbers have also played their role and the Revenue Department/Government have tough time to remove the illegal occupants/encroachments and any coercive action from the Government would create civil unrest in the area.

(h) HMWSSB has no commercial motive except to treat the sewage flowing from the upstream mainly from the areas where drainage system is not in place. There is no drainage system or sewer network for some areas surrounding the Lingamkunta area. However, the State Government is planning to have sewer system in the proposed Comprehensive Master Sewerage Plan for the outskirts of the City/ORR area.

(i) As far as FTL and Buffer Zone is concerned, there is no storage of water in the water body or surrounding the Lingamkunta. However, there is a vast urbanization surrounding the Lingamkunta Lake and there a cluster of residential houses have come up. We enclose Maps and photographs as Exhibit No. 2, 3, 4, 5, 6, 7 & 8 showing the present status of the land which can be observed that there is no water storage in the subject Lingamkunta Lake nor there is any possibility of inflows into the lake in future.

(j) It may be seen from the Satellite Map that surrounding the Lingamkunta area very Cluster of houses, Multi-storied Buildings, Apartments, Villas, etc, have come up in the private lands, which however fall under the FTL/Buffer Zone.

4. I also hereby submit that the Hon'ble High Court for the State of Telangana, while disposing of the Writ Petition, has passed an order dated 11.11.2011 in W.P. No. 12727 of 2010 permitting construction of STP in the Lingamkunta, with some directions. A Compliance Report of the directions of the Hon'ble High Court is given in the Tabular form as follows, for kind consideration of the Hon'ble Tribunal.

Sl. No.	Court Direction	Compliance thereof
1	The Hyderabad Metro Water Supply and Sewerage Board – the third respondent is directed to comply with	<ul style="list-style-type: none">• CFE obtained from TSPCB and it was valid upto 02.01.2020.• Now we have received CFO from

	<i>the necessary requirements and secure the Consent for Establishment (CFE) from the Andhra Pradesh Pollution Control Board for establishing the Sewerage Treatment Plant near Lingamkunta Tank.</i>	<p>TSPCB on 19.09.2020 (valid up to 31.03.2025)</p> <ul style="list-style-type: none"> • Only treated water is being let out. • Records are maintained regarding the quality of water.
2.	<i>Ensure that only treated water is let into the said water body at all times by maintaining records about the quality of treated water let in.</i>	<ul style="list-style-type: none"> • Only treated water is let out. • Latest report dated 16.09.2020 of quality of water obtained from EPTRI, Hyderabad is enclosed as Exhibit - 9.
3.	<i>Take all measures to preserve and protect the Lingamkunta Tank and its tank bed area without any further encroachments or constructions being carried thereon.</i>	<ul style="list-style-type: none"> • All measures being taken to protect the Lingamkunta Tank area. • To arrest the encroachments or constructions, HMWSSB has constructed compound wall to protect the area in which STP has been commissioned.
4.	<i>No water or drainage connection shall be provided to any such construction that might come up in the tank bed area of Lingamkunta Tank henceforth.</i>	<ul style="list-style-type: none"> • HMWSSB has informed our operations & maintenance Dn-XV, and advised them to ensure that connection should not be given to the occupants of the Lingamkunta bed area.
5.	<i>The District Collector, Ranga Reddy District, is directed to take all such necessary steps for removing the temporary and unauthorized structures/ constructions which have been made and brought in the tank bund and bed areas of Lingamkunta tank and complete this task within a maximum period of three months from the date of receipt of a copy of this order; a Report of removed encroachment be filed into this Court.</i>	<ul style="list-style-type: none"> • R.R. District Collector is respondent No.2 in the present O.A. No.225/2017, who is also respondent No.5 in WP/12727/2010 is aware of the directions of the Hon'ble High Court in the above WP and the Order/ directions passed in HC dated 11.11.2011 are being complied with. • HMWSSB has taken necessary action from time to time and following up with the RR District Collector emphasizing the order of the Hon'ble High Court vide Para- 7 (6) that all steps should be taken for removing the temporary unauthorized structures constructed which have been made and brought in the tank bund and bed areas of Lingamkunta Tank. • A Joint inspection as directed by the NGT vide its Order dated 22.01.2020 has been conducted and the report has been submitted in this regard before this Hon'ble Tribunal Court.
6.	<i>The District Collector, Ranga Reddy District, is also directed to ensure that after construction of the Sewerage Treatment Plan, appropriate beautification measures are</i>	<ul style="list-style-type: none"> • The representative of RR District Collector, i.e. RDO is a member of the Joint Committee constituted as per NGT Order dated 22.01.2020 and the RDO has taken suitably

	<i>undertaken, as a restoration measures of the water body, for the purpose of convenient usage of the general public. It would be open to him to assign the task of development or maintenance of Lingamkunta water body in favour of any responsible company/corporation.</i>	<i>steps for protecting the Lingamkunta lake area. The RDO has initiated action to issue the Eviction Notices to the illegal occupants.</i>
7.	<i>Further, ensure that no more building permissions are accorded by any of the Urban Development Authorities or Municipal or Local bodies, to come up in the lake bed area of Lingamkunta</i>	<ul style="list-style-type: none"> • <i>The Revenue authorities/ municipal authorities/local bodies have not been permitting for construction of any structures/buildings.</i> • <i>The GHMC is a member of the joint committee constituted for the purpose of inspection, etc. and the authorities concerned including GHMC have taken note of the directions of the Hon'ble Tribunal and taken note of not to permit any fresh sanctions for constructions of houses and also remove the unauthorized constructions.</i>

