Date: 14.3.24

110 / B ward/ MOM meeting dt. 12.3.24 in B ward office / encroachment on road below JJ flyover bridge

To,

Asst Comm B ward

**Cc**

**JT CP traffic , DCP traffic south**

**JJ Police station (to revoke the NOC and issue notice u/s 149 CRPC and thereafter if work is not stopped register FIR u/s 166, 167, 217, 218, 409, 431, 467,5, 467, 468, 471 IPC )**

**Mr. Pimpale (BMC road Traffic department) has stated that vide letter dt. 15.2.24 ans 12.3.24 it is clearly stated that what compliance is required to be taken. (the same is not records) copy enclosed**

**Mr. Sanjeev Kumar, Mr. Asheesh Sharma, Smt. Ashiwini Joshi (all Addl MC city, BMC ) has mislead and concealed true facts from the honest and law abiding Elected representative that all the beautification structures are illegal and encroachment on road , footpath and traffic island namely**

1. **Mr. Rahul Narvekar ( Hon. Speaker )**
2. **Mr. Deepak Kesarkar ( Hon. Minister**
3. **Mr. Amin patel ( Hon MLA)**

**Had they known the true facts there would never be involved in promoting of illegal construction and misappropriation of public funds**

Sub: MOM of meeting held on 12.3.24 at your office around 3.45 pm as your office has started illegal construction of encroachment and creating obstruction on road, footpath, traffic islands and road below JJ flyover bridge without any permission and NOC from any competent authority namely

1. Sections under MMC and MRTP act which empowers the Addl MC and DMC to give approval for any encroach and create obstruction on road, footpath.
2. Section relied upon to say that the road below the fly over is not coming under definition of road.
3. **Falsely stating that you have obtained all NOC when every department has objected to such illegal work namely from**
4. Traffic police.
5. JJ marg police station
6. Nagpada police station
7. BMC road Traffic department has laid down several conditions which have blatantly violated which includes NOC from
8. SWD depart.
9. Underground utilities department.
10. And several other department

In fact, all the above departments have recorded their objections and the work was illegally started thereby committing loot of tax payer money.

1. **MSRDC NOC absolutely misleading and misrepresentation of facts: is vague and does not mention the creating of cafeteria, Art gallery , permanent structure constructed and reading library**
2. **Wrongfully taking over the mobile phones with legal force while video recording the meeting which was intimated in writing. No FIR, No Panchnama done, inspite of informing the legal provisions, that this is cognizable offence under IPC. Being my personal good friend I did not take legal course. As video recording was allowed thereafter.**
3. **Not provided any sections and provision of law to mention names in the letter requesting NOC that Hon. Speaker Mr. Adv. Rahul Narvekar, Hon. Minister Deepak Kesarkar, Hon. MLA Amin Patel has been monitoring the illegal project of encroachment and obstruction on road, footpath and traffic island.**
4. Not provided the section and provision of law to construct any divider and median above 2 ft.
5. Not provided the sections and provision of law to convert a divider into 8 ft obstruction by reducing the usable road space of road and thereby reducing the space for free movement of traffic and pedestrians
6. **Not provided any affidavit/ inspection report that there is sufficient space for free movement of motorist and pedestrians and there is no compromise on safety of motorist and pedestrians.**

Reg: Asst Com failed to provide any NOC – permissions as required under law and the same has been recorded in video. I have time and again asked for documents but not a single NOC is provided.

1. **Not provided how fire brigade, ambulances and emergency vehicles will move when BMC has protected**
2. **When traffic moves at 5 to 10Km per hour**
3. **Pedestrians walk on middle of road as 60% road is encroached upon**
4. **100% encroachment on footpath**
5. **100 % traffic islands**
6. **60% road**
7. **10 ft of road below the JJ flyover bridge encroached**
8. **Increasing the pedestrian movement in the middle of road without providing any parking space and place to walk**
9. **Providing cafeteria and reading rooms**
10. **Providing art gallery.**
11. **failed to reply to all videos and photos posted to them and emailed showing traffic jams.**
12. **Failed to reply the obstruction constructed at zebra crossings at all signal under the JJ fly over bridge.**

1. The meeting was attended by the citizens of Mumbai and staff of police and BMC who has registered their objections toward the encroachment and obstruction created on the road below the JJ fly over bridge under the guise of beautification to play fraud of Rs. 13 crores and misappropriate tax payer money. All the above agencies have refuse to give any NOC for such illegal encroachment and obstruction.

