

FORUM FOR A BETTER HYDERABAD

Ten years of Activism & Service

NEWS LETTER : 12 SEPTEMBER - OCTOBER - 2010

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ACTIVITIES :

SEPTEMBER - OCTOBER - 2010

ENVIRONMENT- WATERBODIES

Proposed YSR Memorial Park near IMAX theatre:

The Committee appointed by the Supreme Court earlier to examine Hussain Sagar's encroachments and pollution is now examining the proposal. The Forum have since submitted its views to the Committee members. Reports in Hindu and DC of 11.9.2010 are reproduced.



Construction of temple close to Lake View Park:

In view of Supreme Court order dt. 25.4.2005 in Civil Appeal No. 2905-2906 of 2005 prohibiting any constructions in and around the Lake area of Hussain

Sagar, the Forum have taken up the issue of this unauthorized construction with BPPA/HMDA. As per BPPA/HMDA's reply dt. 13.09.10, they had lodged complaints with the Saifabad Police Station and DCP Central Zone against this unauthorized construction by some local people during July-Aug. 2008. A criminal case No. 491/2008 was booked against the concerned persons by Saifabad P.S. on 19.1.2009. Since the authorities did not pursue the issue thereafter, the Forum have urged BPPA/HMDA by letter dt. 29.9.10 to take action for removal of the construction.

Proposed Food Courts near IMAX:

Based on the report in the Hindu dt. 2nd Aug. 2010, the Forum had taken up the matter with BPPA vide letter dt. 10.8.10, but no reply has been received so far. Relevant extract from the Supreme Court appointed Committee's earlier report is given below:

- Chapter 7, para 7.6, Recommendations,7 (e)....."
 Prasads Imax Theatre is clearly on land created from part of the lake. Since it has come up after 2000, and is adding to air water and noise pollution to the lake because of massive vehicular traffic and human population that it attracts to its shopping malls, eateries and theatres, it should be relocated outside the lake area. Restoring the land area to the lake may not be practical. Hence the building may be used for creating a science and environment museum for children.

ENVIRONMENT - FORESTS

Proposed Dr.Y.S.R Reddy Smruthi Vanam:

Readers may please refer to the first item in the Forum's previous News letter. In a letter dt. 31.08.10, the Principal Chief Conservator of Forests, Hyderabad has provided certain clarifications and has mentioned of

the commitment and sincerity of Forest Department and its officials in conserving forests. Extracts from the Forum's reply dt. 29.9.10 are given below:

"In view of the clarification now given by you, we presume that no work of whatsoever nature will be allowed or even permitted, including laying / strengthening of existing paths from the Smruti Vanam area to the helicopter crash site, consequent on the expected increased traffic to the crash site and the 'Nature trail' proposed as part of project. We believe that there is a real threat to such developments. We note, however, that " Government of India has been addressed to give clearance for the above activities. So far, the clearance is not received. Hence, no activities are taken up in this Reserve Forest Area."

The proposed development of "DR. Y.S.R.Reddy Smruthi Vanam" in an area of 1424.14 Ha, in Velugodu Reserve Forest in Atmakuru Wildlife Management (WLM) Division, under the pretext that the proposed activities are Forest and Wildlife related, falls in Gundla Brahmeswara Wildlife Sanctuary (GBWS), the extended Core Area of N-S Tiger Reserve. The State Government of Andhra Pradesh vide its G.O.Ms.No. 50 dated 18-03-2010, declared that the entire "Gundla Brahmeswara Wildlife Sanctuary" (GBWS) area to an extent of 1194 Sq Kms (specified in the schedule to the GO) to be a extended Core Area / Critical Wildlife Habitat to Nagarjunasagar –Srisailam (N-S) Tiger Reserve, for the purpose of Tiger Conservation, which shall be called as Extended Core/Inviolate Area / Space to N-S Tiger Reserve.

The MoEF Office Memorandum dated 14-5-10 (Item 12) clearly states that the **"Proposed illegal construction of Smruthi Vanam in memory of late Chief Minister in Kurnool district of AP, is in the notified Gundla Brahmeswara Wildlife Sanctuary (GBWS), in violation of Law , Procedures and Prevailing Supreme Court Orders"**.

We have already made a representation in the matter and shall await its outcome."

