

## A Brief Report of the Financial Year 2009-10

### Donations received during the Financial Year 2009-10

We profusely thank the following members and non-members for their generous contributions for the cause for which Nagrik Chetna Manch stands. It gives us a feeling of full support and of confidence of the donors in the work that we are doing. We greatly appreciate the gesture and personally thank the following donors::

S. No.	Name	General Donation (Amount in Rs.)	Donation for Legal cases (Amount in Rs.)	Total Donation (Amount in Rs.)
1.	Shri. S.M. Acharya	1,000.00	-	1,000.00
2.	Shri. P.C. Jain	11,000.00	5,000.00	16,000.00
3.	Shri. Kersee Kabrajee	20,000.00	25,000.00	45,000.00
4.	Mrs. Sarla Jatar	1,000.00	-	1,000.00
5.	Shri. A.M. Limaye	5,000.00	-	5,000.00
6.	Shri. G.T.Mansey	5,000.00	-	5,000.00
7.	Shri. N.S. Jatar	10,000.00	-	10,000.00
8.	Brig. R.V. Jatar	10,000.00	-	10,000.00
9.	Shri Amber Lunawat	11,000.00	-	11,000.00
10.	Shri. Ramesh Panjabi	11,000.00	-	11,000.00
11.	Smt. Sumati Mudambi	5,001.00	-	5,001.00
12.	Shri. Suresh Joshi	10,000.00	-	10,000.00
13.	Shri. V.Kulkarni	-	1,000.00	1,000.00
14.	Shri. Vishnu S. Kulkarni	-	25,000.00	25,000.00
15.	Shri Parvin Nair		1,000.00	1,000.00
16.	Shri Vijay Purandare	7,500.00	-	7,500.00
17.	Maj. Gen. SCN Jatar	-	2,985.50	2,985.50
18.	Gp. Capt. S. R. Puranadre		5,000.00	5,000.00
19.	Col. B.F. Chaudhari		5,000.00	5,000.00
20.	Smt. Gita Vir	2,000.00	-	2,000.00
21.	Shri K. K. Limkhedawala	300.00	-	300.00
	Total	1,09,801.00	69,985.50	179,786.50

We also welcome once again the following New Members who have joined NCM during the Financial Year 2009-2010:

- a. Dr. J. G. Krishnayya - Life Member
- b. Mr. Arvind Shreekrishna Kirloskar - Life Member
- c. Mr. Kiran G Bhagwat - Life Member
- d. Rajendra Kumar- Life Member
- e. Bimal Kumar Ghosh- Life Members
- f. J.P.N. Dujari- Ordinary to Life Member
- g. Jugal Rathi- Life Member
- h. Mr. Khojema K. Limkhedawala- Life Member
- i. Col. M.D. Shivlekar- Life Member
- j. Cmdr. G.Sondur- Ordinary to Life Member
- k. Lt. Col. M.D. Shivkar- Ordinary Member

## NCM Activities during the financial year 2009-10:

NCM has been collaborating with other NGOs for implementation of like-minded objectives. The NGOs with whom we have been collaborating are Public Concern for Governance Trust (PCGT), Parisar, DP Coalition, Sajag Nagrik Manch, Pune Cycle Pratishtan, City Bikers, PMP Pravasi Manch, Sajag Nagrik Manch, Pedestrian First, Pune Tree Watch, Institute of Development Studies & Activities, and National Society for Clean Cities on issues pertaining to Traffic & Transportation, Development Plan, Removal of Encroachments, Greening of Pune, etc.

