

## WATER BODIES - CIVIL SOCIETY GROUPS

Two members of SOUL (SaveOur Urban Lakes) – Thakur Rajkumar Singh and Kasireddy Bhaskar Reddy- had filed a case against a decision of the Govt. in reinstating the MRO despite serious corruption allegations against him. The High court order as reported in the Times of India is self explicit.

HYDERABAD: Justice L Narasimha Reddy of the AP high court on Monday (Aug.13, 2012) barred the controversial deputy collector of Serilingampally, G Subba Rao, from performing duties in the revenue department till further orders. The judge was dealing with a case filed by Thakur Rajkumar Singh, who brought to the notice of the court the various irregularities that had taken place in Serilingampally during his tenure.

Following an inquiry into the alleged irregularities, particularly encroachments in Serilingampally lake, the state government had earlier taken action against the controversial officer. However, he was reinstated following political pressure from the higher-ups. However, the judge did not appreciate the action of the government and commented that “It is unfortunate that a person who is accused of parting with the valuable government land in favour of private individuals and large scale corruption is shown such a favour.” (PS.The order for posting back the MRO was cancelled. But soon thereafter, the Ranga Reddy Collector who had refused to take the MRO back was transferred much before the completion of his tenure.)

## ENVIRONMENT-TREES & FORESTS

(1) The Hindu had reported on 20-6-2012 about setting up of a Tiger Safari in NallaMalla area. In response to Forum’s query under RTI Act, the PIO -Office of Conservator of Forests & Field Director Project Tiger: Circle Srisailam- has informed that the project is only under consideration and it will take time to prepare the project report. The Routes of the Safari are tentatively

planned viz. Pullicheruvu route and Peddarutla route in Dornal Range.

Through letter no.561 dt.31-7-12, Forum has brought to the notice of the Principal Chief Conservator of Forests, Supreme Court’s ban on tourism in core areas of tiger reserves.

(2) Eco- Tourism Project at Vikarabad: In response to Forum’s letter no. 540 dt. 18-6-12, Dy. Secy. YAT&C Deptt, GoAP has informed (vide his letter no. 2904/T/A2 dt. 03-08-12) as under:-

The State Govt has decided to set up a Resort and Eco-Tourism project at Anantagiri Hills, Vikarabad. APTDC have already acquired 213 acres at Shikaragara. The Resort has already commenced and the area on the right side of the road leading from the temple to Tandur is being developed as Eco-Tourism centre without disturbing tree cover. GoI has sanctioned funds for the project. However, Forest deptt. officials have objected to the development of the site on the plea that there is forest land to some extent. A joint survey of the area has been proposed, which is yet to start.

## HERITAGE- Metro Rail Project- PIL 282 of 2012

Forum’s letter No.601 dt.29-8-12 to the Chairman, Heritage Conservation Committee, Hyderabad is given below.

We forward herewith a copy of the AP High Court’s order dt 13-8-2012 which disposes of the PIL filed by the Forum and Dr.V.K.Bawa by directing MA&UD Deptt. and Hyderabad Metro Rail Ltd, “....For the greater public interest both the respondents 1& 4 (i.e. the above) shall look into the matter considering the technical feasibility and thereafter take necessary steps for preservation of such heritage structures in Hyderabad”. Although a reference has been made to your letter dated 9.12.2011 HCC has not been mentioned in the order for being involved in the consulting process. A copy of the Order is enclosed.

We request you to take up the matter with HMRL and MA&UD, and other authorities as considered appropriate, suitably. We consider your intervention in the decision-making process will help the cause of heritage preservation.

#### **HERITAGE- ASMANMAHAL (LakdiKaPul)**

Forum had been representing against demolition of this Gr.III Heritage bldg. Dy. Municipal Commissioner, Circle-X, Central Zone, GHMC has since furnished some information in his letter dt. 03-9-2011, viz.-

- No permission for demolition of any part of the heritage structure and construction of multi-storied complex within buffer zone has been given by HMDA/HCC and GHMC.
- On 16.10.10, a notice u/s 461 of GHMC Act 1955 was issued and Saifabad Police Stn. was informed for placing a vigilant watch on further construction.
- On 5-5-11, GHMC Chief City Planner informed the builder that 9.00 Mts. Buffer Zone from Heritage bldg. should be left, excavation to be filled up to its original position, before NOC could be granted. Inspection dt. 2-9-11 revealed no progress of work and Saifabad PS was advised to book a case against the parties.
- Permission for construction of such buildings will not be granted at Circle level, but by GHMC Head Office in consultation with HCC and HMDA.

#### **HERITAGE- Moulali Kaman**

Moulali Kaman was damaged due to a truck ramming into it and was about to be dismantled, when The President and General Secretary of FBH collected the locals and organised a dharna. Later the matter was taken up with the AP State Archaeology Dept. which took up the restoration work. The work has been completed and the Kaman is now open to public..

