To,

1. Smt. Ashwini Bhide ( Addl MC ( ES)
2. Dr. Sudhakar Shinde ( Addl MC (WS)
3. Vishwas Shankarwar ( DMC zone-4)

**Sub: BMC ease of doing business and implication of doing business**

**Reg: written notes of suggestion to be orally presented on 29.8.23 at Disaster Management Control room between 2 to 3 pm.**

**Please find the written notes of oral presentation to be made in Open house discussion.**

**With due respect and all humility, with no intention to cause hurt/ injury to any individual and institution. But only in larger interest of public**

1. **Basic ingredients of ease of doing business**
2. The basic ingredients of ease of business and simplification inn doing business is
3. Security for legal business from illegal business being permitted thereby being threat to legal business.
4. Security from corrupt and non performing public servants who promote illegal activities and illegal business on road/ footpath and open spaces.
5. The public authority i.e. BMC should be motivating factor for law abiding citizens and be a solid threat to violators of law
6. Transparency and accountability in discharge of duty by of Public servants especially to the TOP HOD **( Addl MC and vigilance dept)** and should be citizen friendly and hard on subordinate officers who fail to discharge duty and are corrupt .
7. **Addl MC and Vigilance department shall discharge duty ( these GRs are concealed and citizens are denied their right to knowledge and information)**
8. All files / complaints / grievances are disposed of within 45 days and violating (**section 64-C of BMC act. Reproduced and attached)**
9. All records of complaints are maintained as per **GR 18.1.2003 & 26.8.2003 of STATE GOVERNMENT. (copy attached)**

**Addl MC, DMC shall be Citizen friendly requirements.**

1. **MC- Addl MC and every office in BMC shall fix board outside their cabins disclosing**
2. timing to meet citizens without prior appointment **as per GR 3.7.2015, ( copy attached)**
3. every Monday 3 to 5 inspection of documents without prior appointment as per **GR 26.11.2018, ( copy attached) .**
4. that the forms to citizens are available in every office to express citizen’s opinion about the quality of office working. **GR 23.11.2016( copy attached)** .
5. name, designation and address, email id and telephone numbers of senior officers to whom the complaints against MC, Addl MC, DMC can be submitted. **(Regulation 9(2) in delay in discharge of duty act2005) ( copy attached)**
6. Disciplinary action to be taken against non performing BMC officers. **(Circular 20.11.2003 copy attached)** **and section 83 (1) of MMC act.**
7. That video recording of the meeting and proceeding with any officer from Municipal Commissioner to clerk can be recorded as evidence. **Attached Police circular that video recording in public spaces and public offices is not an offence.**
8. sections and provision of law which can be used by public for criminal prosecution against the non-performing BMC officers.
9. Rules and regulations for disciplinary action and penalty to be recovered from non –performing BMC officers and for failure to discharge duty some examples
10. Accident and death because pothole and uneven Road, footpath
11. Unreasonable delay of decades to complete bridges and projects.
12. Contaminated water
13. Open drainage
14. Garbage nuisance.
15. Obstruction on road footpath and traffic islands
16. Failure to complete work within stipulated period.
17. Providing false and incorrect information
18. **who have failed to act within the time frame mentioned in section 64-C of MMC act.**
19. Many others list is endless.

1. **Role of Addl MC and vigilance department: failure of MC-Addl MC-DMC to take action against corrupt and non- performing BMC staff and promote illegal activities which causes threat to the legal business.**
2. **Last 5 years**: No disciplinary action has been initiated against a single BMC staff by Addl MC and Vigilance as per **Vigilance dept letter dt. 19.1.23**. **( copy attached)**
3. How can Addl MC and vigilance dept not find a single non performing and corrupt person since last 5 years. **When HC is hearing Contempt petition on potholes and manholes** **amongst many other frauds.**
4. **Illegal obstruction on road and footpath and illegal banners are nuisance to the law abiding business community.** What has Vigilance depat and Addl MC done till this day. Can’t they see and understand the nuisance**.**
5. **Fire brigade:**

**On RTI application the fire brigade did not provide any relevant reply but avoided to reply on wrongful ground.**

1. **Rs 500 stamp paper undertaking:** compulsory for each small business men or no renewal of Licence **i.e. closure of business. ( several non-compliances copy attached)**
2. **Not implemented with**
3. **BMC ward offices:** Head office and A ward office having basement and totally fire prone with no passages and all papers which can just flare any fire.
4. **5 star hotels:** allowed to do business in basement all level (Centaur Hotel S. Cruz)
5. **Illegal buildings and building without OC**: no action by BMC and Fire brigade
6. **illegal hotels without health License**: no action by BMC and fire brigade
7. **Crawford market transit market:** Fire brigade has said it has waived any such compliance. **(copy attached)**
8. **Hospital, Court, schools, police station and several public authority buildings**: NO fire compliance and no undertaking on Rs. 500 stamp Paper
9. **scrutiny fees newly introduced:** extra financial burden
10. fire brigade avoiding to reply the process followed and materials relied upon to introduce this new charges.
11. How were these expenses borne before introduction?
12. How is fire cess collected I property tax used

**Such misuse of discretion causes fear and insecurity with law abiding citizens and common man who carry small time business and promote illegal activity which shall endanger life and property of citizens.**

1. **100% penalty on delayed license fees:**

complaint filed with Addl MC city pending since 2021. Addl MC city just forwarded without calling for report and did not dispose for last 2 years.

