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(Private Circulation only)

FORUM FOR A BETTER HYDERABAD

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HERITAGE- Golconda Fort- Hyderabad Golf Assocn.

1. Mohammed Afzal and Badar Bin Jafar (residents of area near Golconda Fort) had filed WP No. 29300 of 2011 in AP High Court praying for a writ or order or direction declaring the action of HGA in not stopping the work taken up by HGA around Mustafa Khan Mosque and graveyard as illegal and unconstitutional and directing the authorities (State Govt. Deptts. concerned & ASI) to take steps to see that HGA does not enter the graveyard area or land around the Mosque while

declaring that the local devoted muslims have free access . The High Court on 2-11-11 made the following order: "The Addl. Advocate General on instructions submits that they are not going to demolish/ dig the graveyard area or land around Mustafa Khan Mosque..... In the meantime, the Wakf Board- Respondent No.3 herein- is directed to demark the land in consultation with ASI- Respondent No.4- within a period of one week from today."

2. Tol report dt. Nov. 6, 2011 on Nayaquila

CITY

* SUNDAY TIMES OF INDIA, HYDERABAD
NOVEMBER 6, 2011

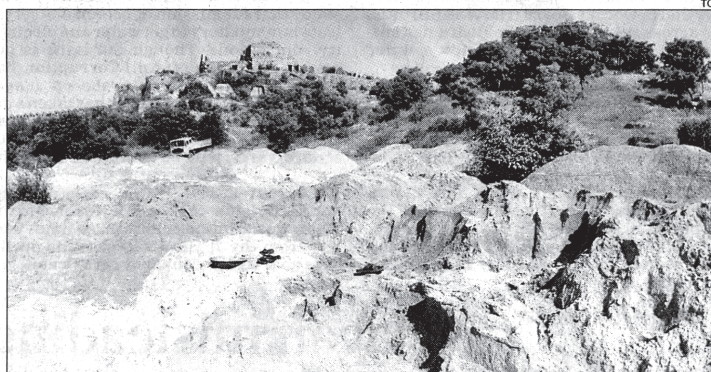
Collector tells MRO to stop golf course work

Work Stalled Till Naya Qila Site Inspection

TIMES NEWS NETWORK

Hyderabad: The Hyderabad collector on Saturday directed Golconda mandal revenue officer to stop golf course construction at Naya Qila until pending issues in the high court regarding demarcations of essential heritage structures within the Qila are resolved. "We will inspect the site along with Wakf officials and work will be stopped until then," said Gulzar Natrajan.

Heritage activists and locals had filled writ petitions in the high court last week demanding that the golf course work be stopped until Mustafa Khan mosque and surrounding graveyards are demarcated, and the area of Qutub Shahi gardens is estimated. The high court had responded positively to the writ petitions and directed Wakf Board and ASI to carry out the demarcation of the mosque and garden. However, work continued uninterrupted at the Qila despite conservation groups leaving no stone unturned to get the work stopped including request-



SAVING A HERITAGE MONUMENT

ing the local MLA and the deputy collector who visited the area on Saturday. "We have requested the local authorities including the MLA and deputy collector to stop the work because important structures like Mustafa Khan mosque and Qutub Shahi gardens are yet to be demarcated but our pleas fell on deaf ears," said Jasveen Jairath, a heritage activist.

Later in the evening, activists approached Wakf board authorities, who in turn wrote to the collector urging him to stop the work.

Activists and locals have protested against ground work for the golf course being carried out, saying that it has resulted in change of contours. They question the urgency with which the work is being done while petitions are pending in the

court. Activists say that Naya Qila is relatively a virgin territory as far as archaeological exploration is concerned. M Mandal, an activist, says, "During excavations by the Hyderabad Golf Association, coins and other earthenware were found at Naya Qila. These are indicative of cultural value of the site, which could be lost forever if a golf course comes up there."

3. The HINDU January 3, 2012



Resurvey of masjid area at Naya Qila opposed

Police on Monday cracked down on civil society organisations protesting against resurvey of the Mustafa Khan Masjid area at Naya Qila where the Hyderabad Golf Association (HGA) has taken up construction activity. The protestors, numbering about 24, were taken into preventive custody and later released.

