

**IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS**

64th Esplanade Court, Mumbai

CC: / MISC / 2025

Citizen and Trustee of a Public Charitable Trust, viz.

Petition Group Foundation Trust

(Regn. No. E-36451(M) Dated 10.12.2021.

(Through as trustee of PGF Kamlakar Ratnakar Shenoy)

Senior citizen aged 67 years.

Mob: 9870987359,

Email: [shenoykr2001@yahoo.co.in](mailto:shenoykr2001@yahoo.co.in)

...Complainant

Versus

Mr. Bhushan Gagrani,

Municipal Commissioner, BMC & others

...Accused

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Citizen and Trustee of a Public Charitable Trust, viz.  
Petition Group Foundation Trust  
(Regn. No. E-36451(M) Dated 10.12.2021.  
(Through as trustee of PGF Kamlakar Ratnakar Shenoy)  
Senior citizen aged 67 years,  
Residing at B-903, Vaishali CHS,  
Opp. MTNL Exchange, Sheth Motisha Lane,  
Mazgaon, Mumbai-400010.  
Mob: 9870987359,  
Email: [shenoykr2001@yahoo.co.in](mailto:shenoykr2001@yahoo.co.in)

..... Complainant

Versus

1. Mr. Iqbal singhChahal (then Municipal Commissioner
2. Mr. BhushanGagrani, Municipal Commissioner, BMC
3. Mr. Sanjeev Kumar (then Addl MC city)
4. Mr. Ashish Sharma (then Addl MC city)
5. Smt. Ashwini Joshi, Addl. MC (City), BMC.
6. JT MC Vigilance
7. JT MC Mr. Chore (OSD to MC accused no. 2)
8. Uddhav Chandanshive. (then Asst Comm B ward)
9. Smt. Sangeeta Hasnale (then DMC zone-1) Having office at BMC head office CS, Mumbai-400001
10. Sr. PI JJ Marge police station, Mumbai Below JJ flyover bridge, Mumbai-400008
11. DCP zone-1, Mumbai. Having office at Fort, Mumbai - 400001.
12. Others unknown accused and role of the elected representatives

.....Accused

**Criminal Application under Sections 61(2) ( 120B ), 125 (336), 198 (166), 199 (166A), 255 (217), 256(218), 316(5) (409), 326(b) (431) of BNS/ IPC, violation of article 49, 51 (f), (i) of Constitution, Maharashtra Prevention of Defacement of Property Act, 1995**

The applicant is prosecuting the above accused person mentioned herein above for making engineering changes under the guise of beautification as well as in violation of MRTP act.

**Meaning of 'Beautification' – Legal Clarification**

**1. Meaning vs. Structural Change**

“Beautification” does not legally mean changing the original structure of a road, footpath, or divider, altering measurements or width of the carriageway, reducing usable road space for pedestrians or vehicles, or changing the original approved layout or alignment of a public road or footpath. **These are engineering or planning alterations, not beautification.**

**2. What “Beautification” Covers (as per administrative practice)**

BMC and similar civic bodies use “beautification” to mean surface-level aesthetic improvement only, such as:

- Painting, resurfacing, cleaning
- Lighting, benches, garden elements, tree plantation
- Installing bollards, railings, tiles, planters
- Decorative structures or murals
- Repairing or relaying existing footpath or divider without changing its width, alignment, or design

**Thus, beautification is cosmetic or aesthetic, not structural or dimensional.**

1.1 The Applicant is a law-abiding senior citizen aged 67 years and resident of Mumbai at above address

1.2 The present application is filed against the above named accused who are public servants and holding top post in BMC having head office at CST, Mahapalika Marg, and other unknown accused, which also consist of elected representatives, who, while holding positions of authority and / or as public

trustee, have deliberately and willfully abused their powers by permitting, protecting and promoting illegal structures, construction and creating obstructions and encroachment in the middle of the road by converting and changing the size of dividers illegally under guise of beautification illegally and wrongfully.