#### **HERITAGE- State Archaeology & Museums Deptt.- GoAP**

Deccan Chronicle had reported on 22-7-12, (i) the collapse of the roof of NaqarKhana attached to BadshahiAsoorKhana, and (ii) Govt. plan to demolish the Khilwat office & the building for constructing a multi-level parking in that place. The old Khilwat building was built during the time of Nizam VI, Mir Mahboob Ali Khan. Forum has opposed the demolition for having a multi-

level parking and has forwarded its letter dt.31-7-12 to HCC, HMDA, GHMC (Chief Plg. Officer), and INTACH.

#### **HERITAGE- GOLCONDA FORT- Golf Course**

**(1) Fencing near Mustafa Khan Mosque & Graveyards in NayaQuila by Hyderabad Golf Asscn. in violation of AP High Court Order dt. 8-6-2010, Sec. 19(1) of AM&ASR Act 1958, Sec. 2(dc) of AM&ASR Amendment Act 2010, and clause 2 of MoU dt.23-9-09. Laying of Tees on a Burge in NayaQuila.**

FBH had written letters dt.3-7-2012 under RTI Act to concerned authorities seeking relevant information. (a) to PIO ASI: What action was taken by ASI on Forum's letter dt 14-5-12; Whether any reply/ report was sent to Spl. Dy Collector & Estate Officer APTDC; What action was taken by ASI on the urgent letter dt.19.5.12 of Jt. Collector Hyderabad calling for immediate report. (b) to PIO- MD-APTDC: whether any report was sent by him to SA-ASI and a copy thereof. (c) to Collector Hyd. Dist.: whether any report was sent to him by SA ASI Hyd.

#### **(2) Location of HGA's Club House:**

Extracts from Forum's letter dt 31.7.12 to Appellate Authority- ASI Hyd: "Infn. requested in letter dt 2-5-12 not yet received." "how you have determined distance of Golf Course Club House from the Fort Wall to be beyond 100 metres. Please provide details and allow us to inspect relevant documents, file notings."

#### **(3) Work done by HGA in QutubShahi Bagh:**

Text of Forum's letter dt 29-8-12 to the PIO, Office of MD APTDC, is given below.

Withreference to your Lr No. APTDC/EM/C1/23/2001 dated 26.7.2012 to the Dy Commissioner of Police(West Zone), which is on our hand, please furnish us with the following information under the Right to Information Act 2005 :

1. What evidence you have to accept the statement of Hyderabad Golf Association ( HGA ) that the progress of work by them was impeded; who were 'the unruly elements ' interfering with their work. Before issuing instructions to the police, what verification of their allegations had you made.
2. Are you aware that the work was being done in QutubShahi Garden area, consisting of digging and cutting channels, and the work was not "grassing"

and that even 'grassing' was not permissible in the area, as QutubShahi Garden was kept out of bounds of the golf course by a Court order under W.P. No 16294 dated 13.2.2012.

3. Are you aware that while ASI had requested GHMC to undertake some work near NayaQilaTalab, and a work order accordingly issued, the work was actually done in a different location, i.e., inside QutubShahi Garden.
4. Referring to para one of your above-referred letter, please furnish us with a copy of the sanction, if any, by ASI or the 3-member committee authorising to do the work on the location.
5. Further, please produce to us the evidence of supervision by your office as part of the 3-member committee, with records of visits and name(s) of officials. If any inspection was made, how was it missed that the location of the work is a prohibited area for the golf course.
6. Referring to your statement that in anticipation of International Bio-Diversity Convention to be held from 1<sup>st</sup> October to 19<sup>th</sup> October 2012, as Golf is one of the main venues for the convention delegates, please advise details of the functions to be held therein, whether permission from Archaeological Survey of India has been obtained for the works to be done therefor, that no work is allowed which will require any "construction" within the meaning of 20 (dc) AM & ASR (Amendment) Act 2010; and that any digging for non-agricultural purposes and/or digging beyond one foot, prohibited under section 19(1) of the above Act.

Copies were forwarded to The Collector & DM Hyderabad Dist., Jt. Collector Hyd. Dist., Spl. Chief Secy. YAT&C GoAP, Suptdg. Engr. ASI, Commissioner GHMC, Dy. Commissioner of Police West Zone Hyd., Officer in Charge Golconda PS.

#### **(4) GOLCONDA FORT- QUTUB SHAHI GARDEN- Golf Course**

Text of Forum's letter no. 570 dt. 30-7-12 to the SA- ASI- Hyderabad, with copy to Director Monuments- ASI- New Delhi:

You were directed to earmark the area of the QutubShahi Garden within a stipulated period vide A.P. High Court

Order, which period has elapsed. The area of the Garden is now determined to be 28.212 acres instead of 10 acres as stated by you and 8+ meters actually marked in your approved lay out plan. A copy of a map obtained from ASI, Hyderabad (which ASI, Hyderabad had all along denied having it) further nearly confirms the area stated by us. There should be, therefore, no scope for doubt. **You can, therefore, work on that basis in modifying the layout of the golf course.**

Meanwhile, due to delay at your end, the QSB Garden, one of the few surviving Persian gardens in the world is falling into irreparable decay. Please, therefore, take immediate steps to restore it to its original condition. To this end, please start by clearing and sifting the mud, recover the water channels, fountains, restore the chabutaras, etc. Please also arrange to carry out scientific clearance operations of the area to expose the buried structures beneath the earth, prior to the landscaping of the Golf Course (under article 9 of the MOU). Please advise us of action taken.