**Asst CommB ward have carried out illegal encroachment. Not submitted a single NOC as required under law nor provided section under MMC and MRTP act .**

1. The Asst Comm B ward has falsely stated that he has all permissions. But did not provide any of these inspite of repeated request and was making misleading and false submission as under:
2. Inspite of there being no NOC and permission the Asst Com B ward was trying to pressurize the police and BMC officers to say in the meeting that they have no problem with beautification and there is no encroachment and obstruction for free movement of motorist and pedestrians.
3. You were diverting the conversation on beautification without providing the legal compliance as per law and section as well provision of law relied upon to create encroachment and obstruction.

**PI Shaikh of JJ marg Police station mislead the meeting by saying there is no obstruction for free movement of traffic and pedestrians on Mohd Ali road.**

1. PI Mr. Shaikh of JJ Police' station was aiding and abetting the fraudulent acts of encroachment and obstruction create by Asst Com B ward by saying
2. That there is free flow of traffic and pedestrian.
3. When asked the timing of when a pedestrian can walk on the footpath Mr. Shaikh was dumb.
4. Thereafter I showed him videos and exposed his false submission and connivance with Asst Comm to say there is flow free of traffic.
5. I have submitted to JJ police station as well as BMC B WARD, DMC, ADDL MC CITY, around 5 videos of different timing where the traffic was not moving at all and endangering life and limbs of citizens.

**So PI Shaikh of JJ marg police station made all attempts to conceal true facts and misled the meeting.**

**Forcible confiscated the mobile without registration of FIR and no panchnamaa done. Initially denying the right to video record the meeting inspite of intimation sent in writing.**

1. Asst Com B ward forcibly took the mobile from citizens who were video recording the meeting and PI Shaikh of JJ marg Police station made false submission:
2. I informed the Asst Comm that he is cognizable committing offence under IPC and he has no legal authority to forcibly take the mobile.
3. **Asst Com said that it is his office**: I clarified that he is public servant and is discharging the duty of public servant in this office. Hence, this is not his personal office. Thereafter every citizen has right to video record the meeting and proceeding of the public servant.
4. **No permission required to video record the meeting with public servant**: I have intimated in writing that the whole meeting shall be video recorded. There is no provision of law to seek permission of the public servant for video recording.
5. **PI Shaikh making ffalse submission: that permission is required for video recording**. After show the video and CP circular that no citizen shall be stopped from video recording his false stand was exposed.
6. **PI Shaikh ( JJ marg police station ) is witness of the illegal act of confiscating the mobiles by Asst Comm B ward**. He also sided and abeted the illegal act by making false submission and not informing the Asst Comm, the correct position of law regarding video recording of meeting with public servant.

**My Final conclusion of the meeting**

1. In the above circumstances,
2. the Asst Com B ward has failed to provide any permission and have illegally started the encroachment work to please his bosses Addl MC city Smt. Ashwini Joshi and DMC zone -1 Sangeeta Hasnale.
3. You had no answer when asked if it is beautification to have
4. 100% encroachment on footpath and traffic islands and 60% encroachment on road.
5. That you have failed to discharge you duty by not taking all due action as provided under MMC act, MRTP act , IPC and Hon. Court orders.
6. You had no answer that you have been promoting the encroachment and obstruction on road footpath and traffic islands.
7. You have deliberately failed to permanently remove these encroachments by not implementing all the provisions of law.
8. you were creating more obstruction by making false statements that you have all permissions thereby liable for disciplinary action as per BMC conduct and service rules 1999

**My prayers to Asst Comm Bward and**

1. To stop the illegal encroachment and obstruction on road., footpath and traffic island
2. To provide all permissions and NOC obtained before commencement of work
3. **We citizens shall be attending your office next week to collect all the permissions and NOC issued prior to commencement of work as required under law and as falsely stated by you.**
4. **You are following the illegal orders of Addl MC and DMC zone-1. That is reason these three officers have protected you and not taken disciplinary act to dismiss you from service as per circular 20.11.2003.**
5. You have not replied to the obstruction of movement of pedestrian on zebra crossing and all videos posted to your office. Hence take immediate action.

**My prayers to JJ Marg Police station**

1. Asst Comm b ward failed to provide your office any permissions within two days from your letter the work carried out is illegal.
2. Issue notice u/s 149 CRPC
3. Register FIR under all provision of law which includes 166, 167, 217, 218, 409, 429, 431 IPC and defacing act

**Sir we are here to assist your office. We know Asst Comm B ward and Sr. PI JJ Marg Police station you are good officers. you are forced to carry out illegal constructions by the senior most bureaucrats in BMC HO namely Addl MC city and Addl MC project, DMC zone 1. Please educate if my submission is incorrect.**

**Jai Hind**