**The whole plan of art gallery cafeteria and reading room in the middle of the road, where citizens cannot cross, no parking spaces are available and motorist move at a snail pace in the most congested area is mockery of the accused public servants and in connivance with local elected representatives who have played fraud on the citizens**

**Starting from JJ fly over near JJ police station**

to

**Fort side near MRA Police station**

in gross violation of every law i.e. MRTP, MMC, circular 14.12.99 and several Hon. Bombay High Court and Hon. Supreme Court orders. The applicant has also filed PIL in this matter on civil side before Hon. Bombay High Court. The same is pending.

1.3 The above accused have conspired to protect the illegal structures and acted in furtherance to evil design to not demolish the illegal obstruction and encroachment and clear the road, along with the Addl MC city (accused no. 2) and Municipal Commissioner (accused no.1) and others. The offence is a continuous offence and hence even the present officers along with then officers who consented and allowed the encroachment / construction of obstruction are equally responsible for being prosecuted for protecting, aiding and abetting these continuous offences.

**1.4 Jurisdiction of court no. 64:** The acts complained of and the consequences thereof have occurred partly within the jurisdiction of the JJ Police Station and partly within the jurisdiction of the BMC Head Office (Fort), which falls under the territorial jurisdiction of this Hon'ble Court. Hence, this Hon'ble Court has concurrent jurisdiction.

4

## 2. Details of the Offence

- a. The accused who are employees of BMC and are considered to be public servant (2(28) BNS/ 21 IPC) **have been entrusted** with control over public roads, footpaths, traffic islands and parking spaces in Mumbai. The accused **also have dominion** over the public roads, footpaths, traffic islands and parking spaces in Mumbai. These accused BMC officers have committed criminal breach of trust by changing the user of road by **constructing illegal permanent structures in the middle of the road below JJ flyover bridge thereby reducing the usable space of road denying free movement of pedestrians and motorists as well misappropriation of public fund for illegal activities.**
- b. As per the MRTP Act and the BMC Act, as well as the Circular dated 14.12.1999 of the BMC, and several binding precedents / judgments of the Hon'ble Bombay High Court and the Hon'ble Supreme Court, no construction or obstruction and encroachment (temporary / permanent structures) is permissible on roads, traffic islands and footpaths. The road, footpath and traffic island space cannot be used for any other purpose but for safe and free movement of pedestrian and motorist.

Hereto annexed and marked as **Exhibit—A** is copy of the circular 14.12.1999

- c. The accused, however, knowingly and wrongfully permitted illegal structures and created encroachment and obstructions, in the middle of road thereby reducing the useable space for motorist and pedestrian's movements which have resulted into endangering public safety, causing severe traffic congestion, and denying the citizens their constitutional right to free movement on road.

Hereto annexed and marked as **Exhibit- B** colly are the photos of the illegal structures constructed below the JJ flyover bridge.

- d. The applicant also submits letter dt. 18.7.23 from DMC (accused no. 7) where in other matters of encroachment on road and footpath she has directed demolition of the structures on roads within 15 days. However, thereafter she did not allow the demolition.

Hereto annexed and marked as Exhibit—C is copy of the accused no. 7, letter dt. 18.7.23 to demolish the illegal structures on road and footpath.

- e. Vide letter dt. 15.12.2023 the JT CP traffic has informed the BMC not to carry out any beautification without taking NOC from JT CP traffic police

Hereto annexed and marked as Exhibit--D is copy of the JT CP letter dt. 15.12.23 to BMC

- f. The applicant states that vide letter dt. 12.3.24 the Dy Chief Engineer (road and planning) has informed the accused that the NOC and other conditions have not been obtained.
  - i. without compliances of fire NOC conditions
  - ii. without JT CP Traffic NOC
  - iii. fire compliance certificate of all conditions laid in NOC has been complied with documentary evidences.
  - iv. NOC from EE ( T& E )
  - v. Underground utilities.
  - vi. Regulatory authorities
  - vii. Local police station (cognizable offences committed for which Sr. PI is responsible to register FIR u/s 166 (198), 166A (199), 217 (255), 218 (256), 336(125), 409 (316 (5), 431 (326B),

Without prejudice to my rights and contentions that even if such permission / NOC is given by JT CP Traffic and fire brigade and / or any other agencies it shall be making of false / incorrect documents and using them as genuine for purpose of cheating by the officers of Fire brigade as well as JT CP Traffic and other authorities, as they cannot overrule law and Court directions.