HERITAGE - GOLCONDA FORT-Golf Course:

1. The Forum have submitted a detailed 14 page letter dt. 4.10.2010 (plus 6 annexures) to Shri Sitaram Yechury, M.P., Chairperson -Committee on Transport, Tourism & Culture, New Delhi explaining

the reasons for our opposition to the setting up of a Golf Course inside the Naya Qila (NQ) part of Golconda Fort.

- (a) Fundamental objections to the setting up of the Golf Course in the NQ part and hence to any MoU on the subject, like: -
 - Damaging the site integrity and prospects of Golconda Fort for recognition as a World Heritage Site. (Copy of letter dt. 19.5.09 written by scholars from a number of universities in USA & UK to DG, ASI, New Delhi and APTDC has been attached.)
 - It is an ill-conceived project. By the nature of things, this Golf Course cannot comply with the requirements under the MoU and AM & ASR Act, 1958.
- (b) Certain provisions of the Deed of License (DoL) dt. 06.02.02 allocating land with water body and a small island cannot be rationally explained. Discrepancy in total area as per DoL and MoU dt. 23.09.09 not explained.
- (c) Substantial violations of certain provisions of the MoU, non-compliance with several requirements of MoU, apart from objections to certain provisions of MoU. Still HGA continues to work unhindered for creating the Golf Course.

The Forum have requested Shri Yechury to intervene in an appropriate manner on these issues.

2. After urgings by the Forum, ASI Hyderabad circle wrote to the Commissioner, GHMC, Buddha Bhavan, Ranigunj, Secunderabad on 6.9.2010 as follows:

"It has been brought to my notice that garbage is being dumped by your department in to the moat near Jamalikunta Darwaza at Golconda Fort, which is a centrally protected monument of national importance. As it is a matter of serious concern to pollute the surroundings of heritage structure and also contempt of Hon'ble High Court Orders dt. 8.6.10 in WP. 7081, you are requested to look into the matter and initiate action for clearing the moat and to take necessary steps to stop further dumping of garbage in the surroundings of Golconda Fort. Action taken in this regard may please be intimated at the earliest."

3. The Forum had handed over a detailed note to Shri Janvith Sharma, Director (conservation) of ASI New

Delhi, when he visited Hyderabad on 25.10.10. The Note contained reasons for opposition to the golf course in Nayaqila area of the Fort. An amended Note containing those reasons as also the apparent inability of ASI to take effective action against violations has been addressed to the DG, ASI New Delhi on 27.10.10.

4. Extracts of Report in newspapers dt. 6.10.10:

Times of India dt. 6.10.10: “The Petitions Committee of the Assembly on Tuesday has directed the managing committee of the Hyderabad Golf Association to furnish the list of members as well the audit reports within three days, after it was found that bureaucrats secured membership for a song. While a general member is required to pay a hefty amount of Rs.7.50 lakh towards membership, bureaucrats reportedly became service members by paying a measly Rs.15,000. What is more, the bureaucrats were given the facility to transfer the membership if they wished to do so.”

Deccan Chronicle dt. 6.10.10: Routine digging on the premises of the Golf Course near Golconda three years ago had brought up a treasure trove of gold coins, but this was kept a closely guarded secret. Officials of the Archaeological Survey of India (ASI) made this startling revelation here on Tuesday to the Telugu Desam MLA, Mr.Revanth Reddy, at a meeting of the Assembly petitions committee headed by Mr.Nadendla Manohar. The committee was discussing allotment of membership to the golf club and the difference in membership fee for bureaucrats and others. When the report regarding the digging up of a treasure trove came up for discussion, the secret was blurted out by an official of the ASI. The TD member grilled him and others including the tourism secretary, Mr Jayesh Ranjan. Mr.Revanth Reddy said ASI officials admitted they had found gold coins and had handed them over to the then Hyderabad District Collector about three years ago. The TD MLA has asked for a report in four days.

HERITAGE - Purani Haveli:

The Hindu dt. 15.09.10 has reported proposal to shift the Nizam’s Museum and Wardrobe from Purani Haveli (a listed historical building, where Nizam IV mostly lived) to Chowmahalla Palace. The unique 240 ft. long wardrobe made of one piece of wood cannot be shifted as it is and association of Nizam IV with the palace will be lost. Forum through letter dt. 29.9.10 have therefore

requested HMDA commissioner not to take any decision without prior clearance from Heritage Conservation Committee.

