

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

M.A. & U.D. Department – Municipalities – Gaddiannaram Municipality – Council Resolution No. 35 dated 3-8-2005 – Cancellation – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Elec.II) DEPARTMENT

G.O.Ms. No. 248

Dated: 13th April, 2007

Read the following:-

1. G.O.Ms. No. 703 M.A. & U.D. (Elec.II) Dept. dt. 20.7.2005.
2. G.O.Ms. No. 704 M.A. & U.D. (Elec.II) Dept. dt. 20.7.2005.
3. Govt. Memo No. 12417/Elec.II/2005 dt. 20.7.2005
4. From the Commissioner, Gaddiannaram Mpty. Lr. No. C1/754/2005, dt. 3/8/ 2005.
5. Judgment dt. 31.1.2007 of Hon'ble High Court of A.P. passed in W.P. Nos. 17524, 17525 and 18249 of 2005.
6. Govt. Memo No. 12417/Elec.II/2005 dt. 24.2.2007 addressed to the Council of Gaddiannaram Municipality.
7. From the Commissioner, Gaddiannaram Municipality Lr. No. GMC/C1/754/2005 dt.28/2/2007.

ORDER:-

Vide references 1st and 2nd read above, Government proposed to constitute Greater Hyderabad Municipal Corporation with a view to facilitating improved and high standard of civic services, providing better civic administrative mechanism, ensuring better planning and focused development of the Mega city, achieving more equitable devolution of finances and utilization of resources, ensuring uniform enforcement and to make the city internationally competitive with world class infrastructure and services by merging the following surrounding 12 Municipalities 1. L.B. Nagar 2. Gaddiannaram 3. Uppal Kalan 4. Malkajgiri 5. Kapra 6. Alwal 7. Quthbullapur 8. Kukatpally 9. Serilingampalli 10. Rajendranagar 11. Ramachandrapuram and 12. Patancheru; and 8 Gram Panchayats 1. Shamsabad 2. Satamarri 3. Jalapalli 4. Mamidipalli 5. Mankhal 6. Almasguda 7. Sardarnagar 8. Ravarala around Hyderabad and called for views/ objections/ suggestions if any from the Council of Municipal Corporation of Hyderabad and the public within a period of 15 days so as to take further action in the matter.

2. In the reference 3rd read above, the Council of Gaddiannaram Municipality was called upon to show cause as to why the said Municipality should not be abolished under

section 3-A of Andhra Pradesh Municipalities Act, 1965 to include areas of the said Municipality with the limits of Municipal Corporation of Hyderabad and constitute Greater Hyderabad Municipal Corporation.

3. In the reference 4th read above, the Commissioner, Gaddiannaram Municipality informed that the Council of Gaddiannaram Municipality vide its Resolution No. 35, dt.3/8/2005 resolved opposing the proposal for abolition of Gaddiannaram Municipality and to include the area of the said municipality in the limits of Municipal Corporation of Hyderabad and constitute Greater Hyderabad Municipal Corporation on the grounds that the proposal is against the basic principle of democracy for decentralization and delegation of powers; it may lead to increase in taxes and other charges; the efficiency and economy in the administration would not likely to be achieved as several parts of Municipal Corporation of Hyderabad are still undeveloped; instead of merging the proposed areas, the Committee for Metropolitan planning for Hyderabad Metropolitan area may be constituted; it is a step towards greater centralization of resources and power which is against the spirit of 74th Constitutional Amendment; as the present area proposed to be included is still having rural characteristics and therefore equitable devolution of finances and utilization of resources cannot be achieved; the city cannot be made internationally competitive with world class infrastructure services unless the surrounding areas are also developed on par with areas of Municipal Corporation of Hyderabad; the Ranga Reddy district will loose its existence due to formation of Greater Hyderabad as the Greater Hyderabad Municipal Corporation will become free zone due to which the unemployed youth and students will be losing their employment opportunities.

4. In the reference 5th read above, the Hon'ble High Court of Andhra Pradesh passed orders on 31.1.2007 dismissing the W.P. Nos. 17524, 17525 and 18249 of 2005 filed by some of the MLAs, Corporators etc., against the proposed constitution of Greater Hyderabad Municipal Corporation, held that:

“the proposed constitution of Greater Hyderabad Municipal Corporation is not ultra vires the provisions of the Constitution and Sections 3 and 679 – D of the 1955 Act and Sections 3 and 62 of the 1965 Act do not suffer from any constitutional infirmity. However, we do not find the slightest hesitation to observe that before taking final decision for creation of Greater Hyderabad Municipal Corporation, the State Government will duly consider the objections raised by the

petitioners and other persons and then pass appropriate order. In order to obviate any grievance of the petitioners, we deem it proper to give them opportunity to file additional objections within a period of 15 days from today and direct the State Government to consider the same before finally deciding the issue of Greater Hyderabad Municipal Corporation."

