Date: 26.2.24

85 / Ashwini joshi / 4500 crores fraud folder and file/ request for meeting and dispose the complaints.

To,

Smt. Ashwini Joshi (Addl MC City)

Cc

Smt. Sangeeta Hasnale (DMC zone-1)

**Sub:**

1. **minutes of meeting held on 26.2.24 in your office around 4 pm regarding implementation of order dt. 18.7.23 by DMC zone-1.**
2. **Attached the details of issues pending with office of Addl MC city since 2021. (copy attached)**

**Reg: Addl MC city Smt. Ashwini Joshi instead of solving the issues directs the citizen to**

1. **Go to court**
2. **Go and file complaint agents her failure to discharge duty**
3. **Takes stand to change circular dt. 14.12.99 to protect the obstruction and encroachment on road, footpath and traffic islands**
4. **Shouting loudly. I requested to lower her voice being a senior citizen my heart beats are sulking and legs are trembling.**
5. **Refuses to reply the correspondence disclosing lapses and failure to discharge duty.**
6. **Refuses to give in writing whatever she speaks in the meeting.**
7. The person present were
8. Smt. Ashwini Joshi
9. Smt. Sangeeta Hasnale
10. Shri Kamlakar Shenoy
11. Shri BalkrishnanSawmyya
12. Shri Jaypal Shetty
13. I informed that I have provided the list of illegal construction and encroachment being carried out on road, footpath and traffic islands vide letter dt. 24.11.23
14. Thereafter I referred to Chief engineer ( road) report dt. 11.7.23 and order dt. 18.7.23 by DMC zone-1 to demolish the illegal structures as they are violating the principles of circular 14.12.99.
15. Smt Sangeeta Hasnale stated that after issuance of the demolition notice dt. 18.7.23 the Asst comm of A to E came up with points and that it cannot be demolished. However, no such document submitted by Asst Comm was provided.
16. DMC zone-1, Smt Sangeet Hasnale herself was more interested to save the illegal structures inspite of those persons who are aggrieved did not file any appeal not filed any application

**Smt. Sangeeta Hasnale - DMC zone 1, shall explain why she has not provided information on RTI application.**

1. Refer to my RTI dt. 7.8.23 I asked for all these document the same is not yet provided. It all appears to be conspiracy to protect the illegal encroachment by the senior most officers of BMC. **Copy Attached**.

**False/ incorrect submission by Addl MC city, Smt. Ashwini Joshi**

1. Smt Ashwini Joshi supported Hasnale Ji and said that she feels that circular is outdated and it shall be amended. The same is mentioned in letter dt. 5.2.24 addressed by DMC zone-1 to Police station that the MC has already directed DCP (infrastructure) to amend the circular dt. 14.12.99. **(copy attached)**
2. I demanded the
3. procedure followed to come to conclusion to amend circular 14.12.99
4. rules and regulations relied upon to direct DMC infra to issue new circular
5. reasons mentioned in the application to MC to amend the circular dt. 14.12.99
6. outward number and date on which such proposal has been sent to MC (so I can follow up with MC.
7. **Addl MC appeared to be disturbed and made a false statement that it is under consideration of MC and hence no such information can be given till the final decision is taken. She further said that she will not provide any outward number and date of the movement of the file as it is internal matter. However, she refused to give anything in writing that she will not give outward number, very well knowing that it is illegal.**

**Addl MC city states that the amended circular shall have retrospective effect (totally illegal and incorrect statement)**

1. It is unfortunate that Smt. Ashwini Joshi replied that the circular amended thereafter shall have retrospective effect and shall protect the illegal structures which are encroachment and obstruction on road, footpath and traffic island.
2. **I informed Addl MC that no circular cannot have retrospective effect and these illegal constructions have to be demolished. She informed that I can move the Court against such protection of these illegal structures.**
3. I provided her the Bombay High Court judgement and orders dt. 25.7.2018 in PIL 116 of 2014, and order dt. 11.11.2022 in W.P. 31751 of 2024 wherein the Court has shown concern for not providing space for pedestrians to use footpath.