NCM spearheaded by its President, who has been tirelessly working to achieve its laid down objectives, purpose and mission. Placed below is a brief of its activities during the financial year 2009-10

1. PMC admits it has no system to measure water: The city's water supply system is based on approximate calculations, as the PMC has no system to measure the quantity of water it receives from the state irrigation department, NCM filed an RTI query. Pune gets its drinking water supply from the Khadakwasla reservoir through a closed pipeline. It also lifts water from the Mutha right bank canal, which is purified at Parvati water works. Admitting that it has no system to measure the water lifted from the canal at Parvati water works, the PMC said in its reply to the RTI application that it would put in place a system in three-four months. The PMC has been fined Rs 25,000 by the state information commissioner (Pune division) Mr. Vijay Kuwalekar for delaying information under the RTI Act, 2005 and for providing 'incomplete' and 'misleading' information to NCM.

2. NCM 'Acts on BRTS': NCM took up with the BRTS JNNURM Cell regarding BRTS Phase I that 60 % of 103 km of new BRTS does not have dedicated bus lanes. As there can be no BRTS without a dedicated lane, we informed the Ministry of Urban Development, GoI and appealed under RTI Act, 2005 to the State Information Commissioner that the JNNURM BRTS Cell has not provided correct information regarding the detailed plans for BRTS. Our appeal was upheld partially and the IC has directed the JNNURM BRTS Cell to submit the requisite information.

3. NCM takes up the issues of illegal structures in Pune: NCM had taken up the issue of illegal structures in the city and had pointed out that as per the new directive of the Maharashtra government buildings which did not possess completion certificates and/or occupancy certificates were liable to be charged double the amount of property tax, which was not being followed by PMC. Subsequent to his relentless efforts PMC did ultimately act upon this and collected Rs. 1 crore additional property tax in this behalf.

4. NCM pursuing removal of unauthorized construction and encroachments: NCM is relentlessly pursuing removal of unauthorized construction and encroachments and also on illegal change of use of properties, e.g. from shop to restaurant. There is very large number of citizens using front margins for commercial purposes, which is illegal. NCM is acting as a pressure point on the councillors as well as civic officials on these matters.

5. RTI Seminar by NCM at Cognizant: The company invited NCM to conduct a seminar on RTI on 18th August, 2010. During the Tea Break, Sanjiv Mehta, Secretary and Col. B. F. Choudhary, Member Managing Committee answered questions regarding RTI Act. As per the company officials, it was the best ever seminar conducted in Cognizant with a record participation.

6. NCM advising citizens on RTI matters: NCM is giving advice on RTI matters to the citizens as a social service. A number of citizens contact us; some even come all the way from mofussil and rural areas. There are number of service officers from as far away as Mumbai and Delhi. We encourage them to file the RTI requisitions themselves because we find that the citizens want the NCM to take up cases on their behalf. We correct their drafts and put the applications in proper form. We notice that the citizens are not generally aware of the nuances of the RTI Act. There are many who want to use the RTI Act for the sake of using it, a majority who want to use it to redress personal grievances and a few who want to misuse it for their personal ends. We therefore advise the prospective users first to study the subject for which they intend to put in a requisition. Then check if that information is otherwise available, e.g. in publications or already displayed by the department concerned under Section 4 of the RTI Act. Next, we request them to check if the requisition fulfils the objectives of their organisation or solves their personal grievances. It is best to define the precise public or personal interest. If in public interest, they should identify the next steps after getting the information, e.g. publicising it, taking up as PIL, reporting the irregularity to the police / ACB / CVC, taking up with the authorities for rectification, etc. Unless, there is a focus, it is pointless putting in a RTI requisition. Our general observation is that the RTI Act is used mainly to resolve personal or organisational grievances and hardly in public interest. This is a great pity and reflects poorly on the governance in India for which the politicians and bureaucrats are wholly responsible.

7. NCM working closely with PMPL: NCM is regularly interacting with PMPL authorities along with other NGOs. Many suggestions made by NCM pertaining to improvements in the overall efficiency of PMPL buses have been acted upon, while few are under active consideration. NCM along with few other NGOs and PMPL authorities is constantly keeping a close watch on the progress of these suggestions.

