



ABSTRACT

Memorandum of Understanding – Coimbatore City Municipal Corporation – Permission to enter into a Memorandum of Understanding (MoU) between the City of Esslingen am Neckar, Germany and the Coimbatore City Municipal Corporation – Accorded – Orders - Issued.

Municipal Administration and Water Supply(MC-II)Department

G.O (Ms) No.52

Dated 29.02.2016

திருவள்ளூர் ஆண்டு 2047

மன்மத, மாசி மாதம் 17

Read:

1. From the Commissioner of Municipal Administration letter Roc.No.33827/2011/MCA2 dated 12.09.2009.
2. Government letter No.23110/MC2/2011-5, dated 15.04.2015.
3. From the Under Secretary (LSG) Ministry of Urban Development, Government of India, New Delhi, email dated 17.12.2015.

ORDER:

The Commissioner of Municipal Administration in his letter 1st read above has stated that the NGO namely Esslingen Coimbatore Association (ESSCOM) was formed for the purpose of facilitating Co-operation in the matter of town twinning between Esslingen am Neckar, Germany and Coimbatore City, Tamil Nadu, India. As requested by the Mayor of Esslingen am Neckar Germany, the District Collector of Coimbatore, the Mayor and the Commissioner of Coimbatore City Municipal Corporation have already been included as the Ex-officio members of the ESSCOM.

2. The Commissioner of Municipal Administration has further stated that Dr.Juirgen Zeiger, the Mayor of Esslingen am Neckar, Germany extended invitations to the District Collector, Coimbatore, the Mayor and the then Commissioner of Coimbatore City Municipal Corporation to visit the City of Esslingen am Neckar, Germany so as to have discussions regarding Twinning of Cities between Coimbatore, Tamil Nadu, India and Esslingen am Neckar, Germany. The purpose of the visit was aimed to promote exchange of visits of persons of both the cities in the field of Health, Education and Social Services, besides exchange of Material and sharing of information regarding different aspects of Civic Administration. In particular, it was also meant for paving the way for establishment of links between the NGO's, Youth bodies and Trade Associations in the proposed Twinning of Cities.

3. Accordingly, the District Collector, Coimbatore, the Mayor and the then Commissioner of Coimbatore City Municipal Corporation of Coimbatore visited Esslingen am Neckar, Germany from 8th September 2010 to 12th September 2010 with the permission of the Government vide G.O.(2D).No.72, Municipal Administration and Water Supply (MC4) Department, dated 07.09.2010. During the interactions between the official team from the Coimbatore city and their counter parts of Esslingen am Neckar, Germany, it was mutually decided to enter into a Memorandum of Understanding (**MoU**) between the two cities to proceed further in this matter.

4. The Commissioner, Coimbatore Corporation has sent a draft Memorandum of Understanding (MoU) to the Government. He has stated that the draft MoU has been prepared by the Corporation on the same lines as those that were adopted between the city of Kuala Lumpur, Malaysia and the City of Chennai, Tamil Nadu, India, vide G.O.(Ms)No.292, Municipal Administration and Water Supply Department, dated 24.11.2010.

5. In this regard, the Commissioner, Coimbatore Corporation has stated as follows:

- As per the guidelines laid down by the Ministry of External Affairs, Government of India with regard to Twinning of cities, the city of Coimbatore which falls under the category of cities with more than 1.00 lakh populations can be twinned with a maximum number of 2 foreign country cities. In the instance case, since Coimbatore City is falling in the said category, it has been decided to have a twinning arrangement with the City of Esslingen, Germany in the First stage.
- An agreement of twinning links has to be made between the twinned cities. Such agreement has to be reached on specific objectives of twinning within the broad framework of the objectives mentioned in the guidelines.
- Necessary clearance is required to be obtained from the Ministry of External Affairs (MoEA) and Ministry of Finance (MoF) on the Political angle and Foreign Exchange implications respectively. Each case has to be ratified by the Ministry of Urban Development of the State Government for the local authorities of the cities to be twinned. The Indian High Commission/ Embassy should be kept informed of the agreement and the follow up action taken after the cities have been twinned. In pursuance of the agreement of twinning links, the Annual reports have to be sent to the Ministry of Urban Development and the Ministry of External Affairs.
- All India Council of Mayors should be kept informed about the twinning arrangements and monitor the said arrangement.
- The expenditure involved in establishing the twinning links would have to be borne by the Local Body.

- The Coimbatore Municipal Corporation has already resolved in its Resolution No.94, dated 1.6.2012 to exercise Memorandum of Understanding between the city of Esslingen am Neckar, Germany and Coimbatore City Municipal Corporation as per the guidelines of the Government of India for Twinning of Cities.