It is further submitted that in-compliance of the directions of this Hon'ble NGT as at Para -4 of the Order dated 14.09.2020 as to file objections if any-to the Report of the Joint Committee, it is submitted that the Respondent No. 3 has no objections to be submitted to the Report of the Joint Committee. This Hon'ble NGT may kindly note that the RDO, Rajendranagar, Ranga Reddy District, HMWSSB, GHMC, TSPCB and Lake Protection Committee of HMDA are the members of the Joint Committee, and the Report submitted by the Joint Committee on 10.03.2020 which was taken on record by this Hon'ble Tribunal, is collective report as of all the members. Hence, we do not see any objections to the Report of the Joint Committee.

5. The Hon'ble Tribunal may take a lenient view in this case, keeping in view the circumstances under which the location has been selected for establishment of STP, mainly the area is at a lower contour (ground level) and the land was available at free of cost which happened to be a Government land and construction of STP was convenient without going in for acquisition of land. The Hon'ble NGT would also appreciate that the establishment of STP in fact is helping the neighbours of the lake and preventing health hazards. In view of the above, NGT may take a lenient view on the part of all the Government Agencies who did not have any commercial motive except to help the society overall.

6. As directed by this Hon'ble Tribunal, a copy of the WP No. 5280 of 2018 which is pending for adjudication before the Hon'ble High Court for the State of Telangana along with Counter

filed by Resp. No. 3 (HMWSSB) is enclosed as Exhibit-10 (A) & (B) for kind perusal and consideration of this Hon'ble Tribunal.

7. Further, a copy of the Order dated 11.11.2011 passed in WP No. 12727 of 2010 by the Hon'ble High Court for the State of Telangana is placed as Exhibit-11 for perusal and information of this Hon'ble Tribunal.

8. In view of the submissions made above, it is therefore prayed that this Hon'ble Tribunal may be pleased to disposed of the O.A. No.225 of 2017 and pass such order or further orders as this Hon'ble Court may deem fit and proper, in the interest of justice."

16. Again, the matter was taken up on 23.06.2021 and on that day, the submission made by Mr. Sri Ramachandra Rao, Additional Advocate General along with Mrs. H. Yasmeen Ali, counsel for the State of Telangana was considered and it was also reported that the Writ Petition No.5280/2018 filed by one Perudi Suresh for writ of mandamus direction for removal of Sewage Treatment Plant (STP) constructed in Full Tank Level (FTL) of Lingam Kunta Tank was dismissed for non-prosecution. Since that writ petition was not dismissed on merit, this Tribunal felt that there is no bar for this Tribunal to proceed with the matter and to consider the question that arose in this case and thereafter, directed the parties to get ready with the matter and posted the case to 08.07.2021 for hearing.

17. On 08.07.2021, we heard Mr. J. Ramachandra Rao, Additional Advocate General for State of Telangana along with Mr. Sanjeev Kumar, Special Government Pleader and Mrs. H. Yasmeen Ali, counsel for respondents 1 to 4 and Mr. T. Sai Krishnan for 5th respondent.

18. The learned Additional Advocate General argued that construction was made on the basis of the directions issued by the Hon'ble High Court at Hyderabad in W.P. No.12727 of 2010 and thereafter, consent was obtained from the Telangana State Pollution Control Board and the construction

was completed. Since the writ petition filed for removal of the Sewage Treatment Plant (STP) constructed in the Full Tank Level (FTL) of the water body was dismissed by the Hon'ble High Court, there is nothing survives in the matter. Further, the Sewage Treatment Plant (STP) was constructed in good faith and in public interest, so as to cater to the needs of the people and to treat the sewage generated in that area and also to avoid discharge of untreated sewage into the water body. In fact, other encroachments were there in the water body including temple constructed by the society of the applicants and the applicants had not chosen to challenge those things, but they targeted the Sewage Treatment Plant (STP) alone which was constructed in public good with malafide intention to grab the remaining areas also for their purpose, the application was filed.

19. Further, the learned Additional Advocate General for the State of Telangana argued that steps were already taken by the authorities to remove other unauthorized encroachments from the water body and they will take all necessary steps to protect the tank as well.

20. The learned counsel appearing for the Telangana State Pollution Control Board argued that they have granted Consent to Establish and Consent to Operate, in view of the directions issued by the Hon'ble High Court at Hyderabad in the writ petition stated supra and they are monitoring the functioning of the Sewage Treatment Plant (STP) and if there is any violation found regarding non-compliance with the norms or any other insufficiency in the operation of Sewage Treatment Plant (STP), then they will take appropriate action in accordance with law.

