

## HERITAGE- Golconda Fort- Golf Course

**1. Reproduced below is the text of Forum's letter No. 520 dt. 27.4.2012 sent to the DG, ASI, New Delhi.**

Fencing by Hyderabad Golf Association (HGA) inside Naya Qila Around the Majnu Burge near Mustafa Khan Mosque in NayaQila. And Around the graveyards near Mustafa Khan Mosque in NayaQila, in Revenue 40.

Violation of A.P. High Court orders dt 8.6.10, in WRIT PETITION NO.29300 OF 2011 dated 27-03-2012, AMASR Act, 1958, Amended Act 2010. Also of MOU.

Hyderabad Golf Association is fencing the boundaries of its golf course with poles in the above site. This action violates the following:

1. A.P. High Court Order dated 8.6.2010 which permits only "grassing without change of contours". The act of fencing is not "grassing".
2. A.P. High Court order in WRIT PETITION NO.29300 OF 2011 dated 27-03-2012 was granted on basis of an undertaking by the HGA, inter alia, not to excavate. This action is excavation, involving digging. For A.P. High Court Order, please see at bottom.
3. AMASR Amended Act 2010 prohibits any "new construction" (vide, 2(dc) of AMASR Act 2010) (which means erection of any structure' among other things), within the protected areas of a Monument. This action, which amounts to implanting of pre-made structure, and hence erection of structure within the meaning of construction, is within the Monument itself. Therefore, it is ultra vires the Amended Act.
4. AMASR Act 1958, under clause 19(1), which has been incorporated in the Amended Act of 2010, prohibits any digging within the protected areas of a Monument, except for agricultural purposes, and that, too, up to one foot from the surface. This digging is not for agricultural purposes.
5. The fencing will violate article 2 of the MOU dated Sept 2009 : " The GOAP shall ensure that public access to the monuments within NayaQila including the mosque viz., Mullah Khayali and Mustafa Khan Mosques will continue through all passages including the main entrance. .... it shall be ensured by the HGA that none of the members of public is prohibited from entering the NayaQila and its monuments. The security at the main entry point of the NayaQila area would be provided by the ASI." NayaQila Fort has several monuments and places of public interest, besides the Mustafa Khan and the MullaKhayali mosques, and the graveyards, such as 13 burges, cannons, watch tower, surangs, chabutra, water channels, etc. Accordingly, any type of fencing inside the NayaQila Fort area, in the name of protecting the golf course, will violate the public access to these monuments and places of public interest and cannot be permitted inside the NayaQila Fort area.
6. The fencing will distort the ambience and the look of the inside of NayaQila Fort, and should not be allowed, as this is also a 'precinct', under protection of the Heritage Conservation Committee of the State.

It seems that ASI, Hyderabad has permitted the work by the HGA, although we have no official

confirmation. They are, however, permitting the act of the HGA, without doubt. Further, there is no evidence of any supervision by ASI, Hyd, over the work, as required under the High Court order of 8.6.10. We have written to ASI, Hyderabad to stop the work; with no results or response so far.

We request you to intervene to stop the fencing inside the NayaQila and within its protected areas.

Sd/- General Secretary.

#### **AP High Court order dt 8.6.10:**

“The grassing of the area of course under the supervision of the authorities to ensure that the contours are not changed”.

A.P. High Court Order in WRIT PETITION NO.29300 OF 2011:

- a) The Hyderabad Golf Association shall not carry out any excavation while grassing the land in Survey No.40, NayaQuila, Golkonda.
- b) The Hyderabad Golf Association shall use manual labour for spreading the soil and grassing the area in Survey No.40 and the grassing shall be done as in the case of cultivation and in accordance with Section 19 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958.
- c) The Hyderabad Golf Association shall use the pre-existing paths/roads in the area to transport material like sand, irrigation pipes etc., required for grassing the area in Survey No.40, NayaQuila, Golkonda.
- e) No stones or any part of the structure of the Fort will be altered or effaced in any manner.

The Hon’ble Court further observed “10. In our opinion, the walls of the Golconda Fort should also not be defaced in any manner.”

#### **2. Distance of Golf Club House from Fort Wall:**

ASI Hyderabad did not reply to Forum’s letter No.274 dt 21.2.12 sent under RTI Act. FBH has again

applied to ASI, Hyderabad under RTI Act seeking answer to:-*How have you determined the distance of the Golf Course Club House from the Fort wall to be beyond 100 metres? We request you to provide the details and also allow us to inspect the relevant documents and notes, file notings at the earliest.*

3. Forum have forwarded the letter dated 31.03.12 received from HMDA to the Superintending Archaeologist, ASI, Hyderabad on 24.04.12 with the request to take note of HCC’s observation and do the needful. (HMDA’s letter in Page 4)

#### **4. Activists cry foul over fire near Naya Qila, blame Hyderabad Golf Association**

TNN May 17, 2012, 08.06AM IST

HYDERABAD: The Hyderabad Golf Association (HGA) on Wednesday allegedly set on fire a two acre lung space surrounding the Naya Qila Talab in the heritage precinct of Golconda fort. In blatant violation of heritage norms, the bushy area which is a buffer zone between the golf club and the fort area was set ablaze seemingly to clear that portion.

It was at around 3 pm on Wednesday when some locals noticed huge flames and thick plumes of smoke emanating from the notified area and informed the fire station and the police. To add to the tension, the fire tender that was pressed into service from Langer Houz fire station could not enter area because it was too narrow.