5. Government have examined the objections raised in the Council Resolution No. 35 dated 3-8-2005 of Gaddiannaram Municipality and observed that Hyderabad Metropolis have several diverse activities and functions which have led to accelerated growth creating large scale employment opportunities which in turn has led to phenomenal growth in the population and resultant development of new residential areas within the Hyderabad Urban Agglomeration. Therefore the existing infrastructure requires to be augmented substantially. The increase of population also resulted in attendant problems like intensity of land use, densification, pressure on housing, demands on the road network and transportation systems, availability of water and efficient system for disposal of sewerage and solid waste. City Level Systems like road network, water supply, sewerage and drainage network, urban transport, environment management system etc., cannot be managed in compartments or locally and they need to be tackled in an integrated manner by an appropriate civic management structure with proper planning resource mobilization and technical capabilities. Therefore, it has become necessary to strengthen the civic administration by reorganizing the existing setup by having a single entity with a clear cut organizational structure to meet the challenges of a fast growing metropolis thrown up by fast pace of growth of Hyderabad and its urban spread and to manage in an integrated manner both the Metropolitan and community level developmental needs. Further, it would ensure better accountability, synergy and co-ordination. Some of the immediate benefits will be in improvement of service delivery in surrounding areas, better inter-departmental and inter-agency co-ordination, minimizing functional fragmentation with single coordinating and regulatory authority, better resource mobilization, accountability and considerable internal efficiency and improvements leading to savings of tax payers money. Therefore keeping in view the economic, social and service delivery outcome gains, it is considered prudent to constitute Greater Hyderabad Municipal Corporation.

6. The creation of larger body may not result in increase of taxation as contended due to the fact that rate of tax is based on set parameters like land use, nature of activities, level of

amenities, economic status of the people living in those areas etc. Further, the smaller municipalities would never be able to tackle the macro level urban issues, which require higher order of administrative and technical skills in coordination and management and provision of infrastructure and basic civic amenities. The constitution of Greater Hyderabad Municipal Corporation will help to achieve more balanced development by improved resource mobilization and redistribution of available finances based on the needs of different areas with a view to bring in uniform standard of infrastructure and services. This would also help in attracting huge public and private investments in civic infrastructure and service deliveries which in turn will provide employment opportunities raising income levels of the people residing in these areas. Government is committed to facilitate required funding through appropriate means by tapping external aids, central scheme funds and funds from the state resources in order to provide better civic amenities and services in the entire area of proposed Greater Hyderabad Municipal Corporation.

7. The creation of Greater Hyderabad is for the purpose of providing better civic services keeping in view the phenomenal growth of Hyderabad and Secunderabad Cities and the surrounding areas. But the identity of respective districts i.e., Hyderabad, Ranga Reddy and Medak Districts would not undergo any change and zones created for the purpose of Presidential Order will continue to be the same notwithstanding the creation of Greater Hyderabad. In other words, the district boundaries of Hyderabad, Ranga Reddy and Medak Districts (which form a part of Zone -IV as per Six Point formula) will remain the same with similar identities. Therefore, issues raised in this regard are incorrect and based on apprehensions alone.

8. The proposed establishment of Greater Hyderabad Municipal Corporation is in consonance with the constitutional provisions as enunciated in the 73rd & 74th Amendments in the Constitution and is well within legal and constitutional framework.

9. In pursuance of the Court orders in the reference 5th read above, Government vide reference 6th read above, issued a show cause notice to the Council of Gaddiannaram Municipality as to why its Resolution No. 35 dated 3-8-2005 should not be cancelled in the larger public interest.

10. In the references 7th read above, the Council of Gaddiannaram Municipality have resolved that they have no objection for cancellation of their Resolution No. 35 dated 3-8-2005 made earlier as referred in the show cause notices.

11. Government after examining the advantages and in the larger public interest, have decided to cancel the resolution No. 35 dated 3-8-2005 of the Council of Gaddiannaram Municipality in order to abolish the Gaddiannaram Municipality and to include the areas of the said Municipality with the limits of Hyderabad Municipal Corporation so as to constitute Greater Hyderabad Municipal Corporation.

12. Therefore, Government in exercise of the powers conferred under sub section (1) of section 59 of the A.P. Municipalities Act, 1965 hereby cancel the resolution No. 35 dated 3-8.2005 of the Council of Gaddiannaram Municipality in the larger public interest.

13. The Commissioner, Gaddiannaram Municipality is therefore requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Council/ Special Officer, Gaddiannaram Municipality,
The Commissioner, Gaddiannaram Municipality,
The Commissioner & Director of Municipal Administration,
Hyderabad,

Copy to:

The P.S. to Spl. Secy to C.M.
The P.S. to M (MA)
The P.S. to Prl. Secy., M.A. & U.D. Dept.
The P.S. to Secy. to M.A. & U.D. Dept.
The Law Department.
SF/SC

//FORWARDED BY ORDER//


SECTION OFFICER