#### **(5) GOLCONDA FORT- NAYA QUILA TALAB- Golf Course**

Text of Forum's letter no. 551 dt. 2-7-12 to The SA- ASI- Hyderabad

#### **Sub: Design by HGA to reduce the size of Langar House Cheruvu (LHC) (NayaQuilaTalab)**

MOU of Sept, 2009, under Clause No.15 imposes an obligation that the GOAP shall ensure that the water bodies and natural feature within NayaQila are kept well preserved and nothing is done to cause any physical damage to them including their aesthetic character.

2. The FTL of the LHC has not yet been determined, despite repeated reminders.
3. Lately, the HGA has closed an old, ancient channel bringing water from STT into LHC, which flowed along the fort wall into the farmer's lands and thereafter into LHC. This flow into LHC has been stopped, by filling up the channel by HGA. This also constitutes change of contour.
4. Recently the HGA has fixed a line of flags, into the bottom of the LHC. Its purpose is to demarcate the water body along such line, so that the water flowing along the natural slope of land, which enters the QSB, the farmer's lands and thereafter outside NayaQila. Thus, the design is to see that

this water does not flow into the LHC. Thus the water spread of LHC will shrink over time.

5. Please let us know whether such work is known to ASI/is approved by ASI. We consider this highly illegal and must be stopped forthwith.
6. Recently the “fire” caused by HGA due to burning of grass and trees was an attempt to increase their golf course area. This also disturbed ecology and scared off migratory birds. The design to shrink the Talab is another attempt to enhance the area of the golf course.
7. The FTL of the LHC has not yet been determined, despite repeated reminders. Further, a buffer zone must be prescribed from the FTL of LHC. These must be done, without further delay.

Copies of the letter have been sent to District Collector-Hyderabad, Metropolitan Commissioner- HMDA, Member Environment- HMDA.

In response, Member Environment (Tarnaka Complex) has written to The Chief Engr. Minor Irrigation at Errumanzil (vide letter no. 1199/ L&P 2012/ dt.27-07-12) to take immediate necessary action and to furnish a detailed report for placing the matter before Lake Protection Committee.

#### **(6) GOLCONDA FORT- NAYA QUILA area- Golf Course**

Forum’s letter no. 2012/566 dt. 31-7-12 (amended copy of letter dt.27-7-12) to The SA- ASI- Hyderabad, with copy to DG- ASI-New Delhi, Director Monuments- ASI-New Delhi, Chairman- Heritage Conservation Committee, Hyderabad:-

#### **Sub: Archaeological Assessment of the site of Hyderabad Golf Course in NayaQila (NQ).**

You are aware while digging by (HGA) with in the NayaQila Fort, for laying the golf course , silver coins of Mughal period were found . This is on record at your office.

Earlier this month, construction of the underground metro network in a park in front of the Jama Masjid, revealed traces of building and artifacts dated to the Mughal period .

Please refer to the editorial “Politics of Heritage” in the Hindu dated 27.7.12. which accuses A.S.I New Delhi for negligence for not heeding a warning by Urban Arts Commission, Delhi that the park in front of Jama Masjid is a potential archaeological site and therefore to explore the open space developing the area. The editorial furtherstates “The A.S.I cannot hide behind the excuse that excavations would take time and hurried work would damage potential evidence. It is well aware that less invasive tools such as three-dimensional, multi-offset ground-penetrating radar imaging are available which could safely detect structures below ground without having to dig. It is still not too late. Delhi can quickly adopt Archaeological Prospection to identify its hidden heritage and prepare a comprehensive road map to protect them”

A similar situation prevails in NayaQila Fort area. Apart from this aforesaid discovery of coins and artifacts, the twenty eight acres of QutubShahi Garden also have some hidden buildings, as noticed by you. In regard to your proposal for scientific exploration of a limited area near Mustafa khan mosque, we had suggested the scientific exploration of entire NayaQila Fort area, which was well populated as evidence by the existence of two mosques. You did not heed our request, thus end angering heritage. We therefore re-iterate our submission that no work, whatsoever should have been allowed for the golf course, and on the principle of “better late than never” no further work should be allowed in the NayaQila Fort Area, till full exploration of entire area is made. This is subject to our submission that a golf course is incompatible in NayaQila from the point of view of heritage.

We consider this as an obligation on your behalf for protection of the heritage of the monument.