

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

M.A. & U.D. Dept. – Municipalities – Kapra Municipality – Abolition of Kapra Municipality contiguous to the limits of Hyderabad Municipal Corporation to include its area in the limits of Municipal Corporation of Hyderabad so as to constitute Greater Hyderabad Municipal Corporation – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Elec.II) DEPARTMENT

G.O.Ms. No.253

Dated: 16th April, 2007

Read the following:-

1. G.O.Ms. No. 703 M.A. & U.D. (Elec.II) Dept. dated 20-7-2005.
2. G.O.Ms. No. 704 M.A. & U.D. (Elec.II) Dept. dated 20-7-2005.
3. Govt. Memo No. 12417/Elec.II/2005 dated 20-7-2005.
4. From the Commissioner, MCH Lr. No.6960/Elec.MCH/2005 dated 4-8-2005.
5. From the Commissioner, Kapra Municipality Lr. No. KMC/C1/253/2005 dated 9-8-2005.
6. Judgment dated 31-1-2007 of Hon'ble High Court of A.P. passed in W.P. Nos. 17524, 17525 and 18249 of 2005.
7. Govt. Memo No. 12417/Elec.II/2005 dated 24-2-2007 addressed to the Council of MCH.
8. Resolution No.2 dated 2-3-2007 of the Council of MCH.
9. G.O. Ms No. 247 M.A. & U.D. (Elec.II) Dept. dated 13-4-2007.

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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 and 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 Kapra Municipality was given a notice under the proviso (a) to sub-section (1) of Section 3-A of the A.P. Municipalities Act, 1965, to show cause within a period of 15 days from the date of receipt of notice as to why

the Kapra Municipality should not be abolished to include the area covered by the said Kapra Municipality in the limits of Hyderabad Municipal Corporation.

3. In the reference 4th read above, the Council of Municipal Corporation of Hyderabad vide their Resolution No. 144 dated 4-8-2005 resolved opposing the proposal for inclusion of the areas as proposed in the para (2) above in the limits of Municipal Corporation of Hyderabad and constitute Greater Hyderabad Municipal Corporation.

4. In the reference 5th read above, the Council of Kapra Municipality vide their Resolution No. 220 dated 9-8-2005 have resolved that there is no objection to include the Kapra Municipality in the limits of Municipal Corporation of Hyderabad as proposed in the Government orders.

5. In the reference 6th read above, the Hon'ble High Court of A.P. passed orders on 31-1-2007 and while 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."

6. In pursuance of the Court orders, Government in the reference 7th read above issued a show cause notice to the Council of Municipal Corporation of Hyderabad as to why their Resolution No. 144 dated 4-8-2005 should not be cancelled in the larger public interest.

7. In the reference 8th read above, the Council of Municipal Corporation of Hyderabad have resolved that they have no objection for cancellation of their Resolution No. 144 dated 4-8-2005 made earlier as referred in the show cause notices.

8. In the reference 9th read above, Government have issued orders canceling the Resolution No. 144 dated 4-8-2005 of Council of the Municipal Corporation of Hyderabad.

9. Government after examining the advantages and in the larger public interest, have decided to abolish the Kapra Municipality to include the areas of the said Municipality in the limits of Hyderabad Municipal Corporation so as to constitute Greater Hyderabad Municipal Corporation. Accordingly, Government hereby abolish the Kapra Municipality.

10. The following notification shall be published in the extraordinary issue of A.P. Gazette dated 16-4-2007.

The Commissioner, Printing, Stationary & Stores purchase Department, Hyderabad is requested to furnish 200 copies of conveying the publication of the said notification.

NOTIFICATION

In exercise of the powers conferred under sub-section (1) of Section 3-A of the Andhra Pradesh Municipalities Act 1965 (Andhra Pradesh Act 6 of 1965), Government of Andhra Pradesh hereby abolish the Kapra Municipality with immediate effect.

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

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing Stationary and Stores purchase Department, Hyderabad

The Special Officer, Kapra Municipality

The Commissioner, Kapra Municipality

The Commissioner & Director of Municipal Administration, Hyderabad

The Collector & District Magistrate, Ranga Reddy.

The Director of Town and Country Planning, Hyderabad

The Engineer-in-Chief (PH), Hyderabad

The Director of Treasuries and Accounts, A.P Hyderabad

The District Treasury Officer, Ranga Reddy

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