HERITAGE - URBAN PLANNING

(i) **Shahi Khazana on Moti Gali:**

(ii) **Charminar Pedestrianisation Project:**

There are reports to convert Shahi Khazana into a 4-storey parking lot. It is a fine piece of architecture including the Pineapple Gate and the beautifully decorated interior. It has been recommended by INTACH Hyderabad for notification as a Heritage Building. Forum have written to the Commissioner, HMDA seeking to know the correct position. The streetscape of Pathargatti, a historic site built during seventh Nizam’s reign, and its skyline continue to lose their character. HMDA has been requested to document the current position and stop further damages, till Charminar Pedestrianisation Project is finalized and implemented.

HERITAGE - Urban Planning:

The Hindu dt.31.08.10 reported that 254 old structures were demolished and 331 more proposed to be demolished. The Forum in letter dt.17.09.10 requested Commissioner, GHMC/ HMDA: – “We trust you have ensured and will ensure that none of the buildings demolished or proposed to be demolished is notified or proposed to be notified as a heritage building. A line in confirmation will be appreciated.”

URBAN PLANNING - Illegal Parking:

Based on the orders of A.P. High Court in W.A.No. 2130 of 2005 and W.P.No. 21354 of 2009 and orders of A.P.Lok Ayuktha in complaint No. 1171/2009/BI dt. 02.07.2010, to prevent illegal parking on road margins/ footpaths, GHMC have issued guidelines to create sufficient parking space in all non-residential uses.

Since the Lok Ayuktha is monitoring the activity weekly, GHMC in July 2010 have issued further instructions to create parking space.

Category I – No parking, but great number of trips generated – in all such cases parking has to be provided, within the building or through valet service;

Category II – Approved parking spaces in the plan not provided – in all such cases parking area has to be re-established immediately.

Category III – Parking available is less due to inadequate, minimal norms – in these cases parking space has to be created within the building or in some other location through valet service.

Category IV – Insufficient circulation pattern, multiplexes, hospitals, schools and hotels – optimal circulation pattern will be designed by AC (T&T).

Category V – Non-residential and mixed use areas creating high generation of trips (two cars parking uses) – in these cases create parking space or create valet parking.

Notice will be issued by GHMC and 2 week's time given for parking space creation (except category II)

URBAN PLANNING- Parking space:

“GHMC has not nailed single commercial complex for not providing adequate parking space on the subject”. A letter dt. 18.09.10 to the Chief Minister on the subject is reproduced below.

Sub: Hindu report dated 18.09.2010 captioned “Multiplexes still lack parking lots”.

“We enclose a copy of the above report, the contents of which are self-explanatory. It is a matter of concern if the contents of the report are true. Ministerial intervention in stalling action by officials to implement laws and regulations passed by the government, most probably unofficially and verbally, is most undesirable. It demoralizes honest officials, encourages corrupt ones who compromise laws for vested interests, and frustrates law-abiding citizens - eroding their faith in administration. Needless to say that traffic congestion is a huge problem in Hyderabad which needs to be dealt with on a war-footing.

No doubt there is scope for a departmental minister's intervention in an order made by officers, but good governance requires that where ministerial intervention is made, such intervention should be recorded in writing, with rationale together with the final view taken by the department. Was it done in the instant case?

We request you to immediately order an enquiry into the matter, and take appropriate action to allow the officials to carry on their duties in accordance with laws and rules, and protect them while they discharge their lawful responsibilities. We shall deem it a favour if the action taken in this regard is advised to us.”

Forum have also written to the Chief City Planner, GHMC on 18.9.2010 under RTI Act seeking to know details of 195 commercial complexes identified for violating norms for providing parking space, through a survey by GHMC officials and the police.

URBAN PLANNING – Monitoring of building construction:

Extracts from Forum's letter dt. 17.09.10 to GHMC are given below.

“Sub : Construction activity under third eye? - Hindu report dt 21.8.10

- Outsourcing will only be an aid to the supervision and monitoring by the GHMC, not a substitute for it, and the GHMC will continue to be responsible therefor.
- The architect / expert engaged for supervising and monitoring should be different from the one engaged for preparing the plan.
- While the architect for preparing the plan will be engaged by the person commissioning the building, the architect / expert engaged for supervising and monitoring should be from the panel created by, and responsible to, the GHMC. Otherwise, they may be influenced by the person commissioning the building.
- The cost of preparing and maintaining the above panel may be.....

We consider a discussion in the matter with concerned groups may be helpful to examine all aspects before GHMC finally takes a decision.”