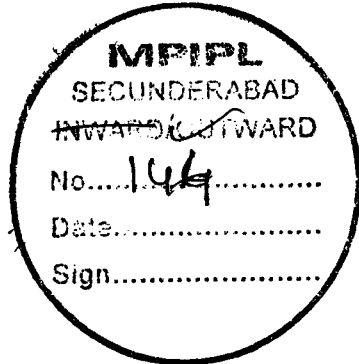


o/c

8th August 2005.



From,
Mr. Soham Modi &
Mr. Sourabh Modi,
5-4-187/3&4,
III Floor, Soham Mansion,
M. G. Road,
Secunderabad.

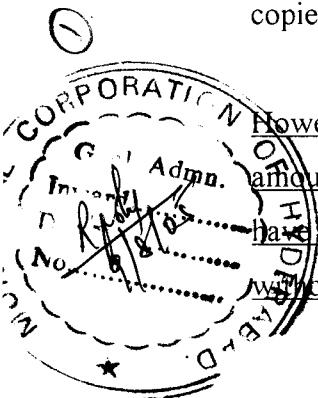
To,
The Commissioner,
Municipal Corporation of Hyderabad,
Tank Bund,
Hyderabad.

- Sub: Road widening notice issued u/s 146 of the HMC Act. 1955.
Ref: 1) Your reply letter no. 331/RW/TP/MCH/SD/2005 dated 4.8.05.
2) Notice Issued u/s 146 bearing no. 331/TPS/AD/RW/MCH/05 dated 14.06.05.
3) Press Release by Secunderabad City Planner in Times of India dated 29th June, 2005.
4) Our representation to the Commissioner, MCH, dated 4th July 2005.

Dear Sir,

We are owners of a part of the building known as Modi House bearing 1-10-1872/2/3, Begumpet Main Road, Hyderabad. The said building is effected under the proposed road widening. In this regard we have made a representation to you vide reference 4 cited above. You have sent us a reply vide reference 1 cited above requesting for ownership documents to issue fresh notices. We request you to grant us 15 days time to produce copies of ownership documents of all the owners.

However, your reply is silent on other issues raised by us, particularly with regard to the amount of compensation that the MCH is willing to pay us. Instead, in your reply you have requested us to handover advance possession of effected areas in road widening without any reference to compensation payable.



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We personally met the Commissioner, MCH in June 2005 and the Secunderabad City Planner, Mr. P. V. S. M. Lakshman Rao, during the last week. We were shocked to learn from them, that the MCH has no policy for payment of compensation for land acquired under road widening and that compensation will be paid only for the structures. We were also shocked to learn that no 'Standing Committee' has been formed by the MCH for determination of payment of compensation till date.

As if to rub salt into our wounds the City Planner Secunderabad has issued a press release stating that "The officials have already finalised a plan to widen the stretch from Green Lands to Rajiv Gandhi statue road to 150'.....". He further says that "If negotiations with the owners fail, the corporation will go for the compulsory land acquisition by invoking the urgency clause of the Land Acquisition Act."

It may be noted that u/s. 146 of the HMC Act 1955, the MCH may purchase land required for road widening by payment of compensation to the owner. Further, such compensation payable shall be in line with the rates approved by the Standing Committee.

In our case and for other property owners on Begumpet Main Road, no such Standing Committee has been formed and rates for compensation have not been determined. It is very surprising that the MCH has issued notices u/s. 146 for private negotiations without any rates recommended by the Standing Committee. We fail to understand how the MCH is going to undertake negotiations when they do not have approved rates for negotiations.

Further the MCH has caused irreparable damage and anxiety to the property owners / shop owners on Begumpet main road by issuing the press release referred to above. Many shop owners have withheld purchase of merchandise due to the damaging statements issued by the MCH.

It may also be noted that acquisition u/s. 147 of the HMC Act. 1955 may be resorted to only if the Commissioner, MCH is unable to acquire the immovable property u/s. 146.

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In light of the above we request the Commissioner, MCH to:

- a. Follow the procedures set out in law and not resort to high handed and unauthorized methods for acquisition of property for road widening.
- b. Form a Standing Committee to recommend rates for compensation for acquisition of immovable property.
- c. Issue fresh notices u/s. 146 to the actual owners of properties, only after the recommendation of rates for compensation by the Standing Committee.
- d. Exhaust the procedure u/s. 146 (private negotiations) before proceeding to acquire property u/s. 147.
- e. Not issue any public statements or press releases that may cause irreparable damage to businesses, without following the due procedure laid down by law.

In case, if you continue to proceed in this matter without following the procedure laid down in law, we shall be forced to take up this matter with The Commissioner, Regional Vigilance & Enforcement Office, Hyderabad City and also approach the court of law.

Thank You.

Yours sincerely,

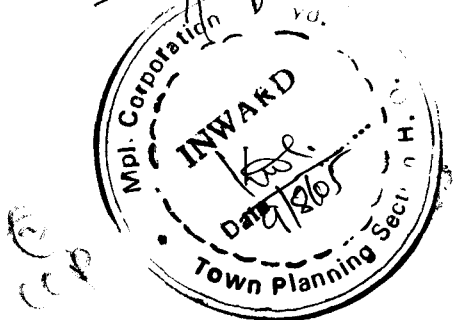


SOHAM MODI.

Enclosed: Copy of Press Release by Secunderabad City Planner in Times of India dated 29th June, 2005.

- Copy to:**
- 1) The Minister, Municipal Administration, Secretariat, Hyderabad.
 - 2) The Principal Secretary, MA & UD Department, Secretariat, Hyderabad.
 - 3) The Addl. Commissioner, Municipal Corporation of Hyderabad, Hyderabad.
 - 4) The Chief City Planner, Municipal Corporation of Hyderabad, Hyderabad.
 - 5) The City Planner, Town Planning Section Secunderabad Zone, Secunderabad.
 - 6) The Addl. Commissioner, Municipal Corporation of Hyderabad, Secunderabad.

② Add. Com.
Saini
9/8/05



The Times of India, Hyderabad
Wednesday, June 29, 2005

Begumpet flyover widening on MCH priority list

TIMES NEWS NETWORK

Hyderabad: The Begumpet flyover will see a speedy widening soon. In view of the heavy traffic flow on this stretch, the Municipal Corporation of Hyderabad (MCH) plans to complete its widening, from 100 ft to 150 ft, in two months' time.

Accordingly they have prepared a road development plan and are all set to start off. After the completion of the project, the stretch from Secunderabad YMCA to Rajiv Gandhi statue road, Punjagutta will be uniformly wide. The officials have already finalised a plan to widen the stretch from Greenlands to Rajiv Gandhi statue road to 150 ft, as a flyover is coming up on the road.

In the second phase, Secunderabad YMCA to Tarnaka road —via St Anns, Rail Nilayam and Mettuguda —will be given the same width. At the end of the two-phase project, a 13-km stretch, the longest road in the city will be uniformly wide, sources said. MCH had widened the Begumpet road twice in the past. The first time in the early 90s, it was widened to 80 ft and again to 100 ft the second time.

Given how busy the route is, the stretch is being developed as an inner ring road. "We have identified 119 properties which will be affected by the road-widening process. Twenty five landowners have already given up their lands to the MCH," Secunderabad city planner PVSM Laxman Rao said.

In case of the remaining properties, the civic officials want to file for land acquisition. But two property-holders have gone to court against the MCH move. If negotiations with the owners fail, the corporation will go for compulsory land acquisition by invoking the urgency clause of Land Acquisition Act, the city planner said.