21. We have considered the submissions made by the counsel and also the documents produced by them before this Tribunal.

22. The Points that arise for consideration are:-

(i) Whether the Sewage Treatment Plant (STP) was constructed within the prohibited area or Full Tank Level (FTL) of Lingam Kunta Tank?

(ii) If the construction of Sewage Treatment Plant (STP) was found to be unauthorized, whether the same is liable to be removed (or) if it is permitted to continue there, on what condition, it can be permitted to continue?

(iii) Relief and cost.

Point No. (i) to (iii):-

23. The grievance made out by the applicants in this application was that the 3rd respondent had constructed the Sewage Treatment Plant (STP) within the Full Tank Level (FTL) of Lingam Kunta Tank and on account of such construction, there is a possibility of pollution and also nuisance being caused to the public who are residing nearby area including the residents of apartments in the society.

24. The case of the respondent was that the Sewage Treatment Plant (STP) was necessary for protecting the environment on account of large scale urbanization and though it was termed as a tank poromboke as per the revenue records, there was no water in the tank since long time and after elaborate discussion with all the authorities, the 3rd respondent had decided to construct the Sewage Treatment Plant (STP), for which, Revenue Department provided this property for that purpose. Further,

when a writ petition was filed regarding this aspect, the Hon'ble High Court at Hyderabad had permitted the 3rd respondent to construct the Sewage Treatment Plant (STP), as it is required in public interest, with certain directions and they have strictly complied with the same. Further, they have obtained necessary Consent to Establish and Consent to Operate from the Telangana State Pollution Control Board and it is only thereafter, it was constructed and started operation.

25. It may be mentioned here that under Article 48 A of the Constitution of India, there is a responsibility cast on the State Departments to protect environment which includes protection of water bodies, forest and wildlife. Further, it was reiterated by the Hon'ble Apex Court in several decisions that no encroachments should be made in the water bodies and constructions should not be made and no pollution shall be caused to the water bodies, as they play a greater role in protecting the environment and they are not only providing water for drinking as well as irrigation purpose and also act as a water storing resource, including source for recharging the ground water level to make water available in all seasons and avoid water scarcity. Due to urbanization and also for development purpose, when water bodies were allowed to be encroached, the extent of water bodies have shrunk. If the water bodies are not maintained properly by the authorities, then the water bodies turn into barren lands and some water bodies will become garbage dumping grounds and sewage ponds due to discharge of the untreated sewage into the water bodies, thereby, contaminating the ground water quality as well. On account of shrinkage of water bodies and encroachment into the inlet and outlet of the water bodies, the water bodies will turn dry leading to

depletion of the ground water level in those areas, ultimately resulting in scarcity of water in those areas. So, all these aspects will go to show that these are all calamities being brought out by unscientific manner in which the development activities are carried without applying the principles of "Sustainable Development" vis-a-vis "Protection of Environment". Most of these calamities are triggered due to anthropogenic causes and cannot be attributed to vagaries of nature as such.

26. In the decision reported in *M.C. Mehta Vs. Kamalnath & Ors.*¹, it has been observed as follows:-

"The issues presented in this case illustrate the classic struggle between those members of the public who would preserve our rivers, forests, parks and open land in their pristine purity and those charged with administrative responsibilities who, under the pressures of the changing needs of an increasing complex society, find it necessary to encroach to some extent open lands heretofore considered in-violate to change. The resolution of this conflict in any given case is for the legislature and not the courts. If there is a law made by Parliament or the State Legislatures the courts can serve as an instrument of determining legislative intent in the exercise of its powers of judicial review under the Constitution. But in the absence of any legislation, the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership or for commercial use. The esthetic use and the prestige glory of the natural resources, the environment and the eco-systems of our country cannot be permitted to be eroded for private, commercial or any other use unless the courts find it necessary, in good faith, for the public goods and in public interest to encroach upon the said resources."

27. Further, in the decision report in *Intellectuals Forum, Tirupathi Vs. State of Andhra Pradesh & Ors.*², it has been observed as follows: -

"The responsibility of the state to protect the environment is now a well-accepted notion in all countries. It is this notion that, in

¹ (1997) 1 SCC 388

² (2006) 3 SCC 549

international law, gave rise to the principle of "state responsibility" for pollution emanating within one's own territories [Corfu Channel Case, ICJ Reports (1949) 4]. This responsibility is clearly enunciated in the United Nations Conference on the Human Environment, Stockholm 1972 (Stockholm Convention), to which India was a party. The relevant Clause of this Declaration in the present context is Paragraph 2, which states:

"The natural resources of the earth, including the air, water, land, flora and fauna and especially representative samples of natural ecosystems, must be safeguarded for the benefit of present and future generations through careful planning or management, as appropriate."

Thus, there is no doubt about the fact that there is a responsibility bestowed upon the Government to protect and preserve the tanks, which are an important part of the environment of the area."