In pursuance of the High Court orders, the Wakf Board recently submitted a report stating that there is evidence of graveyard and other archaeological structures in survey No. 40 measuring 28 acres and 11 guntas.

However, a resurvey was carried allegedly on the pressure of HGA.

“Where is the need for a resurvey when the Wakf Board has already submitted a report. It is nothing but an attempt to change the contents of the earlier report to suit the interests of HGA”, said Jasvin Jairath, a social activist.

Wakf Board chairman, Syed Ghulam Afzal Biabani, said the resurvey was done on the orders of government. He said the Wakf Board would adhere to its earlier stand and there would be no change in its report.

Ms. Jairath expressed surprise at the way the Golkonda police swooped down on ‘peaceful’ protestors, pulled down their shamiana while leaving untouched the one put up by HGA.

Nexus alleged

She saw a nexus between the HGA and government agencies to manipulate the Wakf Board report.

A decision to resurvey the area was taken by the Tourism secretary, Jayesh Ranjan, before proceeding on leave, she said.

Ms. Jairath said the HGA had recently dumped about 100 lorries of mud adjacent to the Mustafa Khan mosque and it was not possible to carry a survey without first removing the mud. She further criticised the police for giving the impression that the civil society organisations were trying to foment communal trouble.

The protest meeting attended by members of SOUL, Heritage Watch and Forum for Better Hyderabad demanded acceptance of the Wakf Board report submitted to High Court, removal of encroachments of moat and electric poles installed recently by HGA in the prohibited area. The meeting also wanted restoration of the Hanuman statutes dumped unceremoniously towards inner wall of the fort and fixation of FTL of Naya Qila Tank.

4. Text of letter dt. 6-1-2012 from FBH, NAP, HRF to the Police Commissioner, Hyderabad City

Dear Sir,

Forcible eviction under section 151 of CrPC under Preventive Detention by police of heritage activists from various civil society groups from vicinity of Mustafa Khan mosque on 2.1.2012.

With reference to the above, please let us know the grounds on which a number of heritage activists were forcibly evicted from the site and taken into preventive detention, when they had assembled peacefully on site to witness the second survey of the graveyards areas by Waqf Board, ASI, and Tourism department. They were also explaining to the people gathered there about why a survey of the area of

the graveyards was ordered by the Hon'ble A.P. High Court and why they were objecting to another survey when the first survey already made has been submitted to the A. P. Hon'ble High Court. They were lifted from the site around 10 A.M. and a lady participant was arrested at 11 A.M (to arrange escort by a lady police official), when the survey officials actually arrived on the scene at around 2 p.m .

(a) The report of Golconda police inspector, that the protesters, under the leadership of Ms Jasween Jairath, stopped the survey, (vide Deccan Chronicle dated 3.1.2012) is therefore, undoubtedly false.. No doubt a tent was pitched but so had the HGA pitched a tent which was not removed and their officials were allowed to stay on . Please let us know on what basis the police took them into preventive custody under Section 151 of the CrPc. If this was done on the basis of your intelligence and / or mere apprehension that we would disturb the survey, please let us know with facts /circumstances if available to show the basis of your apprehension. Please let us know whether , and if so, what objectionable and /or provocative remarks were made by any of our participants during the meeting which led the police to decide that we should be put under preventive detention.

(b) Please let us know why our liberty to assemble on site and freedom of speech was denied to us by the police action, when there was no prior prohibition of assembly there, and while the shamiana of the Hyderabad Golf Association was not interfered with. And why the golf officials were allowed to stay on if the intent was to allow a non-interfering survey exclusively by the government officials.

(c) Why should HGA or anyone including the police, object if some enter in numbers when free unrestricted access is permitted to the mosques under clause 2 of the MOU dated September 2009?

We shall appreciate a quick response to our communication. Meanwhile, please acknowledge receipt.

This letter has also been addressed to the concerned Deputy Commissioner of Police, West

Zone, the ACP, Asifnagar Division, and the station house officer, PS Golconda Fort.

