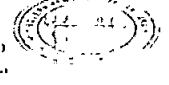




పట్టణ పేదరిక నిర్మూలన సంస్థ

Mission for Elimination of Poverty in Municipal Areas (MEPMA)
Department of Municipal Administration & Urban Development, Government of Telangana



From
Dr.T.K.Sreedevi, IAS.,
Mission Director,
MEPMA Telangana,
HYDERABAD.

To
All the Municipal Commissioners &
Project Directors and
the Project Directors of MEPMA in
Telangana State

Lr.No.466/2014/MEPMA/E1, dated: 02-08-2018

Sir,

Sub: - Estt., – MEPMA Telangana – Deletion of the name of the Principal Secretary from the array of respondents in litigation of court cases – Intimation – Reg.

Ref: - Memo No.9379/B&G(2)/2018, dt: 09-07-2018 of the Principal Secretary to Government, MA&UD Department.

-:-

A copy of the reference Memo is enclosed, where in the Principal Secretary to Government, MA&UD Department has informed that to take necessary steps for deletion of the name of the Principal Secretary from the array of respondents in litigation of court cases.

Therefore, all the Municipal Commissioners & Project Directors and the Project Directors of MEPMA in Telangana State are directed to strictly follow the instructions of higher authorities.

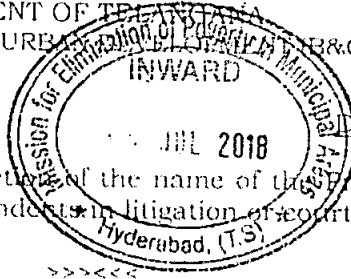
Yours faithfully

for MISSION DIRECTOR

Signature valid

Digitally signed by DA SARI
JOHN SAMSON
Date: 2018.08.02 17:39:05 IST
Reason: Approved

GOVERNMENT OF TELANGANA
MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT



Memo.No.9379/B&G(2)/2018

Dated:09.07.2018

Sub: MA & UD Dept., - Deletion of the name of the Principal Secretary from the array of respondents in litigation of court cases - Reg.

The attention of the Head of the Departments under the administrative control of Municipal Administration and Urban Development Department are invited to the subject cited, and they are informed that the Principal Secretary, Municipal Administration and Urban Development Department has been receiving notices pertaining to a large number of cases from different courts/tribunals which generally fall in either of the following categories in so far as enlisting of respondents is concerned:

- a. The Government of Telangana ("GoT") through the Principal Secretary is arrayed as a proforma respondent, with the authority/corporation specifically (and under the provisions of enacted laws) concerned with the subject of the case having been made the main respondent,
- b. The GoT through the Principal Secretary is arrayed as the only respondent and the authority/corporation specifically concerned is not arrayed as a respondent;
- c. The GoT, along with a department which is not concerned with the case is arrayed as a respondent, resulting in notice of the case being served to a body department which is not in a position to effectively defend the case on behalf of the GoT.

E1
Pl. issue instructions
to all MAs/UDs
accordingly
19/7

2. The Government has been forwarding copies of the OA/WP/CC as the case may be, along with the notice, to the concerned authority/corporation with a request to defend the case on behalf of the GoT, since the matter falls within the technical and/or administrative purview of the said authority/corporation. However, in a majority of such cases, the Principal Secretary is made a pro-forma party despite the fact that primary action is required to be taken by the administrative body/authority/ corporation which is directly and/or statutorily concerned with the subject matter of the petition. *In such cases, the relief sought is only from the body/authority/ corporation and not from the Government.* Further, the Principal Secretary is being made the Contemnor where such cases end as Contempt Cases and/or the office of the Principal Secretary is not informed about any developments in the cases. The drafting of the counter affidavit by the Government takes considerable time, in view of the requirement to solicit information from different bodies or authorities or officers. Further, it is in the interest of the Government that a unified stand on behalf of the Government is taken before the Court/Tribunal.

3. They are further informed that, it is the primary responsibility of the concerned body/authority/corporation to ensure that timely action is taken at each stage of a case and a unified stand is adopted on behalf of the Government at every stage. In no case should the litigation be allowed to prolong to the extent that it results in contempt proceedings. For this, a proper mechanism for monitoring of the cases before the courts/tribunals shall be put in place by all bodies/authorities/corporations.

4. Therefore all the Head of the Departments under the administrative control of MA & UD Department are requested that:

- a. All the subordinate bodies/authorities/corporations will seek the deletion of the name of the Principal Secretary from the array of respondents and defend the interests of the Government of Telangana, after receiving instructions from the Government on receipt of notice of the case.
- b. The bodies/authorities/corporations will immediately engage the services of competent law officers/panel counsel.
- c. Once the Government Counsel is engaged, the concerned body/authority/corporation will get an application drafted in consultation with the Government Counsel to implead itself as a respondent (in case it has already not been impleaded) and also seek deletion of the name of the Principal Secretary from the array of respondents, citing applicable statutory provisions under which it is the body/authority/corporation which is required to take action on/enforce the order of the Court/Tribunal.
- d. The bodies/authorities/corporations will expeditiously furnish the para-wise remarks to the engaged Government Counsel so as to enable them to draft the counter-affidavit/reply in accordance with the rules of the Court/Tribunal. The counter affidavit/reply shall contain a paragraph with the prayer that the name of the Principal Secretary be deleted from the array of respondents.
- e. The bodies/authorities/corporations shall keep the Government informed of further development in the cases, including status of compliance of interim directions, if any, issued by the Hon'ble Courts/Tribunals.
- f. The bodies/authorities/corporations shall submit a bi-monthly update on the status of litigation pending/concluded with their office and the status of implementation of the orders passed in the cases.

5. This Memo shall be given TOP PRIORITY.

ARVIND KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Municipal Administration, Telangana State, Hyderabad.(w.e.)
The Commissioner, Greater Hyderabad Municipal Corporation,
Hyderabad.(w.e.)
The Metropolitan Commissioner, Hyderabad Metropolitan Development
Authority, Hyderabad (w.e.)
The Managing Director, Hyderabad Metropolitan Water Supply & Sewerage
Board, Hyderabad.(w.e.)
The Director of Country & Town Planning, Telangana State,
Hyderabad(w.e.)
The Engineer-in-Chief(Public Health), Hyderabad. (w.e.)
The Managing Director, Telangana Urban Finance Infrastructure Development
Corporation, Hyderabad.(w.e.)
✓ The Mission Director, Mission for Elimination of Poverty in Municipal Areas,
Telangana State, Hyderabad. (w.e.)
The Managing Director, Hyderabad Metro Rail Limited, Hyderabad.(w.e.)
The Project Director, Telangana Municipal Development Project,
Hyderabad.(w.e.)

..3:.

The Administrator, Quli-Qutub Shah Urban Development Authority,
Hyderabad. (w.e.)

The Managing Director, MRDC, Hyderabad (w.e.)

The Managing Director, HRDC, Hyderabad (w.e.)

The VC & Chief Executive Officer,

Yadagirigutta Temple Development Authority, Hyderabad

The VC & Chief Executive Officer,

Vemulawada Temple Area Development Authority, Hyderabad

The V.C.KUDA Warangal. (w.e.)

Copy to:

The Advocate General High Court, Hyderabad

The G.P. for (Services) MA & UD Dept., High Court, Hyderabad

The G.P. for MA & UD Dept., High Court, Hyderabad

All the Officers / Sections in MA & UD Department.

The P.S. to Prl Secy. to Govt., MA & UD Department.

Sf/Sc

//FORWARDED ::BY ORDER//

B. Vinay Kumar
SECTION OFFICER