However locals along with firemen finally managed to douse the fast-spreading flames. Around 50 members, including farmers, held an agitation protesting the incident. Meanwhile the HGA members gave a contrary version. “The grass was dry. Some farmers who were illegally cultivating the grass set it on fire in order to grow it again. It’s a common practice in agriculture ,” said B L K Reddy, honorary secretary, HGA.

When contacted, officials from both the Archaeological Society of India (ASI) and the forest department said that permission was not given for felling or burning trees. Divisional forest officer D

Nagabhushan said that the matter would be verified. K V Rao, superintending archaeologist of ASI which is the custodian of the heritage structure said that no permission was taken from them.

Golconda police claimed that the inquiry to find out the culprits was on.

## WATER BODIES - HUSSAINSAGAR

### Proposal for a Floating Restaurant

FBH have strongly protested to the State Govt. against Govt. proposal to permit a floating restaurant in Hussainsagar. Forum's letter (signed jointly with SOUL) No.507 dt.17.04.2012 to the Spl. Chief Secy. YAT&C is given below. Copies of the letter have been endorsed to Heritage Conservation Committee, HMDA, BPA, GHMC, APPCB, INTACH(Hyd.).

We came across a report in various newspapers on the proposal of the Tourism department to create a floating restaurant in the Hussainsagar Lake itself, and that the Department has signed an MOU with the promoters and is seeking foreign assistance also.

- We consider this a disastrous proposal which will further pollute the lake and disturb its naturalness and scenic beauty. The proposal blatantly violates the recommendations of the Supreme Court – appointed Committee dated 25.4.2005, which, inter alia, opposes the setting of any project in the foreshore of, or, **inside**, the Hussainsagar except only for conservation of the lake. It will definitely create further pollution. The relevant extracts of the report are enclosed as an annexure.
- Further, as per the same Committee report, the government department dealing with lakes should be the one dealing with environment and forests and NOT urban development or tourism departments.
- A Lake Conservation Authority (LCA) and not the lake conservation Committee, as per the SC committee report, is required to be set up for managing of lakes and for enforcing the above

stated measures that the Hon'ble Supreme Court may deem fit to pass orders. "The LCA should include not only government agencies, including HUDA, MCH, HMWSSB, but in equal measure of experts, NGO's and stakeholders who do not wish to convert water bodies into real estates or commercial areas for development or tourism" (SC Committee Report 7.12). In the instant case, no reference has been made to Lake Protection Authority.

- Further, as the recommendations have been made by the Supreme Court – appointed Committee, any further project concerning Hussainsagar Lake must be referred for prior clearance to the Supreme Court.
- It has been reported that in this context, that an MOU has already been signed. If it is true, then it's shocking that such an important decision concerning the modification of an important heritage lake, and a landmark of Hyderabad, such as Hussainsagar has been bulldozed with such haste and in a clandestine manner. Kindly rescind the MOU immediately to contain the damage and restore public faith in responsible transparent urban governance. Kindly advise us of action taken. Meanwhile, please acknowledge receipt.

Yours faithfully,

O.M.Debara  
General Secretary (FBH)

T.Ramakrishna  
( Secretary- SOUL)

## ENVIRONMENT - HYDERABAD ZOO

In response to Forum's representation dt.28.02.12, the Curator (F.A.C.)- Nehru Zoological Park has replied that *as of now* there is no proposal to shift the zoo. Since the zoo authorities are preparing a Master Plan for 10 years, FBH have enquired about proposals in the Master Plan, and have requested that consultations be held with the public before finalising the Plan.



**Hyderabad Metropolitan Development Authority**  
Block 'A', District Commercial Complex, Tarnaka, Secunderabad - 500017

**Lr.No:-002809/Plg/Hcc/Hmda/2012, DT:-31-03-2012**

✓ To,  
The President,  
Forum for better Hyderabad,  
House No.17, Street No.3,  
Umanagar, Begumpet,  
Hyderabad 500 016.

5/4/12

Sir,

Sub:- HMDA – PLG – H.C.C. Establishment of a Golf Course at NayaQila Fort and the work done within the prohibited and Protected areas of the Golconda Fort, a notified Heritage Precinct without reference to HMDA and or Heritage Conservation Committee Violations.

Ref: - 1) FBH/Heritage/1/2012/270, Dt: 18-01-2012.  
2) Minutes of the 117<sup>th</sup> Heritage Conservation Committee held on 23-02-2012.

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I Invite kind attention to the subject and reference cited.

The matter was placed before the Heritage Conservation Committee Constituted by the Government in their 117<sup>th</sup> meeting held on 23-02-2012. The suggestions of the Committee are as follows.

The Committee discussed this matter. What is involved in laying the Golf Course is a major development activity and the Heritage Conservation Committee is not in favour of Golf Course inside or adjacent to the Heritage precinct of Golconda. It will destroy the Heritage aspects and keep public out of heritage precinct. In any case committee is of the view that no layout should be sanctioned or to be allowed with in the 30 Mts from the boundary walls of Golconda fort precinct.

This is for information.

Your's Faithfully,

//t.c.f.b.o//

Sd/-

**FORUM's 12<sup>th</sup> Anniversary Day coinciding with World Environment Day will be celebrated on 5<sup>th</sup> June 2012 at Administrative Staff College of India, Bella Vista, Hyderabad at 10 am. Those interested will please attend.**