6

6

Hereto annexed and marked as Exhibit--E is copy of the BMC road and traffic planning dept letter dt. 12.3.24 to BMC.

- g. Accused IqbqI Chahal (accused no.1) was Municipal commissioner from 8<sup>th</sup> may 2020 to 21.3.24 during his tenure the illegal encroachment below the JJ flyover bridge started under guise of beautification along with Addl MC was accused no.3,4, 5 Mr. Sanjeev kumar, Ashish Sharma and Ashwini Joshi.

**Conclusive evidence to prove direct involvement of accused no. 2,5,6,7,8**

- h. the B ward official vide noting ACB/ AE(M) 810/SR/gen/5-12.8.24 requested for consent of accused no.2 Mr. Bhushan Gagrani. The noting discloses the motive and dishonest intentions of accused no.2, who did not sign the noting. Instead the accused no. 7, Mr. Chore noted with his handwriting on 11.9.24

**“this was discussed with Hon. MC by you in presence of AMC (C). Please do the needful.”**

This proves the direct involvement in the crime of Bhushan Gagrani, Ashwini Joshi, Jt MC (vigilance) Mr. Chore and Mr. Chandanshive (then Asst Com B ward)

Hereto annexed and marked as Exhibit -E1 is the file noting signed by Chore on 11.9.24 and Ashwini Joshi on 4.9.24 and Bhushan Gagrani not signing.

- i. The accused have also violated the GR 3.5.2018 wherein it is directed that the name and designation of the person signing shall be readable.

Hereto annexed and marked as Exhibit---E 2 is GR 3.5.2018.

- j. The DMC zone-1 Sangeeta Hasnale vide her noting dt. 13.8.2024 has clearly noted that

“call urgent meeting at your office or Hon. MC sir office be called in the office.”

i.e. in the office of accused 2 and 5. Namely Mr. Bhushan Gaggrani and / or Smt. Ashwini Joshi.

k. **Role of MC, all Addl MC and Jt MC vigilance (IAS officers) made out:** Hereto annexed and marked as **Exhibit- E3** is chart of direct involvement against the IAS officers.

l. **NO NOC from Traffic police:** the traffic police have not granted NOC. attached letter dt. 1.2.2024.

Hereto annexed and marked as **Exhibit E4** is copy of the traffic police objecting to beautification below JJ flyover.

3. **Conduct of the Accused:** These accused 1 to 6 are seized with all knowledge and information of the continuous offences being carried out all along the middle of the road. These accused senior have willfully chosen to protect such illegal change of user, obstruction / encroachment on road and public spaces. **The proof of their direct involvement is no action is initiated against subordinate officers and no directions are given to demolish these illegal structures.**

Such permission / consent by accused 1 and 6 are not only illegal but also bad in law. It was duty casted upon these officers being supervisory officers to supervise the working of lower rank staff. Thus all these accused have collectively failed to take action and remove the illegal structures inspite of complaints submitted to their offices.

3.1 The accused have committed the following offences with full knowledge that they are violating every provision of law and causing unwarranted injury and unsafe road and footpath to citizens, as under amongst other namely

a. Disobeyed the binding precedent not to allow any structure/ obstruction / encroachment on road.

- b. Disobeyed the binding directions of MMC and MRTP act, BMC Circular dated 14.12.1999, and judicial pronouncements.
- c. Misused and abused their official position for wrongful gain to private entities and wrongful loss to the public.
- d. Reduced the usable road space. Erected illegal structures.
- e. Created unsafe conditions on road below the JJ flyover bridge endangering life and limb of pedestrians by blocking safe passage and obstructing smooth vehicular movement.
- f. Made the road and footpath less safe for movement and use of pedestrians and motorists.
- g. Issued illegal permissions to erect structures in the middle of road.
- h. caused wrongful loss and injury / harassment to public at large by erecting such illegal structures with tax payer's monies.
- i. Their acts cannot be said to have been done in good faith, as they were carried out without due care and attention, particularly when the law itself expressly prohibits such illegal acts.

