

WATER BODIES - HUSSAINSAGAR

1. Forum's letter dt 12.12.12 to the Chief Minister, Govt. of AP is reproduced below. Copies were endorsed to ShriDanamNagender, Chief Secy., Commissioner of HMDA/ GHMC, Spl. Chief Secy. YAT&C. *Readers may give their suggestions to the CM and to ShriNeerabh K Prasad, Metropolitan Commissioner HMDA.*

Your remarks on launching of Hussainsagar clean up.Re tough action against illegal constructions alongside lakes; supplemented by those of Minister Shri D. Nagender against misuse by eateries, the use of space by commercial establishments around Hussainsagar Lake, and warning against laxity by officials in protecting the water body, vide reports in the Hindu and Deccan Chronicle dt 8.12.12.

Your remarks and those of the Minister D. Nagender are most welcome. An observation was also made by HMDA and GHMC in a recent meeting on Inclusive Heritage Based City Development Program on November 26, 2012, that no further violations will be permitted.

Violations of laws, rules, and court orders, and of Supreme Court-appointed Committee reports, however, continue to occur. To mention a few recent cases:

GHMC started constructing opposite Sanjivayya Park in the protected area of Hussainsagar. Despite an undertaking to the Court that work will not be continued, GHMC continued the construction work.

Paradise restaurant opened an outlet in NTR Park on 27.11.12, despite our repeated objections

to HMDA, GHMC, and others, and despite a High Court Order dated 28-01-1997 in W.P.No 25835/96 and 35/97 relevant extracts were mentioned in our objection letters.

Many more violations have been recorded in the 2nd SC – appointed Committee report which examined the YSR Memorial project near Lake park. Illegal works mentioned by the SC Committee report include the Doctor's car park which was relocated at another site within prohibited area of Hussainsagar lake. The works objected to in the Report, however, were left untouched.

New schemes and signing of MOUs, for entertainment purposes around Hussainsagar, including a floating restaurant which is only a floating structure, are often announced without considering the consequential increase in pollution, traffic, parking requirements, and despite a clear ban by Supreme Court on "any construction in or around Hussainsagar" and that no work can be undertaken without the prior permission of the Supreme Court. Tourism Department has, however, heeded our representation not to go ahead with these projects without prior Supreme Court clearance.

Eateries are opened. Several hotels and restaurants have opened in close vicinity of Hussainsagar Lake. Some residential complexes are also planned. These could not have taken place, and new ones cannot take place without approval of GHMC.

We need a change in approach in conserving Hussainsagar. A) It should be declared as a 'heritage precinct' which it richly deserves. We have submitted our complete proposal in this regard

to HMDA and reminded about it also, but with no response. This will ensure that projects around the Lake and planning its conservation is in the hands of an eminent non-official body of experts, which will be free of undue pressure unlike an official body. B) We need to restore the A.P. Urban Arts Commission, the law for which is operative but the body was not re-formed after expiry of term of the first board of members. It looks after the total planning needs for conservation and enhancement, of heritage and environment, for the entire state, and would have specialized planning skills, time and focus, unlike the HMDA / GHMC, etc. In course of time, its powers could be enhanced to those of Delhi Urban Arts Commission. Pending the re-formation of the Urban Arts Commission, the Heritage Conservation Committee could be given its functions immediately by a G.O. We submitted a complete proposal to the Chief Secretary in the matter. We have reminded the Chief Secretary also recently. We request you to ask the concerned authorities to approve the proposal urgently.

Another point by way of a little digression. We are disturbed by a trend among the legislators and even Ministers to interfere in the implementation of the law, and powers of the government bodies derived from the laws they legislate, in matters relating to demolition of unauthorized constructions, even filling up of water bodies. We do not want to crowd this letter, busy as you are, with instances. We only request that a message goes out clearly that MLAs – particularly of the ruling party-, corporators, etc should not play a dual role of participating in decision-making as well as obstructing the implementation of such a decision, for some interest.

We sincerely hope that the messages given by you and the Minister will be honoured in practice. We are available for any clarification / discussion re our proposals.

2. FBH has written to the Metropolitan Commissioner, HMDA as follows:

Sub: Hussainsagar dredging work initiated. Report in the Hindu dt8.12.12 ,page 2

With reference to the above report, copy attached, the second photograph on the right side shows sediments being deposited on the shore of the Lake. As per paragraphs 3 and 4 of the report, the sediments from the Lake will be finally removed to the existing quarry pit at Jawaharnagar dump yard, except from the Kukatpally nala confluence where work for dredging of sediments will begin at a later date as these were found hazardous. In two earlier letters, attached, we had expressed our apprehension that unless arrangements for removal of the sediments from the Lake shores are finalized and time bound programme is fixed therefor, these sediments may remain permanently on the shore and used for pathways, etc, which will shrink the area of the Lake. We have not received any reply to our letters. May we request you to advise us in this matter at an early date?

A copy of this letter has been endorsed to the Director, Lake Authority, and to the MD of Buddha Purnima Project.

3. Forum's letter dt. 5.12.12 to ShriNeerabh Kumar Prasad, Metropolitan Commissioner, HMDA is reproduced.

Paradise restaurant (Pr)opens at NTR Gardens, another encroachment.

Paradise restaurant has opened at NTR gardens on 27.11.12 as per advertisement in Hindu and DC of 27.11.12, a few days after an assurance in the meeting at Jubilee Halls that further pollution of the HussainSagarlake will be prevented. All concerned government departments were present at the meeting. Opening of Pr near Hussainsagar lake was not a sudden event. On the contrary, it was being objected to us for quite some time, vide the attachments, as being violation of High Court order, Supreme Court's

directive, and the Supreme Court's appointed Rajamani Committee recommendations. Yet, the restaurant has been allowed. There was no response to any of our letters. Do not such actions erode the credibility of the government!