6. The Commissioner, Coimbatore City Municipal Corporation has listed out the benefits that would accrue to the corporation on account of twinning, as below:-

- a. To strengthen the bonds of friendship between Coimbatore City and the Esslingen am Neckar City, Germany.
- b. To encourage the study of Culture, Art, Literature and Languages between both the cities for better understanding between citizens
- c. To facilitate exchange visits of persons in the field of health, education and social services between the cities, exchange of material and information regarding different aspects of civic administration and also in the field of culture and literature.
- d. To carry out research activities jointly in the areas of Municipal Governance through exchanges, programmes and other activities
- e. Co-operation in the fields of education, culture, sports, waste management, water supply, civic administration, environment, energy saving, health care and tourism, so as to provide an opportunity to emulate best practices.
- f. To encourage establishment of links between NGO's Youth Bodies, and trade associations.
- g. To promote international understanding, goodwill and enrichment of culture.
- h. To make available expertise in the matter of provision of services and shelter, land use, transportation and other urban development matters.
- i. Exchange of expertise by attachment of officers in the twinning cities.
- j. Sharing of information, experiences, and knowledge through training programmes, seminars and visits.
- k. To hold dialogues and meetings for discussions on all areas of Co-operation that would mutually benefit the two cities, the public and private partners.
- l. To improve the current Infrastructure and facilities of Coimbatore City by getting know-how expertise, consultancy, utility vehicles / equipments sand any such aid in kind from the partnering city.

7. The Commissioner of Municipal Administration has requested the Government to accord permission to enter into a Memorandum of Understanding between the city of Esslingen am Neckar/ Germany and the Coimbatore City, Tamil Nadu, India.

8. In the Government letter 2nd read above a draft Agreement has been sent to the Ministry of External Affairs through the Ministry of Urban Development, Government of India. In the email dated 3rd read above, the Under Secretary to Government, Ministry of Urban Development, Government of India has stated that the Ministry of External Affairs, Government of India has made certain changes in the Agreement as per legal requirement. He has requested that if the changes are agreeable to the Government of Tamilnadu, the same may accordingly be incorporated and the revised Agreement may be submitted to the Ministry urgently for further consideration and approval. As suggested by the Ministry of External Affairs, Government of India, a revised draft Agreement is annexed to this order.

9. The Government after careful examining the proposal of the Commissioner of Municipal Administration in detail has proposed to agree to it and accord permission to the Commissioner, Coimbatore City Municipal Corporation for execution of Agreement on the establishment of friendship and co-operation in Urban Development between the City of Coimbatore / Republic of India and the City of Esslingen Am Neckar / Federal Republic of Germany.

(BY ORDER OF THE GOVERNOR)

**K.PHANINDRA REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Municipal Administration, Chennai – 5.
The Commissioner, Coimbatore City Municipal Corporation, Coimbatore.
The Under Secretary (LSG) Ministry of Urban Development, New Delhi.
The Public (Protocol-I)/(Special-B) Department, Chennai-9.

Copy to:

The Hon'ble Chief Ministers Office, Chennai-9.
The Personal Assistant to the Hon'ble Minister (MA, RD, Law, Crt and Pri),
Chennai-9.
The Principal Secretary to the Chief Secretary to Government,
Secretariat, Chennai-9.
The Principal Private Secretary to the Principal Secretary to Government,
Municipal Administration and Water Supply Department, Chennai -9.
The Municipal Administration and Water Supply (OP-II) Department,
Chennai -9.
Stock File/Fair Copy

//FORWARDED BY ORDER//

SECTION OFFICER

S. by
29/2/16

**DRAFT AGREEMENT ON THE
ESTABLISHMENT OF FRIENDSHIP AND
CO-OPERATION IN URBAN
DEVELOPMENT BETWEEN THE CITY OF
COIMBATORE/REPUBLIC OF INDIA AND
THE CITY OF ESSLINGEN AM
NECKAR/FEDERAL REPUBLIC OF
GERMANY**

The **Coimbatore City Municipal Corporation, Government of Tamil Nadu of the Republic of India** and the **Municipal Council of Esslingen am Neckar City, Baden-Wurttemberg/Federal Republic of Germany** (herein referred to as the “Parties”)

In furtherance of their desire to establish friendship and Co-operation between the two Parties, thus contributing to the enhancement of the relations of strategic partnership between Republic of India and Federal Republic of Germany,

Have agreed to the following

1) Purpose

The purpose of this Agreement is to

- 1) establish friendship & cooperation and create mechanisms for its implementation within the framework of their respective jurisdiction, on the basis of mutual respect, equality and mutual benefit, in conformity with laws and policies of the Republic of India and the Federal Republic of Germany as well as the international agreements inked by the two countries;
- 2) maintain regular contacts including between the designated authorities;
- 3) to the above ends, to undertake exchanges involving delegations, interaction between institutions, and sharing of experiences in the areas of mutual interest.

2) Areas of Cooperation

To exchange the expertise and Co-operation in the fields of service delivery, Civic Administration, Land use Planning & Management, Transport, Shelter, Education, Culture, Sports, Waste Water & Solid Waste Management, Infrastructure, Environment, Public Health, Science & Technology, Tourism, Heritage Management, Urban Renewal, Urban and regional planning and related matters.