**As per Section 52 of the Indian Penal Code,  
 'Nothing is said to be done or believed in good faith which is done  
 or believed without due care and attention.**

**4. No Sanction Required: Illegal acts and disobeying of law cannot fall within ambit of discharge of official duties.**

Without prejudice to my rights and contentions, if this Hon'ble Court concludes that sanction is required and that these acts fall within the ambit of "discharge of official duty", the Court must pass a detailed, reasoned and speaking order explaining:

- i. The illegal acts committed by the accused—permitting illegal encroachment, in defiance of binding Circular dated 14.12.1999 and several judicial orders—are in gross violation of law and entirely beyond the scope of discharge of their official duty.
- ii. Any act of omission or commission that attracts penalty, prosecution, or disciplinary action cannot be construed as an act

done in the discharge of official duty. (Matajog Dobey v. H.C. Bhari, AIR 1956 SC 44; Prakash Singh Badal v. State of Punjab, (2007) 1 SCC 1).

- iii. Any / every act committed by any public servant while holding official position cannot be considered to be as an act which falls within ambit of discharge of official duty.
- iv. The question is not whether the public servant was in service or on duty or not but whether the alleged offences have been committed by them while acting or purporting to act within the ambit of discharge of official duty.
- v. The indulgence of public servants in false oath of allegiance towards Constitution of India, acting in conspiracy, disobedience of direction of law, misuse and abuse of position, aiding and abetting of illegal acts and offences, criminal breach of trust, falsification of accounts and calculations, cheating, fabrication of records, issuing wrongful orders in contradiction to the main act / law, misappropriation, permit evasion of duty, cause loss to revenue, causing wrongful gains to others, acting against larger public interest cannot fall within the ambit of discharge of duty.
- vi. that even administrative decision must be made fairly and impartially and on relevant evidence.
- vii. I rely on SC judgement that Sanction is not required for registration of FIR and can be decided by the Ld. Magistrate while proceeding with trial. **(copy attached) Ram Sagar v/s CBI**

**Request to Hon. Court to pass speaking and reasoned orders whether the offences mentioned in this application disclosing cognizable offences**

**comes within ambit of discharge of official duties if at all sanction is required.**

5. Without prejudice to my rights and contentions, if this Hon'ble Court concludes that sanction is required and that the acts complained of fall within the ambit of "discharge of official duty", the Court must pass a detailed, reasoned and speaking order explaining:

- i. This Hon. Court shall confirm if the details of the authority granting sanction to prosecute is displayed by the accused persons to educate citizens as per section 4 of RTI act. A common man is not expected to know all such information unless displayed.
- ii. Directing the public authorities to display boards outside their cabins and at prominent places in all the offices and branches disclosing names, addresses tel no. email address and all relevant information about the sanctioning authority.
- iii. Whether acts constituting offences mentioned in the application which are impermissible in law, including the non-disclosure of information regarding the authority which is competent to grant sanction for prosecution, can lawfully be considered as acts done in the discharge of official duties?
- iv. Whether dereliction of duties, illegal acts disobeying the law, misuse and abuse of public office, act contrary to law, falls within the ambit of discharge of official duty.
- v. Whether disobeying circular 14.12.1999 which directs not to permit any temporary and permanent structures on road, footpath and traffic island comes within ambit of discharge of official duty.
- vi. Whether violation of the binding precedent of not allowing any encroachment and obstruction on road comes within ambit of discharge of official duty.

- vii. Whether disobeying the direction of Constitutional court and illegally allow obstruction / encroachment on road, footpath, traffic islands and parking spaces comes within ambit of discharge of official duty.
- viii. Whether carrying out encroachment / obstruction on public spaces without NOC / permissions of the competent authorities come within ambit of discharge of official duties.