28. The Hon'ble Apex Court in above decision relied on the decisions reported in *Essar Oil Vs. Halar Utakarsh Samiti*³, *Indian Council for Enviro-Legal Action Vs. Union of India*⁴, *M.C. Mehta Vs. Union of India (Taj Trapezium Case)*⁵, *State of Himachal Pradesh Vs. Ganesh Wood Products*⁶ and *Narmada Bachao Andolan Vs. Union of India*⁷ and observed that asserting an intention for development will not be enough to sanctify the destruction of local ecological resources. What this Court should follow is a principle of "Sustainable Development" and find a balance between the developmental needs which the respondents assert, and the environmental degradation, that the appellants allege and reiterated the principle of "Doctrine of Public Trust" as part of its jurisprudence. The State is the trustee of all natural resources which are by nature meant for public use

³ (2004) 2 SCC 392

⁴ (1996) 5 SCC 281

⁵ (1997) 2 SCC 653

⁶ (1995) 3 SCC 363

⁷ (2002) 10 SCC 664

and enjoyment. The State as a trustee is under the legal duty to protect the natural resources.

29. Further, it was also observed in the same decision that *“the public trust is more than an affirmation of state power to use public property for public purposes. It is an affirmation of the duty of the State to protect the people's common heritage of streams, lakes, marshlands and tidelands, surrendering the right only in those rare cases when the abandonment of the right is consistent with the purposes of the trust.”*

30. Further, the Hon'ble Apex Court also relied on another decision of the Apex Court reported in *A.P. Pollution Control Board Vs. Prof. M.V. Nayudu & Ors.*⁸ in paragraph 53 held as under:

“The principle of inter-generational equity is of recent origin. The 1972 Stockholm Declaration refers to it in principles 1 and 2. In this context, the environment is viewed more as a resource basis for the survival of the present and future generations.

Principle 1 - Man has the fundamental right to freedom, equality and adequate conditions of life, in an environment of quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for the present and future generations.

Principle 2 - The natural resources of the earth, including the air, water, lands, flora and fauna and especially representative samples of natural ecosystems, must be safeguarded for the benefit of the present and future generations through careful planning or management, as appropriate.”

31. Further, in the same decision, it was observed that *“The Judicial Wing of the country, more particularly, this Court has laid down a plethora of decisions asserting the need for environmental protection and conservation of natural resources. The environmental protection and conservation of natural resources has been given a status of a fundamental right and brought under Article 21 of the*

⁸ (1999) 2 SCC 718

Constitution of India. This apart, the Directive Principles of State Policy as also the fundamental duties enshrined in Part IV and Part IVA of the Constitution of India respectively also stresses the need to protect and improve the natural environment including the forests, lakes, rivers and wild-life and to have compassion for living creatures.”

32. Thereafter, in that case, the Hon’ble Apex Court in respect of two tanks which were in question namely, Peruru Tank and Avilala Tank disposed of the matter holding that no further construction should be allowed in those areas and precautionary measures must be taken for the purpose of protecting the water body by giving certain directions.

33. Further, in the decision reported in *Jagpal Singh & Ors. Vs. State of Punjab & Ors.*⁹, the Hon’ble Apex Court had relied on the dictum laid down in the decision reported in *M.I. Builders (P) Ltd. Vs. Radhey Shyam Sahu*¹⁰, *Friends Colony Development Committee Vs. State of Orissa*¹¹ and *Hinch Lal Tiwari Vs. Kamala Devi*¹² and observed that if there is any encroachment into water bodies or ponds which were noted as such in the revenue records or if it is illegally occupied, then steps must be taken to remove the same in order to restore the water bodies. The Hon’ble Apex Court also observed as follows: -

“In this connection we wish to say that our ancestors were not fools. They knew that in certain years there may be droughts or water shortages for some other reason and water was also required for cattle to drink and bathe etc. Hence they built a pond attached to every village, a tank attached to every temple etc. These were their traditional rainwater harvesting methods which served them for thousands of years. Over the last few decades, however, most of these ponds in our country have been filled with earth and built upon by

⁹ (2011) 11 SCC 396

¹⁰ (1999) 6 SCC 464

¹¹ (2004) 8 SCC 733

¹² (2001) 6 SCC 496

greedy people, thus destroying their original character. This has contributed to the water shortages in the country. Also, many ponds are auctioned off at throw away prices to business men for fisheries in collusion with authorities/ram Panchayat officials and even this money collected from these so-called auctions is not used for the common benefit of the villagers but misappropriated by certain individuals. The time has come when these malpractices must stop."

34. Further, in the same decision, it was observed in Para 23 of the Judgment

as follows:

"Before parting with this case, we give directions to all State Governments in the country that they should prepare schemes for eviction of illegal/unauthorised occupants of the Gram Sabha/Gram Panchayat/poramboke/shamlat land and these must be restored to the Gram Sabha/Gram Panchayat for the common use of villagers of the village. For this purpose the Chief Secretaries of all State Governments/Union Territories in India are directed to do the needful, taking the help of other senior officers of the Governments. The said scheme should provide for the speedy eviction of such illegal occupant after giving him a show cause notice and a brief hearing. Long duration of such illegal occupation or huge expenditure in making constructions thereon or political connections must not be treated as a justification for condoning this illegal act or for regularising the illegal possession. Regularisation should only be permitted in exceptional cases e.g. where lease has been granted under some government notification to landless labourers or members of the Scheduled Castes/Scheduled Tribes, or where there is already a school dispensary or other public utility on the land."