8. Update on Court Cases filed by NCM:

a. Kondhwa Forest Land: Kondhwa Forest Land: Mr. Ritwick Dutta of the Legal Initiative for Forest and Environment (LIFE), The Access Initiative (TAI) - India along with Ms. Anitha Shenoy, the Advocate on Record are representing NCM. There was no hearing on 5 Feb. 2010. Meanwhile, the Chief Justice has retired and the new incumbent is Hon'ble Mr. Justice S. H. Kapadia and Mr. Justice Aftab Alam. Mr. Justice Kapadia has revamped the Bench and has formed another Bench purely for environmental issues. Our matter would most likely come before Mr. Justice S. H. Kapadia and Mr. Justice Aftab Alam.

b TDR Case: Hearing took place on 13 Jan. 10. As per directions of the Hon'ble High Court, the General Body took the decision to approve the prosecution of employees found guilty by the ACB. There was also a directive from the State Government to approve the prosecutions. The matter did not come for hearing on 13 Jan. Mr. Dhakephalkar, lawyer for the PMC submitted that the Corporation has given approval for prosecuting the persons who are mentioned in the report submitted by Anti Corruption Bureau and for which sanction was sought by them. The affidavit in reply was taken on record. It was contended by the learned counsel for the petitioner submits that the TDR so obtained without any authority by unscrupulous elements has been transferred to builders and taking advantage of the same builders are constructing buildings, which may be unauthorised/illegal. If that is so, nothing prevents the petitioner from placing it on record so that after giving notice to the concerned builders, Court may pass appropriate orders to prevent misuse of such

illegally transferred TDR, which was otherwise obtained surreptitiously. In view of the fact that the Corporation has given approval to prosecute the suspects as per the report of the Anti Corruption Bureau, we expect that the Anti Corruption Bureau will file charge sheet in the court having jurisdiction within two weeks. The next date was 18 Mar. 10 but the hearing did not take place. No date is given yet.

c. Bal Bharati-Paud Road: Shrishti has submitted its report. In sum, it has recommended building of the road provided no construction or encroachment is allowed along side the road for the next 100 years. President had done a preliminary scrutiny of the report and was not in agreement with the method employed to seek the views of commuters, which becomes subjective without a scientific basis. The report also does not contain the working sheets of the traffic surveys carried out. Prof. Aneeta Benninger is scrutinising the EIA part. We have asked of a full presentation from Shristi after which the report would be forwarded to our Advocate for presentation to the Hon'ble High Court. The next date is 12 Aug. However, we would need to take an adjournment.

d Vaishno Devi and Tree Authority Cases of Pleasure trips by Councillors: NCM is considering whether it should approach the UD Department of GoM to seek an out-of-court settlement of the Vaishno Devi case in which we already have a favorable verdict from the District Court, which the GoM is appealing against in the High Court after more than a year of the judgement. The consensus is so far is to get a directive issued from the GoM about study tours by councillors and civic officials. If the directive is agreeable to NCM, we could seek an out-of-court settlement.

e. Flyover: The Manch has launched a PIL against construction of flyovers without following the warrants of the Indian Roads Congress. The case has not yet come on board.

In the end we will like to thank each and every member of NCM as well as other non-members who been silently and otherwise supporting NCM. We will also like to thank the entire Management Committee i.e. Shri. P.C. Jain, Shri. Kabrajee, Col. Chaudhari, Gp. Capt. Purandare, Our special thanks to Col. Nadkarni, Treasures of the manch, Shri. Sanjiv Mehta, Secretary of the manch.

About our President, Maj. Gen. S.C.N. Jatar, no words are enough to describe the selfless, tireless efforts put in by him, every single day to lead the manch. It gives me a great pleasure to thank him personally for making the life extremely difficult of many wrong doers in Pune Municipal Corporation.

I, B.D. Sharma, Secretary General of NCM, am honoured to be associated with NCM and its activities for the last 18 years. It has been a great pleasure to serve the manch and its members.