1. Is 100% penalty especially during the delayed payment of Covid a citizen friendly law.
2. Can the BMC justify 100% penalty per year when the bank provides interest of less than 5% **p.a.**

**Blatant violation of MC order dt. 21.10.21 and Addl MC failure to dispose the complaint in larger public interest. ( copy attached)**

1. As per order dt. 21.10.21 of MC no concession in license fees shall be granted. But no penalty and interest shall be charged for delayed payment during COVID times.
2. An RTI to Addl MC ( city) seeking details of action taken is illegally forwarded to their departments which have no authority to decide on policy decisions except Addl MC, the reply received from license department are irrelevant.

**The question arises is that can Addl MC be a silent spectator to such sensitive issues and just look other way round without discharging his duty after several meetings and correspondence with his office.**

1. **10% increase in license fees every year with additional 70% trade refusal charges**: can any business survive annual increase in license fees by 10% when the investment in bank gives returns of less than 5%
2. RTI application not replied seeking the study and materials and other grounds relied upon for such steep increase in taxes.
3. The complaint has been filed with Addl MC city since 2 years. Not disposed.

**On the contrary ( shall produce all evidences as and when required)**

1. Concessions to builders 5000 crores.
2. concession to cricket club 1500 crores
3. concessions to advertising boards / hoardings for 4 months of COVID
4. Non recovery of water bill and taxes from others department

**The question arises is that can Addl MC be a silent spectator to such sensitive issues and just look other way round without discharging his duty after several meetings and correspondence with his office.**

1. **Similar is case with Structural License fees of Structural engineer’s increase by 10%. Delayed renewal of license fees is 50% penalty**.

What is logic behind such barbaric and illogic penalty of 50%.

1. **Illegal Food trucks or any other trucks carrying out business on road, without any policy and violating the fundamental rights of citizens to have safe , smooth and obstruction free road and footpath.**
2. Filed RTI with Addl MC WS for taking action and several meetings with Addl MC of no avail.
3. My meeting with Addl MC Mr. Sudhakar Shinde on 14.8.23. Failed to even assure action and requested me to meet Asst Com instead of calling report.
4. No action till this day as food trucks are openly illegally carrying out business and causing hardship to the legal business man
5. Cooking on road is banned. But BMC fails to discharge duty. **(copy attached cooking banned)**

**On the contrary if any licensee commits a mistake**

1. MOH, FSSAI, B & F department, license department issue notices and initiate prosecution.

**False cases registered and shopkeepers threatened for neon lights but Illegally Permitting banners and posters which are advertisements of politicians and Political parties**

1. **Neon Lights on boards:** disclosing the location of business is treated as advertising **(Court order copy attached)**
2. Cases are registered against small time shop keepers violating the above Court order.
3. However, poster and banners of political parties and politicians are allowed when they are only put on for advertisement.
4. Causes nuisance to shopkeeper and citizens staying first floor by blocking view and flow of fresh air. (section 268 IPC)
5. **Inaction and non – prosecution of political parties and Politicians**: Section and provision of law
6. which permits the Elected representative / politicians to advertise the work carried out on tax payer money and when these elected representative are being paid honorarium, reimbursement of several expenses, free travelling, and given kingly perks.
7. Which prevents criminal prosecution for causing nuisance, irritation and mental harassment and for defacing of the city
8. Politicians cannot put banners for work carried out. **(copy attached)**
9. Are every banners put by political parties and politicians charged?
10. Politicians advertise themselves illegally on tax payer money being used for public welfare when they are being paid honorarium and other perks to discharge their duty.
11. **Final conclusion and Prayers :**
12. Directions to GAD department to issue directions for implementation of the above suggestions.
13. Implement the above suggestions immediately
14. If BMC has any objections to implement the above suggestions,
15. reply each para with reasoned order and supporting sections and provision of law relied upon.
16. Reasoning how the these suggestion shall impede the larger public interest.
17. Help the legal shopkeepers and business men to conduct business peacefully and without fear of any prosecution, levy of unreasonable license / processing fees and without fear of being wiped out by BMC permitting illegal activities.
18. We appreciate the initiative taken for public participation. And the same be continued forever, in all types of decision, mostly where hundreds and thousands of crores are spent
19. Fire brigade norms be applied to all and there shall be no discrimination
20. Reduce the 10% increase in license fees to 3 % so that the shop keepers can also bear inflation.
21. Revoke all 50% and 100% penalties and be reasonable of 10% late fees as FD is just 5%
22. Stop all illegal food trucks and other trucks doing business on road.
23. Implement para 3 & 4 herein above for transparency and accountability of BMC working
24. Stop advertising of politicians and political parties through banners and posters.
25. Illegal obstructions encroachment on road and footpath by way of stalls, illegal structures, and cooking be stopped as per SC direction in Ekta Hawkers matter
26. Not to harass shop keepers whose board is illuminated and discloses the name and address of the business and establishment being carried out.
27. Restrict the maintaining of record to the extent that shop keepers will have time to conduct business and shall not be held up maintaining records/ appointing consultants and meetings with consultants for maintaining of records.

Kamlakar Shenoy (9920775798)

**Jai Hind**

**Kindly note : my every statement is backed by your circular / RTI reply and Court orders.**

**Please educate me if my submission is incorrect. With due respect to honest and performing public servants**