35. Further, in the decision reported in *Jitendra Singh Vs. Ministry of Environment*¹³, the Hon'ble Apex Court had heavily come on the authorities granting permission on existing pond area as per the revenue records for the purpose of construction activities, relying on the decisions of the Apex Court reported in *Hinch Lal Tiwari Vs. Kamala Devi*¹⁴,

¹³ (2019) SCC Online SC 1510

¹⁴ (2001) 6 SCC 496

*Chigurati Venkata Subbayya Vs. Palaguda Anjayya*¹⁵, *Jagpal Singh & Ors. Vs. State of Punjab & Ors.*¹⁶ and *M.C. Mehta Vs. Union of India*¹⁷ and observed the necessity for protecting the environment which includes protection of water bodies as well.

36. Further, in the decision reported in *Hinch Lal Tiwari's* case cited supra, it has been observed as follows:

"It is important to notice that the material resources of the community like forests, tanks, ponds, hillock, mountain etc are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution. The Government, including the Revenue Authorities i.e., respondents 1 to 13 in that case, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of the public at large. Such vigil is the best protection against knavish attempts to seek allotment in nonabadi sites."

37. So, it is clear from the above decisions of the Hon'ble Apex Court that there is a duty cast on the Government to protect the water bodies and even if the water body has become disused one on account of some reasons, efforts must be taken by the Government authorities to restore the same and rejuvenate the same, so as to make it as a water reservoir to protect environment in order to accelerate the possibility of preventing depletion of ground water level and facilitate the ground water recharge so as to make ground water available during all seasons and also to protect the public against natural calamities like flood, drought etc.

¹⁵ (1972) 1 SCC 521

¹⁶ (2011) 11 SCC 396

¹⁷ (1988) 1 SCC 471

38. Further, in Full Bench of the Hon'ble High Court of Madras in the decision reported in *T.K. Shanmugam Vs. The State of Tamil Nadu & Ors.*¹⁸, while considering the validity of the provisions of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 and also while considering the alleged conflict between two decisions rendered by the Hon'ble High Court of Madras in *L. Krishnan Vs. State of Tamil Nadu* reported in 2005 (3) LW 313 and *Sivakasi Region Tax Payers Association's* case reported in 2008 (4) LW 415 held that the provisions of Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 did not in any manner dilute the observations/directions issued in L. Krishnan's case cited supra and it is also declared in that decision that tanks which do not fall within the Act, 2007, also require protection from encroachment and they will have to be removed. Further, the Hon'ble High Court of Madras declined to accept the contention because of water body put to disuse that could be a ground to regularize the encroachment but held otherwise. That was a case where some of the persons have moved the Hon'ble High Court seeking a writ for direction to issue patta in their favour on the basis of the earlier notification issued by the Government from the Government Poramboke as well as disuse tank/lake portion/water body and that was not accepted by the Hon'ble High Court of Madras and reference was answered as follows:-

"45. In the light of the above, we answer the reference on the following terms:- The provisions of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007, does not in any manner dilute the observations/directions issued in L. Krishnan Vs. State of Tamil Nadu reported 2005-3-L.W. 313 : 2005 (4) CTC 1, as quoted with the approval by the Hon'ble Supreme Court in Jagpal Singh Vs. State of Punjab, reported in 2011-3-L.W. 17 : (2011) 11 SCC 396, and the observations contained in paragraph 20 (d) (e) of

¹⁸ (2015) 5 LW 397

the Judgment of the Division Bench in T.S. Senthil Kumar Vs. Government of Tamil Nadu, reported in 2010-3-MLJ-771 and that the tanks which do not fall within the purview of the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007, also require protection from encroachment and any encroachment made in such tanks or water bodies have to be removed by following the provisions of the Tamil Nadu Land Encroachment Act, 1905."

39. On that basis, the Division Bench of the Hon'ble High Court of Madras in W.P. No.1295 of 2009 dated 27.11.2015 dismissed the application holding that the applicant is not entitled to get the relief of issuing mandamus to the Government to issue patta in their favour from the land which was entered as Eri/Lake/Poramboke/Water body in the revenue records, though it has become disuse since long time.

40. In one of the decision of the Hon'ble High Court of Madras namely, ***Rajiv Gandhi Vs. District Collector, Cuddalore District and Ors.***¹⁹, the Hon'ble High Court of Madras had declined the writ of mandamus directing the respondents 1 to 3 in that proceedings to demolish the construction made in the water body (Singam Kuttai) and to remove the encroachment made by the respondents 4 & 7 therein in Sy. No. 78/10 to the extent of 38 ½ Ares situated in Pe. Poovanur Revenue Village, Tittakudi Taluk, Cuddalore District which were the constructions made for e-Seva Centre and over head tank for drinking water purpose. The Hon'ble High Court has declined to grant the relief though on principles accepted that no constructions in water bodies can be promoted or encouraged, but, considering the fact that huge public money was spent for construction of buildings for providing e-Seva Centre for meeting the needs of public during 2013-2014 and the water tank was constructed for providing

¹⁹ W.P. No.13178 of 2021 & 13988 of 2021

drinking water facility to the public and demolition of which may cause huge loss to the public as well as to the public exchequer. As exceptional circumstances mentioned above, the High Court of Madras was not inclined to grant relief of removal of construction made in the water body in that case.