M.Vedakumar, President, FBH

Ramakrishnam Raju, A.P. State Convenor, NAPM

S.Jeevan Kumar, A.P. State President, Human Rights Forum

ENVIRONMENT-WATER BODIES- Pollution

Text of letter dt.12-12-2011 addressed jointly by FBH and Save Our Urban Lakes:

- 1) Managing Director, Hussainsagar Development Authority
- 2) Secretary, Lake Protection Committee
- 3) Secretary, Health , GOAP, Hyderabad
- 4) Commissioner, GHMC.

Dear Sir,

NIMS, Gandhi flout waste disposable norms.

We enclose a report from the Hindu dated 10.12.11 on the captioned subject. The revelation by APPCB is alarming and poses grave health hazard. While on one hand, crores of rupees are being spent under the JICA project on cleansing Hussainsagar, hazardous waste and polluted water are being drained into the Hussainsagar, causing grave health hazard. While the PCB has served notices to the hospitals for a legal hearing, we would like to know what steps have been/ are being taken by you in the matter. Please treat it as most urgent.

Yours faithfully,

M.Debara, General Secretary, FBH

Dr. Jasveen Jairath, General Secretary, SOUL

Pollution Control Board, Hyderabad has also been requested for an urgent discussion on what steps have been taken/ are planned against recurrence of such hazardous action by any authority.

ENVIRONMENT- TREES- Hyderabad Metro Rail

In response to Forum's letter dt. 25-8-11 under RTI Act, HMR in letter dt. 5-11-11 have informed the number of trees that will be affected: under corridor I (Miyapur to LBNagar)- 1189 trees, under corridor II (JBS to Falaknuma)- 90 trees, under corridor III (Nagole to Mettuguda)- 362 trees. As per HMR, five experienced agencies have been empanelled by them

for executing plan of action for translocation or felling of trees, as the case may be, after obtaining required permission from competent authority.

FORUM in letter No.268 dt. 17-11-11 have enquired whether HMR have already proposed to the District Tree Committee, whether HMR have already done required compensatory plantation, OR HMR have simply informed GHMC to plant a certain number of trees.

HERITAGE- "G" Block of Secretariat

Text of letter dt. 10-12-2011 from General Secretary- FBH to the Chief Secretary, Govt. of A.P.

"G" Block – Deccan Chronicle dt 14.11.2011 report " Officials mull over razing G-Block of Secretariat."

We refer to the above report, a copy of which is enclosed for ready reference.

In this connection, we invite your kind attention to our earlier letter dated 18.4.11 following a personal meeting with the then Chief Secretary, and an assurance by letter no 166672/SB.1/2003 dated 25.4.2011 of the Principal Secretary, General Admn. (SB1) Dept. The letter dated 18.4.11 was signed by many senior retired bureaucrats, including several retired chief secretaries, who are also reputed as historians and well versed in the heritage character of Hyderabad, and also by several other historians

and archaeologists and conservation engineers. Copies of both the letters are enclosed.

We entreat upon you to have the full facts of the case, in particular, the aforesaid letters examined by the concerned secretaries and by you personally. Any decision other than preserving the G Block will be hostile to this heritage city, and contrary to the spirit of the Court verdict. Kindly have the building preserved and well maintained. . It may thereafter be put to any appropriate use, without harming its heritage features. This is our earnest appeal to you.

We are prepared to meet you at a convenient date and time, if you need any further clarification.

FORUM FOR A BETTER HYDERABAD

FBH, a regd. Public Trust, had applied in Form No. 10G for continuation of approval u/s 80G(5)(vi) of The Income Tax Act, 1961. The Director of Income Tax (Exemptions) in his order F No .DIT(E) /HYD/ 80(G)/ 57(10)/ 11-12 dt. 20-12-2011 has interalia specified that "The donations made to the said trust/fund/society do qualify for deduction in computing the income of a person who makes the donation i.e. in the hands of the donor..... Accordingly the approval sought for is hereby accorded u/s 80G(5)(vi) of The I.T.Act 1961. The approval shall have effect from 01-04-2011 onwards subject to all other provisions of The I.T.Act 1961 as applicable and the following conditions..... "