**No concern for law and respect for court judgement**

1. After seeing the above orders, she told me that you also go to court. We occasionally take actions. I informed her about the several provision of laws to prevent the public space from being encroached again. She said we shall be doing what we feel is right. As informed by you we shall not use MRTP, MMC act 516AAA, Maharashtra Police act and IPC section to prevent the encroacher / hawkers from encroaching public property again.

**No reply to letter dt. 17.2.24 and 21.2.24. passing oral orders to sub ordinate officers without written communication**

**You have not passed any orders or prepared minutes of meeting of meeting held on 21.11.23.**

1. Addl MC refused to reply to the above letters and said I shall not give anything in writing. You can complain against me wherever you want. I asked for compliance of regulation 9(2) delay in discharge of duty act. Same was not provided.
2. It appears that you are seized with knowledge and information that whatever you spoke was not within parameters of law and hence refused to give anything in writing. E,g
3. You did not pass any order in the meeting conducted in your office on 21.11.123 nor prepared any minutes
4. You directed DMC zone 1 to intimate the police. you did not address letter as you knew this is admission of the offence and that no circular can be implemented with retrospective effect.
5. You denied the details of the movement of the file. But refused to give in writing, by making the PIO liable for prosecution and disciplinary action.
6. You did not provide the details of the officers as required under Regulation 9(2) Delay in discharge of duty act.
7. You did not provide that your office is not maintaining complaint register as per GR 18.1.2013, but made oral submission on grounds which do not hold good.
8. You did not reply when I asked you if for every failure to discharge of duty by your subordinate staff if citizens have to move the court as directed by you than why are executives like you appointed by incurring crores of rupees’ expenditure on giving you appointment, office, staff and luxurious / kingly perks.
9. In the total discussion you did not discuss any law point you said
10. We will do what we feel is right
11. If you are not satisfied you can move the Court

**Noncompliance of GR 18.1.2013 and the conditions therein**

1. Addl MC city refused to abide with complaint register as per GR 18.1.2013. we have our own way for marinating register. I objected the procedure therein has been violated and thereby offenders are protected. However, you refused to give anything in writing or pass any orders.

**Illegal constructions and encroachment on roads**

1. Addl MC city stated that I have complaints about the working of BMC. There is only illegal construction protected and promoted on almost
2. Road,
3. Footpath
4. Traffic island
5. every open spaces,
6. house gully,
7. chowk,
8. terraces,
9. spaces below staircase,
10. refuge areas
11. parking areas reserved in building
12. I accepted and stated that this the fact. Show me single road and footpath where there is
13. no encroachment,
14. no unhygienic conditions,
15. no unsafe and broken footpaths,
16. no open space,
17. no fresh air
18. no roads and footpath for free movement of pedestrians.
19. No schools, colleges, hospitals and davakhanas
20. No playground and gardens

 Except the locality of powerful politicians rich and powerful celebrities. Visit Mumbai 3,8,9,10 internal localities within your jurisdiction to understand the most unhygienic surrounding in which a common man lives.

1. **You refused to comment on the several High Court and supreme court judgements I discussed with you. You only said you can approach the Court against my failure to discharge duty or complain to MC.**

**For every failure to discharge duty Addl MC directs to go to Court. Why is Addl MC appointed with huge offices and such big staff and provided palatial houses and kingly facilities and personal servants and assistants, driver driven car and many other luxurious perks.**

1. I requested Addl MC if she can see any footpath, road and traffic island which are not encroached. What has been done on this subject by HOD i.e. Addl MC. How can she direct citizens to go to court? When there is absolute failure on part of the BMC to discharge their duty?

Respected Ashwini Joshi madam, we are citizens of Mumbai who pay taxes to BMC to get services. It is your duty to provide services and not to direct citizens to go to court on every trivial complaint of failure to discharge duty.

With due respect to you, we on behalf of citizens of Mumbai request that to provide clear and smooth road, traffic island, footpath and open spaces reserved for safety and recreation. This is our fundamental right. You cannot deny us of this fundamental right by asking us to go to court at the drop of the hat.

Let us work together for better Mumbai. Please educate me if my submission is incorrect.

Jai hind