41. Further, in one of the decision cited supra, the Hon'ble Apex Court has held that the permission for such activities can be granted only in exceptional cases, which is required for protecting the public interest and Government must always be a trustee for protecting the environment applying the "*Doctrine of Public Trust*" and they should not be a protester of degradation of environment by themselves.

42. With these principles in mind, the case in our hands has to be considered.

43. It is an admitted fact that the 3rd respondent had constructed the Sewage Treatment Plant (STP) in the portion of land which was notified as Lingam Kunta Lake as per the old records and it was having spread over area of 26.420 Acres. Since it was found to be dry due to non availability of water more than 20 years, large scale encroachments and constructions have been made and the left over area of 10.37 Acres which was allotted to the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) for the purpose of meeting the general complaints of stagnation of sewage water and non availability of facility to treat the sewage water before it is being discharged into the water bodies and to avoid pollution being caused to the ground water in that area.

44. It is also seen from the report of the Joint Committee that though the Full Tank Level (FTL) survey of Lingam Kunta Tank was preliminarily notified by the Hyderabad Metropolitan Development Authority (HMDA) with

I.D. No.3724 and placed in HMDA website on 03.12.2014 for obtaining objection from the public before issuing final notification and as per the preliminary notification, the details of hydraulic particulars are noted as follows:-

(i) FTL area	:	26.420 Acres
(ii) Full Tank Level	:	+99.400 m
(iii) Full Tank Level Perimeter	:	1426.184 m
(iv) Bund Length	:	650.00 m
(v) Encroachments	:	22

45. It is also seen from the Joint Committee report that though these issues are in progress and after making reconciliation of revenue records and on superimposition of FTL boundary plan on revenue village maps by reassessing / confirmation of the survey numbers falling within FTL area and buffer zone, the Chairman of the Lake Protection Committee will issue final Notification, however, the final notification is yet to be issued.

46. The pathetic condition and lethargic attitude on the part of the authorities who have been vested with the onerous duty of protecting the water bodies are not taking necessary steps even to fix the buffer zone and Full Tank Level (FTL) of this water body.

47. The respondents relying on the order of the Hon'ble High Court at Hyderabad in W.P. No.12727 of 2010 which was filed challenging the order passed on 02.12.2009 by the District Collector, Ranga Reddy District in handing over the site situated in Survey No.253 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District for the purpose of

construction of 30 MLD Sewage Treatment Plant (STP) in Lingam Kunta Cheruvu.

48. In that case also, the Hon'ble High Court had considered the necessity for protecting the water bodies as a constitutional mandate on the Government and the responsibility for protecting, preserving and conserving the water bodies against the pollution as well as encroachment. But, however found that the construction of Sewage Treatment Plant (STP) near the water body would help to avoid pollution as much as most of the water body existing in and around the State are getting polluted with inflow of sewage water and thereafter, disposed of the matter as follows:-

"Therefore, in our considered opinion, the following directions to the respondents will meet with the ends of justice in this case:-

(i) The Hyderabad Metro Water Supply and Sewerage Board-the respondent is directed to comply with the necessary requirements and secure the Consent for Establishment (CFE) from the Andhra Pradesh Pollution Control Board for establishing the Sewerage Treatment Plant near Lingamkunta tank.

(ii) Ensure that only treated water is let into the said water body at all times by maintaining records about the quality of treated water let in

(iii) Take all measures to preserve and protect the Lingamkunta Tank and its tank bed area without any further encroachment or constructions being carried thereon.

(iv) No water or drainage connection shall be provided to any such construction that might come up in the tank bed area of Lingamkunta tank henceforth.

(v) The District Collector, Ranga Reddy District, is directed to take all such necessary steps for removing the temporary and unauthorized structures/constructions which have been made and brought in the bank bund and bed areas of Lingamkunta tank and complete this task within a maximum period of three months from the date of receipt of a copy of this order. A report of removed encroachment be filed into this Court.

(vi) This District Collector, Ranga Reddy District, is also directed to ensure that after construction of the Sewerage Treatment Plant, appropriate beautification measures are undertaken, as a restoration measures of the water body for the purpose of convenient

usage of the general public. It would be open to him to assign the task of development or maintenance of Lingamkunta Water body in favour of any responsible company/corporation.

(vii) Further, ensure that no more building permissions are accorded by any of the Urban Development Authorities or Municipal or Local bodies, to come up in the lake bed area of Lingamkunta.

With these directions, the Writ Petition stands disposed of. No costs."

49. Even, in that order, which was relied on by the authorities, the Hon'ble High Court at Hyderabad has very carefully chosen the words while granting permission which is clear from the direction No.1 of the order, where it is stated that the Hyderabad Metropolitan Water Supply and Sewerage Board is directed to comply with the necessary requirements and secure the Consent to Establishment (CFE) from the Andhra Pradesh Pollution Control Board for establishing the Sewerage Treatment Plant 'near Lingamkunta Tank'.

50. So, it is clear from this, the Hon'ble High Court was also not inclined to grant permission to construct the Sewage Treatment Plant (STP) inside the tank, but only near the tank. However, this direction has not been strictly complied with by the authorities and they constructed the Sewage Treatment Plant (STP) within the Full Tank Level (FTL) of Lingam Kunta Tank which is clear from the report submitted by the Joint Committee and this aspect has not been denied by the respondents as well.

51. It may be mentioned here that in normal cases, if such instances were brought to the notice of the Tribunal, the Tribunal will not be having any other option, but to direct removal of the same so as to protect the water body. But taking into consideration that huge amount of public money has been spent for the construction of Sewage Treatment Plant (STP) in that

area and that has already been put to use, this Tribunal feels that if directing the Government to remove the same, will result in huge loss to the public exchequer, but however, we feel that that a direction can be given to the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) to restrict the area to the minimum extent for the operation of the Sewage Treatment Plant (STP) and allow the remaining area to be utilized as a water body itself and take all necessary steps to rejuvenate this water body by removing the possible encroachment and unauthorized construction made without obtaining necessary permission, after resorting to the legal proceedings by complying with all procedure provided under the respective statutes and thereafter, take all necessary steps to protect the remaining portion of the water body including dry portion if any and take steps to rejuvenate the same as directed by the Hon'ble High Court in W.P. No.12727/2010 as mentioned above.

52. Since the Sewage Treatment Plant (STP) was constructed as part of protection of environment to prevent discharge of untreated sewage into the water body and it is necessary for protection of water body itself against the pollution, we feel that taking it as an exceptional circumstance, not to direct the authorities to demolish and removal of the construction from the water body and restore the water to its original position and this could not be treated as general license or permission for the State Government to use the water bodies which is said to be disused for long time, instead of making steps to rejuvenate the same and restore the same to its original position for converting the same for other purposes including permission to construct buildings by others or granting patta for homeless etc.

53. We also feel it appropriate to direct the State of Telangana to create another water body of an extent equal to two times the area which was occupied by the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) for the purpose of construction of Sewage Treatment Plant (STP) within the river basin/watershed in which the water body is located for the purpose of protecting the environment and also to create an alternate water reserve facility so as to facilitate ground water recharging in that area as well.

54. So, we feel that the application can be disposed of by giving following directions:

(i) Considering this as an exceptional circumstance, though, in fact, the Sewage Treatment Plant (STP) was constructed within the water body, instead of removing the same, considering the consequences of financial loss that is likely to be caused to the exchequer on account of the same, we allow the Sewage Treatment Plant (STP) to continue there on the following conditions:-

a. The Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) is directed to minimize the area for running the Sewage Treatment Plant (STP) and retain the remaining portion as water body itself, so as to rejuvenate that portion of the water body and also to take steps to avoid untreated sewage being discharged into the remaining area of the water body.

b. The HMWSSB is also directed to take steps for removal of encroachments which are obstructing the inlet and outlet of the tank and encroachments in the water body for

getting the water during rainy season and restore the same to its original position, so that, the dry water tank can be rejuvenated and make it a possible water source in that locality.

- c. The HMWSSB is also directed to maintain the standard prescribed for inlet and outlet discharge from the Sewage Treatment Plant (STP) into the water body and maintain the Sewage Treatment Plant (STP) in a hygiene condition to avoid any possible odour pollution being caused resulting in nuisance to the neighbouring property owners.
- d. They are also directed to comply with the other conditions imposed by the Hon'ble High Court at Hyderabad in W.P. No.12727 of 2010.
- e. The Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) is directed to create an alternate water body having twice the extent occupied by the Sewage Treatment Plant in the river basin of that area to provide another water resource facility on compensatory principle of substituting the loss of area of water body in another area. This is being suggested as a onetime measure and not to be quoted as a general principle. The new water body has to be created within 1 (One) year, failing which, serious action will have to be contemplated by the Tribunal.

- (ii) The District Administration is directed to take appropriate legal steps to remove the unauthorized constructions and encroachment into the water body by resorting to legal steps by providing

opportunity as provided under the respective statutes and take steps to restore and rejuvenate the Lingam Kunta Tank as far as possible to its original position, as seen from the original revenue records and take all further protective steps to protect the water body against the future encroachment and also take beautification of certain areas outside the lake so as to prevent this water body from being used as probable garbage dump yard / sewage pond and make it a possible and probable future water storing reservoir.

(iii) The State of Telangana is also directed to take immediate steps to fix the Full Tank Level (FTL) and buffer zone of all the water bodies in the State of Telangana, including this water body at the earliest possible time and instruct the authorities not to grant any permission for any future construction or any other purpose other than retaining the same as water tank so as to protect the water tanks forever as natural resource which needs conservation.

(iv) The District Administration, Lake Protection Committee, Municipal Administration and Rural Administration are also directed to take steps in view of the directions given above and take all necessary steps to protect the water bodies in the State of Telangana and this should not be taken as a permission/ grant for construction of any Government Buildings or other Sewage Treatment Plants (STPs) or such other facilities in future in the water bodies.