3) Roles of Parties

In order to implement the activities mentioned above, the Parties will carry out their work assignments as described below:

I. Role of Coimbatore City Municipal Corporation, Government of Tamil Nadu of the Republic of India

- a) Solicit the support of Urban Development / Municipal Administration & Water Supply Department, Government of Tamil Nadu for implementing all relevant aspects of this agreement
- b) Undertake all works according to the highest professional and ethical standards
- c) Create and operationalize a Twinning Cell at the City level
- d) Form a Committee to support the Twinning Cell and give technical advice
- e) Support the organization of activity related workshops, etc.,
- f) Conduct community participation activities and Co-ordinate with concerned.
- g) Maintain proper documentation regarding the various activities undertaken in pursuance of this agreement and send annual reports to the State Government concerned and Ministry of Urban Development and Ministry of External Affairs, Government of the Republic of India, besides placing on the relevant website
- h) Ensure, after signing of the Twinning Agreement, to place a copy of the same on the website of the City and the State Government, besides formally providing a copy of the same to the Ministry of

Urban Development and Ministry of External Affairs Government of the Republic of India.

- i) Any other specific role/s as agreed among Parties.

II. Role of Esslingen am Neckar City, Baden-Wurttemberg State/ Federal Republic of Germany

- a) Solicit the support of Regierungsprasidium Stuttgart, State of Baden-Wurttemberg for implementing all relevant aspects of this agreement.
- b) Undertake all works according to the highest professional and ethical standards
- c) Create and operationalize a Twinning Cell at the City/Province level
- d) Form a Committee to support the Twinning Cell and give technical advice
- e) Support the organization of activity related workshops, study tours, etc.,
- f) Conduct community participation activities and coordinate with concerned
- g) Any other specific role/s as agreed among Parties

4) Obligations of Parties

The Parties shall

- a) Conduct regular meetings to communicate on all programmes, projects and activities that are to be undertaken under this agreement
- b) Develop an annual "Joint Action Plan" and project proposals/activities
- c) Ensure that financial resources to support exchanges and activities are available prior to undertaking them
- d) Develop modalities of financial obligations and establish financial agreement for implementation of activities in the remit of the Joint Action Plan.
- e) Develop modalities of financial obligation between the Parties to cover the domestic travel and hospitality and availability of

national and international experts for the implementation of the projects/activities

- f) Jointly develop modalities of international collaboration with international cities and regions in remit of this agreement
- g) Inform their respective national governments periodically about the activities being undertaken under this agreement

5) Statutory Compliance

- a) This agreement shall not create binding obligations among the Parties. Nothing in the agreement shall preclude either of the Parties from exercising any measures and satisfying any obligations prescribed under the laws of their respective jurisdiction.
- b) This agreement is not intended to create a legal binding obligation to expend funds or resources by either party, but is a statement of bona fide intent of the participants. It sets forth the entire understanding of the participants in respect of the collaboration considered.

6) Implementation of the Agreement

- a) The Parties shall, within the remit of their respective capacities, mandates and resources, make the necessary arrangement to ensure mutually satisfactory implementation of this agreement.
- b) The Parties shall publicize this agreement by mentioning such cooperation in any relevant documents and materials related to the activities implemented under this Agreement.

7) Amendment

This agreement may be amended at any time by mutual written consent of the Parties.

8) Duration & Termination of Agreement

The Twinning Agreement shall come into effect from the date of the signature and shall remain in force for a period of (3) three years. Thereafter, it will be renewable by mutual written of the parties, unless

either Party gives a written notice to the other Party of its intention to terminate the agreement at least (3) three months in advance. The termination of an existing agreement shall not affect the completion of the ongoing projects carried out under this agreement.

9) Nodal Officers

The Nodal Officers for this agreement shall be as under:

1. For the City Municipal Council of Coimbatore City, Tamil Nadu State, Republic of India will be Thiru.A.LAKSHMANAN, Executive Engineer, Coimbatore City Municipal Corporation.
2. For the City of Esslingen am Neckar, Baden-Wurttemberg State, Federal Republic of Germany will be Ms. JUTTA FAHRION.

10) Settlement of Disputes

Any dispute, controversy or claim arising out of the interpretation and application of the agreement shall be settled amicably through negotiations on consultations between the parties.

For and behalf of the
Coimbatore City,
Tamil Nadu State/
Republic of India

For and behalf of Esslingen
am Neckar City,
Baden-Wurttemberg
State/Federal Republic of
Germany

Thiru.P.Rajkumar
Hon'ble Mayor
Municipal Corporation
Tamil Nadu State
Republic of India

Dr.Jurgen Zieger
Lord Mayor
Esslingen am Neckar
Baden-Wurttemberg State
Federal Republic of Germany

Place:

Date: