



## **Profile - Nagrik Chetna Manch**

### **The Origin**

Nagrik Chetna Manch was launched on August 15, 1991. It is registered under the Societies Registration Act, 1860 vide certificate # Maharashtra/6199-91 dated 17 December 1991 and under the Bombay Public Trusts Act, 1960 vide certificate # F-7352 (Pune) dated 24 February 1992.

Nagrik Chetna Manch is a non-political organisation, non-profit organisation open to all citizens and not affiliated to any political party. The Manch seeks issue-based support from the media and the public and networks with other like-minded NGOs to lend force to issues that the Manch takes up. The Manch largely comprises of senior company executives, professionals, social workers, retired defence officers and civil servants, etc who do not have any political affiliation.

The founder President was Late Lt. Gen. Y. D. Sahasrabudhe, Retd. Late Mr M. G. Katre and Late Ms Sarla Datar succeeded Lt. Gen. Sahasrabudhe. Each of the above had one three-year tenure. Maj. Gen. S. C. N. Jatar (Retd) completed three three year tenures as President and is now designated as President Emeritus. Currently the President is Col. B.F. Chaudhari (Retd) with effect from February 2017.

### **Our Mission**

To inculcate thrift and scrupulous behaviour at various levels, and to bring transparency in governance by functioning as an active pressure group and conscience-keeper of the Society at large.

### **Our Objectives**

1. To bring transparency in governance and eradicate corruption by using the RTI Act 2005 extensively.
2. To take steps to ensure that the citizens have an acceptable level of services, such as public transport, equitable water supply, proper management / handling of MSW, good health and clean environment.
3. To improve the quality of life of every citizen.
4. To prevent wasteful expenditure in society – both public & private – at the local and national levels.

## **The Strategy**

1. To be assiduously apolitical.
2. To build a membership of experienced senior corporate executives, professionals, social workers, retired defence officers & civil servants, etc. with a good record and public orientation.
3. To ensure that all proposals taken up by the Manch are within the four corners of the law and are ethical.
4. To carry out detailed studies on every issue that the Manch takes up to understand its social, political, technical, economic and financial implications.
5. To use any or all means - be it arbitration, negotiation, lobbying, activism, pressure group, courts etc. - to deliver on the purpose of the Manch.
6. To seek the co-operation of like-minded persons & organizations (including the media) to lend force to issues that the Manch addresses.
7. To act as catalysts with other NGOs for implementation and achieving the objectives of our Mission.
8. To raise the level of awareness / affirmative action by the public at large on matters that affect the long-term quality of human life & welfare.
9. To ensure a safe, clean, green, hygienic environment within the country and more particularly under PMC & PCMC jurisdiction.

## **Overall Image of the Manch**

An institution that has a positive outlook is ethical and does not support politicians and policies that obstruct growth and development.

## **Projects that are taken up by the Manch**

### **National**

1. UID Aadhaar Card

### **Pune**

2. Public Transport, PMPML, HCMTR, BRTS and Metro.
3. Municipal Solid Waste Management and Handling.
4. Equitable water supply.
5. Development Plan, City Development Plan and Regional Plan.
6. Protection and preservation of trees, forests, tekdis from being destroyed.
7. Flyovers as per IRC specifications, laws in force and industry practices.
8. Speed-breakers, dividers & gratings according to IRC norms
9. Roads & footpaths according to IRC norms and STAC report submitted in High court
9. Public Interest Litigations, Writ Petitions, Regular Civil and Criminal Suits, applications to National Green Tribunal, complaints to the Competition Commission

of India, Anti Corruption Bureau, etc. concerning any matter of public interest falling within the ambit of our Mission and Objectives.

### **Activities & Impact**

➤ Comprehensive Transport Policy

The Manch has played a proactive role in finalising the note on Comprehensive Transport Policy for Pune Municipal Corporation. One member of the Manch was a member of the committee for its preparation. The General Body of PMC has approved the policy document.

➤ Traffic Advisory Committee of Pune Police

The Manch has representation on the Traffic Advisory Committee of Pune Police.

➤ Non Motorised Transport Committee

The Manch has representation on this committee, which was constituted by order of the Commissioner on 25/06/2019. This is an initiative by PMC to bring all non-motorised transport under one roof so that development takes place according to guidelines & policies in one direction. Qaneez Sukhrani represents NCM here.

➤ Comprehensive Mobility Plan

The Manch was also part of a committee formed by the PMC for preparing a comprehensive mobility plan (CMP) for PMR. Wilbur Smith Associates has prepared the CMP on behalf of IL&FS. After WSA finalised the CMP, the GB formed a committee in 2008 of a member each from the representative political parties to consider it, which failed to do so. The Commissioner then again placed the policy document before the general body of the PMC for approval in 2012 and the GB approved it in May 2012 with a proviso that all projects sanctioned by the GB would form part of the CMP. NCM views this as a negation of the CMP prepared by world-renowned experts and considers that there is no clear approval to the CMP.

➤ Steering Committee for Preparation of Development Plan 2007

A member from the Manch was on the steering committee for preparation of Development Plan 2007 and is the convenor of its traffic & transportation sub-committee. The PMC is yet to finalise the DP. NCM had recommended that the draft DP be scrapped because it had not followed the laws of the land but mostly catered to the requirements of various lobbies with active connivance of councillors. The State Government had cancelled the DP and then in 2017 had formed a three member Committee to finalise it.

➤ Speed Breaker Guidelines Committee

Since 2015 the Manch kept bringing to PMC's notice that speedbreakers in the city were at wrong locations, of various designs, shapes & sizes not conforming to IRC 99-2018 norms (earlier IRC 88-1988) and Hon'ble High Court Order BOMCR 25 of 27/04/2005.

On 11/05/2016, by Order of the Commissioner, PMC constituted a committee to prepare guidelines when it was found through RTI applications that some 2644 speed-breakers were on Pune's roads but only 10% had NOC from the Police. The Manch was represented by Qaneez Sukhrani and the first meeting was held only on 19/04/2017. Since then only 6 meetings were held, PM kept dithering, no decisions were made to finalise a Policy / Guidelines, no actual effect was seen on ground for change the design of a road infrastructure that impacts safety to life. Due to this lack of seriousness on PMC's part, the Manch resigned from the Committee on 03/06/2019.

➤ Right to Information Act 2005

The Manch acts as a pressure group by continuously invoking the Right to Information Act, 2005 to get information and take up public interest litigations, where necessary. For example on expenses connected with official cars, holiday tours undertaken under the guise of study tours, construction of environmentally harmful Bal Bharati-Paud Road, misuse of transfer of development rights at Kothrud, unauthorised constructions and encroachments, conversion of forest land into residential without authority, construction of flyovers without proper justification, direct and indirect compulsion for Aadhaar card, lapses in implementation of BRTs according to accepted concepts & features, installation of information boards on public work sites, commencement of road construction work without Detailed Project Reports and acquisition of land, loss of land revenue by Collector, not inducting NGO representatives on Prabhag Samitis according to law & thereafter violating the Bombay High Court Order, mismanagement of water supply distribution & supply, etc.

➤ Trenching Policy - Information Boards on Public Sites

The Manch has vigorously taken up the issue that all PMC's departments, it's contractors; third parties who are issued work order must adhere to installing information boards as part of dissemination of relevant information of on-going works at public sites. These boards should display title of project, start & end date, name & contact of contractor, as well as name & contact of supervising PMC officer. After much follow-up, it was agreed by the PMC Additional Municipal Commissioner on 14<sup>th</sup> November 2014 that instructions would be passed to concerned departments. Yet again after prolonged follow-up with Road Department, this important point was incorporated in the work order. PMC also prepared & posted a Trenching Policy on it's website due to our perseverance. But like all PMC's policies, this too remains on paper as this mandate was followed by the contractors and third parties for just one month, after which it stopped when rampant digging is seen all around without necessary supervision and / or interest by PMC. The Manch has

taken up that PMC should have a single window created for submitting applications & giving permissions, which would weed out unauthorized digging that makes a huge dent in public exchequer.

➤ Bus Rapid Transport System

The Manch has been at the forefront of a relentless follow-up on the BRTS transport issue since 2006 when the BRT Pilot Project was being mooted. The Manch has supported the network of a qualitative and efficient public transport system. However, we have insisted on execution & implementation of the same according to accepted concepts and features of BRTS. The Pilot project is an abject failure today, with PMC cannibalising the median BRT meant for public transport (at the cost of Rs. 130 crores), by making way for flyovers & grade-separator for private transport (at a projected budget of plus Rs. 200 crores).

PMC not being satisfied with just one failure of the Pilot BRT Project, took up another one on the Nagar Road-Sangamwadi-Vishrantwadi corridor at the cost of about ₹ 1100 crores in 2012. Since then, NCM followed this project relentlessly after receiving almost 10,000 documents from JnNURM department PMC, UDD Maharashtra & Ministry of Urban Development, all through RTI applications over two years. The Manch has also sent an application for constitution of an enquiry commission to probe into irregularities, mismanagement, misuse and delay in project completion. And to bring to book those found guilty of negligence and dereliction.

Not satisfied with two major failures in implementing BRTS according to concepts & features, PMC in 2018 started constructing 68 more km BRTS on various routes. Errors are being committed on all these corridors as well as there is no Detailed Project Report, Feasibility, Pre-Feasibility, Financial Feasibility, Environment Impact Assessment, Socio-Economic Impact and Public Outreach prior start-up.

➤ Repair, Maintenance & Service Committee for BRTS

The Manch has representation on this committee, which was constituted by order of the Commissioner on 20/03/2018 to ensure course correction of the myriad errors committed by PMC while constructing Pilot BRTS & Phase-1 BRTS. On 03/09/2018, Qaneez Sukhrani resigned from this committee which had lost its focus and had become dysfunction. On 29/07/2019, Committee has been re-constituted by Order of Commissioner and Qaneez Sukhrani has been inducted as member. This is one of PMC's shocking decision as there remains nothing to repair until Metro completes its work and then PMC tries to find what portions are left to repair & maintain.

➤ Brief to NITI Aayog on PMC's SWM model

In the backdrop of PMC's presentation to NITI Aayog on "Motivating citizens and administration for zero waste cities: the case of Pune, NCM sent a detailed analysis

to counter PMC's unsubstantiated claims. PMC does not practise 'zero waste' or the basic principal of "Avoid, Reduce, Reuse, Recycle, Recover, Treat and Dispose" both of which are simple to enforce with minimal costs. Unfortunately PMC resorts to high cost projects and outsourcing which ultimately do not work for the purpose they were installed.

➤ Pune's high rating by Swachh Bharat Mission remains questionable

Since the Swachh Bharat Mission was launched three years ago, Pune's Swachh Sarvekshan Ranking (#11 in 2016, # 13 in 2017 and # 10 in 2018) was questionable in direct contradiction to actual ground reality. During the past one year, the Manch has submitted proof of photographs from various media, citizens from different parts of Pune. This forced Swachh Bharat Mission to change its format of survey conducted by third party. This is perhaps the reason why Pune ranking in 2019 was more realistic # 37 which is where the city's administration needs to work harder at focusing PMC's focus on the principle to "Avoid, Reduce, Reuse, Recycle, Recover, Treat and Dispose" solid waste.

➤ Restriction on use of plastic in the packaging industry to NGT

As part of an on-going hearing with NGT New Delhi, NCM sent a comprehensive paper to support the application on prohibition on the use of plastic packaging in non-essential items. In 2018, the State has enforced ban on plastics through a notification. But it was done without any strategic planning because of which the State is gradually retracting. The Manch is pursuing this matter a year later.

➤ Lack of approval of Draft Bye-Laws on Vector Diseases by the State

Manch has been regularly following up with the State Govt. the reason for non-approval of Draft Bye-Laws on Malaria, Dengue, Chikungunya and other insect & mosquito-borne diseases 2013 which should be a basic requirement for any city that aspires to be SMART.

➤ Lack of Standard Documents, Surveys before Commencement of Transport related Projects

PMC lacks the requirement of preparing a Detailed Project Report, Feasibility, Pre-Feasibility, Financial Feasibility, Environment Impact Assessment, Traffic Survey before starting projects worth crores of rupees of public funds. Due to since the projects starts but mainly gets stuck due to land acquisitions issues. The Manch has started a demand with PMC on the importance of this in order to improve judicious utilisation of public funds.

➤ Pressurising the Central Govt to investigate and audit projects under erstwhile JnNURM funding

Several projects constructed under finance received from JnNURM have not been executed to achieve its desired impact because of lapses, failures on the part of the

administration. Details of which were received through RTI Act 2005 applications. Hence NCM has provided proof to the Ministry of Housing & Urban Affairs to demand audit and investigation to bring to book the officials involved.

➤ Re-location according to Hawkers Policy & Scheme

Manch has been regularly following up with PMC on re-location of Hawkers as per designated categories, eviction of illegal ones from earmarked, 45 non-hawking main roads and 147 main chowks. And establishing 288 hawking zones. While the Manch agrees that hawkers have a right to vend, it cannot be done on public space at the expense of other rights. Hawkers cannot take over footpaths and side margins & kerbs as those are for a different purpose. Besides this politicians totally control PMC administration by not allowing them to penalise the illegal hawkers or re-locate them. State Govt. is still dragging it's feet by not approving the Bye-Laws. On 12/04/2018, Qaneez Sukhrani was asked to attend a meeting convened by Mayor, Deputy Mayor, Standing Committee Chairperson, TVC members and union leaders. As she was not allowed to speak amidst all the shouting, the next, the Manch communicated NCM's proposal on "Implementation of Hawker Policy, Scheme, Rental, Penalties & Fines without granting reduction, rebate & subsidy". Since it was going against political & union interest, any execution of our proposal has been ignored. Over and above this cooking on streets & footpaths is not allowed as per Bombay High Court Order dated 23/10/2015 in the matter of PIL no. 224 of 2014. Hence State and PMC is committing Contempt of Court orders.

➤ Encroachments & Unauthorised structures

The Manch has actively taken up with the PMC the question of encroachments on front margins / footpaths / pavements and unauthorised constructions. The Manch brought to the notice of the Municipal Commissioner the existence of a circular issued by the PMC in February 2001, which indirectly granted extra FSI to the builders and allowed encroachments on footpaths / pavements by allowing construction of ottas in front of commercial shops. The PMC has cancelled the circular. The PMC has put the list of unauthorised constructions on its website at [www.punecorporation.org](http://www.punecorporation.org) although it requires updating. The Manch is continuously monitoring the removal of encroachments and unauthorised constructions.

➤ PMPML Business Plan Committee

The Manch is represented on the Committee formed by the Board of Pune Mahanagar Parivahan Mahamandal Ltd to prepare a Business Plan. A number of meetings have been held and a consultant selected to execute the job.

➤ People's Commission of Enquiry (PCI)

The then Municipal Commissioner, Shri Mahesh Zagade had put up a proposal to the Standing Committee dated 23 June 2010 to appoint a committee headed by a retired judge of the High Court with senior retired IAS officer as a member. The

committee was to inquire into the encroachments, unauthorised constructions, occupation without occupation certificates, diverting the natural watercourses etc. to pin point the responsibility and then to suggest ways to ensure that such occurrences do not recur. As the Standing Committee failed to take any decision, the Manch along with Surajya Sangharsh Samiti approached Justice P. B. Sawant (Retd) formerly of the Supreme Court, to head a People's Commission of Inquiry (PCI). He readily agreed and desired to work without any remuneration. We thus launched the Pune PCI on 15 October 2010. The PCI followed all the norms and principles governing an official Public Commission of Inquiry and forwarded the findings to Pune Municipal Corporation for action. PCI completed the hearings for 22 complaints from 16 to 18 March 2011 and from 8 to 10 June 2011. PCI completed the process from 16-20 August 2011, hearings of 9 matters. There were very few complainants who wanted to see through an issue till its end. Two of the major complainants have now changed their mobile numbers without informing us with the result that we are no longer in contact with them. The complainants expect NCM to pursue the cases, which we do not do on principle.

A few complainants appear to have compromised with the PMC as they had suddenly lost interest in pursuing the matters. There were two cases where PMC had agreed to give us information but stopped short because there was change in PMC Commissioner. We processed these and all other cases where Justice P. B. Sawant has passed judgments and PMC was to take action by using the RTI Act 2005. There was partial success.

➤ Occupation without completion or occupation certificate

As for unauthorised constructions and occupation of buildings without completion or occupation certificates, the main culprit is MSEDCL. It is axiomatic that there can be no occupation without electricity. There are two types of unauthorised constructions:

a. In old buildings where additional construction is done, the citizen applies for assessment of property tax even before obtaining completion certificate or occupying the premises. PMC readily does so because it is in need of revenue. Further, charging property tax even for unauthorised buildings is legal as per a High Court judgment. Once the citizen obtains tax payment certificate, he or she applies for electricity connection. As per the Electricity Rules, MSEDCL has to verify that the premises are occupied before giving the connection. Instead of demanding occupation certificate, the MSEDCL relies on tax payment receipt and gives electric connection. The citizen moves in and is not concerned with obtaining completion or occupation certificate anymore and is free to build as much unauthorised construction as he or she possibly can.



b. In the case of new construction (e.g. housing complexes), the developer applies for charging the meters once he obtains part completion for a few apartments that he has constructed in full. At the commencement of construction, the developer has assessed the requirement of basic electrical infrastructure (sub-station, meter boards etc.) from MSEDCL, which developer completes along with before completing construction of apartments. After obtaining part completions for a few apartments, the developer applies to the MSEDCL to charge all electric meters in the complex, even those that do not have completion certificates. MSEDCL obliges. Thus the developer is free to resort to all kinds of unauthorised acts because the citizens move in half completed or illegally built flats, as there is electricity provision.

c. Justice Sawant too has ruled in our favour. We had approached MERC earlier but lost the case. There appears to be realisation amongst the authorities that the main culprits are the urban local bodies and MSEDCL. There are moves within the government in this regard. The Manch is satisfied that we have made the authorities aware of this malaise. Recently, the High Court, in its judgment in WP No. 829 of 2013, has reiterated that it is illegal to move into a building without an occupation certificate.

d. The awareness created by the Manch appears to have borne fruit because the Government is veering round to the view that illegal constructions should not be provided with any facilities. The NCM awaits an official declaration to that effect.

➤ Misuse of official vehicles

Nagrik Chetna Manch succeeded in prevailing upon the Commissioner to curb misuse of official vehicles, especially outstation to places of tourist/religious interests by the councillors. Accordingly, the Commissioner issued a circular that a councillor may visit places outside PMC area only on written approval by the Mayor/Commissioner, failing which the administration would initiate disciplinary action against employees concerned who have permitted the vehicles to proceed outside PMC limits. Thus, Nagrik Chetna Manch succeeded in enabling the recovery of close to Rs. 75 Lakhs in 2004-06 as dues from the councillors. The Manch continues to pressurise the PMC in this regard.

➤ For details refer to NCM's recommendations, papers, correspondence & opinions in the press on the NCM link under related subjects).

### **Discussions & Interactions**

The Manch invites top officials of authorities and experts at least 3-4 times a year to address NCM members and associate NGO members. The functions have always evoked excellent response.

- On 12<sup>th</sup> July 2019, Prof. Amitav Mallik, Padma Shri, Defence Scientist and author interacted with the Manch members and shared incisive information on "Climate Change : Facts and Hopes"
- On 28<sup>th</sup> March 2019, Mr. Mahesh Zagade, IAS (Retd) and former Pune Municipal Commissioner was invited to share his views on "PMC's administrative accountability and Budget".
- On 29<sup>th</sup> June 2018, the Manch invited Mr Kiran Gitte, Commissioner Pune Metropolitan Region and CEO Pune Metropolitan Regional Development Authority who enlightened members and guests present on the challenges and future plans of the complete conglomerate of 2 corporations, 3 cantonment boards, 7 municipal councils and 13 census towns and 842 villages spread over an area of 7,256.46 km<sup>2</sup>.
- On 4<sup>th</sup> August 2017, an interactive session with Col. Suresh Patil on Rejuvenation of Panshet Dam has been organized.
- On 15<sup>th</sup> June 2017, an interactive session with Ms. Anita Gokhale-Benninger, renowned Urban Town Planner on Pune Development Plan
- On 22<sup>nd</sup> March 2017, an informative session with Mr Ramesh Rao & Mr Limaye was arranged on the proposed Pune Metro System
- On 21<sup>st</sup> April 2016, the Manch arranged an interaction with Dr. Usha Ramanathan who spoke on "The Aadhar Act 2016 – It's impact on citizens". Because of the public interest, this program was very well attended
- On 10<sup>th</sup> February 2016, Mr S. Chokalingam, IAS Divisional Commissioner Pune spoke to NCM members on "Control of Corruption & Success Story of the Corruption Eradication Committee"
- On 12<sup>th</sup> June 2015, the Manch arranged a presentation by Prof. Pratap Rawal, a highly qualified Town Planner who research areas cover Sustainability, Urban & Regional Development, Planning and Infrastructure as well as Strategic Environmental Assessment. He proceeded to de-mystify the crisis in Pune's Draft Development Plan 2007-2027 and the way forward.
- On 12<sup>th</sup> November 2014, an interaction with Mr Satish Mathur, Police Commissioner. Mr Sarang Awad, DCP Traffic and Mr Solunke, Additional CP Crime accompanied him. Discussion covered traffic issues, security issues, methods to decrease crime figures, training of police personnel amongst wide ranging topics.
- On 4<sup>th</sup> August 2012, a Panel Discussion was arranged on the Garbage Conundrum. There was representation from PMC, MPCB and Ranjai (a NGO). The discussion was very lively. There was marginal improvement in the working of the PMC towards segregating the garbage at source as per the orders of the Central and

State Governments and the Supreme Court. It was the best-attended events of the Manch with an attendance of over 250 persons. We have been monitoring the implementation of MSW Management and Handling Rules, 2000 and find that there is much to be desired. PMC has set up plants, which accept mixed garbage with the result that there is no incentive either to the citizens to segregate garbage at source as per existing instructions or for the PMC to implement segregation. The result is that mixed garbage is being used and the by products mainly Refuse Derived Fuel (RDF) and manure, both of which are contaminated. This is because PMC is not ensuring segregation of even hazardous materials from MSW (Municipal Solid Waste). Both major plants of PMC (Hanjer and Rochem) suffer from this drawback. Rochem is worse because it is located within 100 meters of residential area and has not been planned as an integral part of the landfill site as mandated in the MSW M&H Rules, 2000. The Manch has handed over the matter of illegalities in Rochem plant causing a loss to the PMC of over ₹. 10 crores so far. The main illegality is that the plants do not have 'consent under the Air Act and the Water Act. Further, the PMC pays ₹ 300 or more per tonne of MSW accepted by the private parties. This is where all the trouble lies because PMC's incentive is not to segregate at source so that the private parties get more MSW and hence more the so-called 'tipping fee'.

- On 7<sup>th</sup> June 2012, a panel discussion was arranged on "24/7 water – a myth or a reality". It was a very relevant issue and evoked great interest from the large gathering who interacted profusely with the panel members.

- On 11<sup>th</sup> August 2011, Mr Abhay Firodia addressed NCM members on Jan Lokpal Bill and Anna Hazare movement.

- On 30<sup>th</sup> March 2008, a seminar was organised on "Ethics and Values towards Good Governance" on 30 March 2008. It was one of the best-attended events of the Manch with an attendance of over 220 persons.

- In September 2001, a workshop was arranged for the engineers of PMC on construction and repairs of roads including the norms for speed breakers etc.

- On 4<sup>th</sup> March 2001, a seminar was conducted on Earthquake Relief & Rescue Plan.

### **Current Membership**

Currently the Manch has a membership of 100, out of which 96 are life members.

### **Managing Committee**

The Managing Committee as on 30 June 2018 comprises the following:

- Col. B. F. Choudhari (Retd), President

- Mr B. D. Sharma, Secretary General
- Ms. Qaneez Sukhrani, Secretary
- Mr Prakash Andhare, Treasurer
- Wg. Cdr. Ashutosh Mashruwala, Joint Secretary
- Prof. Amitav Mallik, Member
- Lt. Gen. Amit Mukherjee (Retd), Member
- Col. Jayant Nadkarni (Retd), Member
- Mr P. C. Jain, Member
- Mr Nilkanth Jatar, Member

Permanent Invitee → Maj. Gen. S. C. N. Jatar (Retd), President Emeritus

31<sup>st</sup> August 2019