

Item Nos.04 & 05:-

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

[Through Physical Hearing (Hybrid Option)]

**Miscellaneous Application No.04 of 2023 (SZ) in
Original Application No. 180 of 2021 (SZ) &
I.A. No. 89 of 2024(SZ)**

WITH

**Original Application No. 56 of 2023 (SZ) &
I.A. No.58 of 2023 (SZ) &
I.A. No.88 of 2024 (SZ)**

IN THE MATTER OF:

Baddam Raji Reddy &Ors.

.... Applicant(s)

Union of India,
Rep. by its Secretary,
MoEF&CC, New Delhi and Ors.

...Respondent(s)



WITH

Baddam Bhaskar Reddy,
Siddipet and ors.

...Applicant(s)

Versus

Union of India,
Represented by its Secretary,
MoEF& CC, New Delhi &ors.

...Respondent(s)

Date of hearing: 16.02.2026.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. PRASHANT GARGAVA, EXPERT MEMBER

M.A. No.04/2023:

For Applicant(s): Mr. C.H. Ravikumar.

For Respondent(s): Mr. Sai Srujan Tayi for R1.
Mrs. Moshika represented
Mr. S. Janarthanam for R2 & R5.
Mr. Rajinikanth Reddy, AAG a/w.
Mrs. H. Yasmeen Ali for R3, R6 to R8.

O.A. No.56/2023:

For Applicant(s): Mr. S. Sai Sathya Jith.

For Respondent(s): Mr. Sai Srujan Tayi for R1.
Mr. Rajinikanth Reddy, AAG a/w.
Mrs. H. Yasmeen Ali for R3, R6 to R8.



ORDER

1. By order dated 04.07.2024, we directed the Secretary, MoEF&CC, to treat the matter as a special case, since the violator is the State of Telangana. We were of the view that the task of assessing the damages caused by the State should not be entrusted to the State Government itself, and therefore directed the MoEF&CC to undertake the exercise independently. Accordingly, the MoEF&CC was directed to assess the nature of the damages, calculate the cost required for restoration, if any, and reassess the compensation payable for ecological damage.

2. The report dated 08.10.2024 has been filed by the MoEF&CC assessing the environmental damage. While computing the damages, the MoEF&CC has adopted two methods. The first method comprises the cost of the Environmental Management Plan (I) plus the remediation cost (II). The second method consists of environmental compensation at 1.5% of the project cost (III) plus remediation cost (II).

3. As per Method No.I, the total cost of the Environmental Management Plan is Rs.477.51 crores. The Government has paid Rs. 432.19 crores towards resettlement and rehabilitation. After deducting the said amount from the EMP cost (Rs. 477.51 Crores – Rs.432.19 Crores), the balance comes to Rs.45.32 Crores.

4. Under Method No. II, environmental compensation is calculated at 1.5% of the project cost plus remediation cost, i.e., 1.5% of Rs.540.14 crores, which works out to Rs.8.1021 Crores and together with remediation cost totals Rs.10.17 Crores.

5. In the conclusion, it is stated that, in addition to Method No.I, the Committee recommends Method No.II as environmental compensation.

6. Be that as it may, even in our earlier order in O.A. No.180 of 2021 (SZ), it was recorded that administrative approval had been accorded for Rs.913.19 Crores for the project initially. If that is the project cost, it is not known as to how the MoEF&CC has taken the project cost as Rs.540.14 Crores.

7. The learned counsel appearing for the applicant also submits that Rs.913.15 Crores was only the initial cost and that the final cost exceeds Rs.1000 Crores. It is also not stated as to why the Environmental Management Plan (EMP) amount should be deducted while computing the damages.

8. In fact, our order dated 04.07.2024 had specifically directed the MoEF&CC to inspect the project, assess the nature of the damage, calculate the cost required for restoration or remediation and reassess the compensation payable for ecological damage.

9. Since the State of Telangana is the Project Proponent, it would be appropriate for the MoEF&CC to inspect and give us the right picture after assessing the damages caused. However, from the report, it is seen that only two members, namely one Scientist (F) from the MoEF&CC and one Scientist (E) from the Central Pollution Control Board, have submitted the report.

10. Therefore, it would be appropriate for the MoEF&CC to induct a co-opted expert in addition to the existing members of the Committee, reassess the damages, and file a fresh report. It is alleged that the violations are continuing even today and that the Project Proponent has removed the CCTVs that were installed. While reassessing the damages, the Committee shall also take into account the continuing violations, if any.

11. Post the matter 29.04.2026.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Prashant Gargava, EM

O.A. No.56/2023 (SZ) &
I.A. No.58/2023 (SZ),
I.A. No. 88/2024(SZ) &
M.A. No.04/2023 (SZ) in
O. A. No.180/2021 (SZ) &
I.A. No.89 /2024(SZ)
16th February, 2026. AD.