(v) The State of Telangana is also directed to strictly follow the guidelines and directions issued by the Hon'ble Apex Court in the decisions mentioned above to protect the water bodies in their State.

(vi) The Telangana State Pollution Control Board is also directed to monitor the functioning of the Sewage Treatment Plant (STP) and if there is any infraction of environmental norms or conditions imposed, then they are directed to take appropriate action against the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) for rectifying the same in accordance with law.

(vii) If the HMWSSB fails to carry out the direction of creation of another water body as compensation of reducing the extent of this water body within a period of 1 (One) year, then they are liable to remove the Sewage Treatment Plant constructed in the dispute area. They are directed to file a periodical report of the progress of creation of alternate water body as directed once in 4 (Four) months.

55. The points are answered accordingly.

56. In the result, this application is disposed of as follows:-

(i) Considering this as an exceptional circumstance, though, in fact, the Sewage Treatment Plant (STP) was constructed within the water body, instead of removing the same, considering the consequences of financial loss that is likely to be caused to the exchequer on account of the same, we allow the Sewage Treatment Plant (STP) to continue there on the following conditions:-

a. The Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) is directed to minimize the area for running the Sewage Treatment Plant (STP) and retain the remaining portion as water

body itself, so as to rejuvenate that portion of the water body and also to take steps to avoid untreated sewage being discharged into the remaining area of the water body.

b. The HMWSSB is also directed to take steps for removal of encroachments which are obstructing the inlet and outlet of the tank and encroachments in the water body for getting the water during rainy season and restore the same to its original position, so that, the dry water tank can be rejuvenated and make it a possible water source in that locality.

c. The HMWSSB is also directed to maintain the standard prescribed for inlet and outlet discharge from the Sewage Treatment Plant (STP) into the water body and maintain the Sewage Treatment Plant (STP) in a hygiene condition to avoid any possible odour pollution being caused resulting in nuisance to the neighbouring property owners.

d. They are also directed to comply with the other conditions imposed by the Hon'ble High Court at Hyderabad in W.P. No.12727 of 2010.

e. The Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) is directed to create an alternate water body having twice the extent occupied by the Sewage Treatment Plant in the river basin of that area to provide another water resource facility on compensatory principle of

substituting the loss of area of water body in another area. This is being suggested as a onetime measure and not to be quoted as a general principle. The new water body has to be created within 1 (One) year, failing which, serious action will have to be contemplated by the Tribunal.

(ii) The District Administration is directed to take appropriate legal steps to remove the unauthorized constructions and encroachment into the water body by resorting to legal steps by providing opportunity as provided under the respective statutes and take steps to restore and rejuvenate the Lingam Kunta Tank as far as possible to its original position, as seen from the original revenue records and take all further protective steps to protect the water body against the future encroachment and also take beautification of certain areas outside the lake so as to prevent this water body from being used as probable garbage dump yard / sewage pond and make it a possible and probable future water storing reservoir.

(iii) The State of Telangana is also directed to take immediate steps to fix the Full Tank Level (FTL) and buffer zone of all the water bodies in the State of Telangana, including this water body at the earliest possible time and instruct the authorities not to grant any permission for any future construction or any other purpose other than retaining the same as water tank so as to protect the water tanks forever as natural resource which needs conservation.

(iv) The District Administration, Lake Protection Committee, Municipal Administration and Rural Administration are also directed to take steps in view of the directions given above and take all necessary steps to protect the water bodies in the State of Telangana and this should not be taken as a permission/ grant for construction of any Government Buildings or other Sewage Treatment Plants (STPs) or such other facilities in future in the water bodies.

(v) The State of Telangana is also directed to strictly follow the guidelines and directions issued by the Hon'ble Apex Court in the decisions mentioned above to protect the water bodies in their State.

(vi) The Telangana State Pollution Control Board is also directed to monitor the functioning of the Sewage Treatment Plant (STP) and if there is any infraction of environmental norms or conditions imposed, then they are directed to take appropriate action against the Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB) for rectifying the same in accordance with law.

(vii) If the HMWSSB fails to carry out the direction of creation of another water body as compensation of reducing the extent of this water body within a period of 1 (One) year, then they are liable to remove the Sewage Treatment Plant constructed in the dispute area. They are directed to file a periodical report of the progress of creation of alternate water body as directed once in 4 (Four) months.

(viii) If such report is filed, the Office is directed to place the same before this Bench for further consideration and also for giving necessary directions (if any) required.

(ix) The parties are directed to bear their respective costs in the application.

(x) The Registry is directed to communicate this order to the Chief Secretary, State of Telangana, Principal Secretaries for Environment, Public Works Department, Revenue Department, Municipal Administration and Rural Development, Hyderabad Lake Protection Committee/Authority, Hyderabad Metropolitan Water Supply and Sewerage Board (HMWSSB), Greater Hyderabad Municipal Corporation, Telangana State Pollution Control Board and District Collector, Rangareddy District for their information and compliance of the direction.

57. With the above observations and directions, this application stands disposed of.

Sd/-

.....J.M.
(Justice K. Ramakrishnan)

Sd/-

.....E.M.
(Dr. K. Satyagopal)

O.A. No.225/2017,
13th August, 2021. Mn.