4. HMDA had taken initiatives to hold a public meeting on 24-11-12. FBH and SOUL amongst others had participated. A few points from the representation submitted by SOUL :-

- Beyond a one-time meeting, it should evolve into an on-going process of collaborative decision making based on integration of perspectives emerging from civil society platforms.
- HSL is highly polluted by a mixture of industrial effluents and untreated sewage. Lake water poses cancer and non-cancer risks varying from extremely high to borderline for various pathways.
- Ignoring the underlying causative forces and merely trying to focus on constant "cleaning" remains a cosmetic approach – apart from ALLOWING polluting agencies/actions to persist in their destructive actions.
- Major agencies that pollute HSL are **industries** that pour their **un or partially** treated effluents into the Nallas that flow into HSL 24x7. The most dangerous chemical polluters are BULK DRUGS MANUFACTURING industries.
- APPCB, HMDA, GHMC, MAUD, and various other government agencies have not shown the determination to put a stop to such persistent stream of pollution.
- DOMESTIC SEWERAGE pollution also flows constantly into HSL not only from surrounding localities but from entire catchment areas through the Nallas.
- HMDA to constitute a Joint Committee - along with senior scientists, experts, etc as advisors - that will meet periodically to overview the developments of HSL.

WATER BODIES- KUDIKUNTA (SY no. 188& 189)

This water body in kondapur village, SerilingampallyMandal, is being filled up with garbage and dumping is taking place. FBH has written to The Collector& District Magistrate, RR Dist. requesting him to personally intervene so that the concerned authorities take suitable action to protect the water body without delay.

URBAN PLANNING- URBAN ARTS COMMISSION

—Forum's letter dt. 5-12-12 to the Chief Secretary, Govt. of AP:-

We request an urgent consideration of our captioned letter (-letter no.602 dt.11-9-12-) and your advices. A similar proposal was submitted to you by a group of eminent historians and heritage conservationists. If required, we may call on you or any designated official to brief about our proposal. For your quick perusal, a summary of the proposal is appended.

— Forum has written to ShriDhananjay Reddy, Addl. Commissioner- GHMC on 5.12.12 as follows: Ref our conversation re Urban Arts Commission, on the sidelines of the meeting on IHCDP on 26.11.12, may I request to send us a copy of any letter(s) you have written to any authority in State Govt. on the revival of the AP Urban Arts Commission? You confirmed that a letter has been sent by GHMC and advice is awaited from HMDA, etc. and agreed to send a copy of your letter. Kindly send it to me.

HERITAGE- GOLCONDA FORT - NAYA QUILA - Golf Course

(A) Arrangements for any constructions for golf tournament for COP delegates- Meeting convened by Spl. Chief Secy. with the three-member committee constituted under GO RT.no.715 on 3.10.12: Although State Govt. had sanctioned funds, Forum's letters (dt. 6.11.12, 9.11.12, 5.12.12, 12.12.12) even under RTI Act, seeking information on the meeting and specific decisions of the meeting have not elicited any

reply from YAT&C dept. Dy. SA & CPIO- ASI Hyderabad in his reply dt. 07-12-12 has informed that ASI Hyderabad does not have any copy of note if placed in the meeting, nor any file noting; development works to be taken up for making two addl holes in the lower farmland area, treating & cleaning of which water bodies in NayaQuila area, etc. were discussed but no decisions were taken.

B) FORUM's Fax message dt. 22.12.12. to Superintending Archaeologist, ASI, Hyderabad Circle. Re Channel – cutting on left side of Main entrance of NayaQila Fort, near farmers' land near NayaQilaTalab. Same message was faxed also to MD-APTDC and Collector & DM Hyderabad Dist.

Further to our fax messages and letters dt 18.12.12 & 21.12.12, we observe referred work done violates AM&ASR Act , AP High Court orders, as follows:

Creating ramp by dumping truckloads of earth and boulders, thereby changing contours, contrary to court order dt 8.6.10.

1. Cutting passage to lay pipes, pipes laid violate 19(1) for digging for non-agriculture purposes; violates prohibition on 'construction' vide 20.2.(dc) of AM&ASR Act; Court order dt 8.6.10 prohibiting any action other than 'grassing' to be supervised by concerned authorities- no supervision or inspection even on bringing on-going work to your notice on 18.12.12, requesting immediate stoppage of work.. To our knowledge no FIR or even a written complaint has been lodged with the police by ASI or APTDC.

2. Digging at the base near the Fort wall, bringing boulders, stones by removal from nearby sites, damages the foundation of the Fort wall.

This is a very serious offence verging on criminality. It also violates A.P. High Court Order in WRIT PETITION NO.29300 OF 2011: 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."

3. Placement of one latrine and a security room on the passage for visitors encroaches on the access of visitors to the Fort, and further cramps it violating art 2 of the MOU. The latrine, by creating an outlet though the ground is 'construction' prohibited by 20.2 (dc) of AM & ASR Act 2010.

4. Electric light has been fixed on fence poles to carry work during the night.

It has become a well-designed tactic with the perpetrators to first violate , continue for days till work is completed; pass on the blame to the contractor, give an undertaking to the Court to close the case if filed, and then do nothing. Wait for some time to start another violation. During all these instances, ASI, nor any other Member of the 3-member committee stops the work on their own or even repeated reporting, till the work is completed. Police complaint is not made.

We demand: 1. The work be stopped immediately; 2. Previous position restored by removing the pipes, ramp, closing all holes, and removing the security and the latrine rooms. 3. Boulders and stones removed from near Fort wall be restored. 4. Strict action taken against the golf club for doing such work. 5. The responsible official(s), be made accountable.

Dumping was carried on yesterday night also.