**6. Compliance of section 154(1) and 154(3) CRPC**

The Applicant has filed application u/s (173(1) BNSS with JJ marg police station and application u/s 173(4) corresponding BNSS with DCP zone 1- with reminder. However, no FIR is registered on the grounds that BMC has authority to create obstruction and encroachment on road vide MMC section 61 (M) which reads as under:

**MMC act Section 61 M:** it shall be incumbent

the construction, maintenance, alteration and improvement of public streets, bridges, culverts, causeways, and the like: (and also other measures for ensuring the safe and orderly passage of vehicular and pedestrian traffic on streets.)

Hence, this application is filed before this Hon. Court.

Hereto annexed and marked as

**Exhibit- F** colly 2.3.24, 15.3.24, 19.3.24 correspondence with JJ marg police station u/s 173(1) BNSS / 154(1) CRPC

**Exhibit G :** JJ marg police station letter dt.6.3.24 giving show cause notice to B ward.

**Exhibit- H:** JJ marg police letter dt. 26.3.24 closing the application that BMC has been empowered to do under **MMC act section 61 (M)**

Exhibit- I <sup>Calby</sup>: is copy of the application filed before DCP zone-1 under 154(3) CRPC / 173(4) BNSS. 20.3.24 and 2.4.24

Exh - J Calby News paper cutting

Exh - K Resolution of Petition Group Founders

**7. Role of SR, PI JJ marg police station and DCP zone-1.**

- a. SR PI and DCP zone-1 has failed to register FIR and disobeyed the direction of DGP circular 17.2.2012 and Hon. Supreme Court direction to immediately register FIR when cognizable offence is disclosed. Hence, the SR. and DCP Zone-1 are also accused and FIR shall be registered u/s 199 BNSS (166A) and other relevant sections. No FIR is registered nor any reply has been provided informing that no cognizable offence has been disclosed in the application u/s 154(1) and 154(3) CRPC i.e. (173(1) 173(4) BNSS. These two senior police officers acted in conspiracy with the accused by accepting the irrelevant submissions which is contrary to law and wrongfully did not register FIR.
- b. Hence the SR PI JJ marg police station and DCP zone-1 have harboured the offenders by misusing their positions to cause injury to public at large.
- c. Vide email dt. 2.4.24 the DCP zone 1, after being satisfied that cognizable offence is disclosed directed the ACP to

**“ ACP Dongri Division, Mumbai**

**Appropriate action should be taken as per law.”**

However, thereafter denied to register FIR.

**8. Role and Accountability of Elected Representatives and Guardian Minister. (shall produce evidence when court directs or during investigation) B ward letter dt. 6.2.24**

The MP, MLA, Councilors and Guardian Minister of Mumbai cannot be silent spectator to such blatant illegalities. They have to justify their act of omission and commission along with section under MMC act and MRTTP act. They have taken oath of allegiance towards the Constitution of India and have failed to abide by it, thereby making a false statement on oath and acting against the larger public interest. Hence it is necessary to investigate their role in the commission of this crime.

**a. Oath of Allegiance and Breach of Constitutional Duty by Elected Representatives**

That every Member of the State Legislature, including the Member of the Legislative Assembly and Member of the Legislative Council, is constitutionally bound under Article 188 read with Schedule III, Part IV of the Constitution of India to take an oath or affirmation declaring that he or she will bear true faith and allegiance to the Constitution of India as established by law, will uphold the sovereignty and integrity of India, and will faithfully discharge the duty upon which he or she is about to enter.

This solemn oath is a binding constitutional obligation and not a mere formality. Any failure, inaction, or conduct contrary to the spirit of this oath—such as permitting or ignoring illegal acts, shielding corrupt officers, or acting against the larger public interest—constitutes a breach of oath, violation of constitutional trust, and dereliction of statutory duty. Hence, the role and accountability of these elected representatives require investigation to determine whether their acts of omission or commission have facilitated the continuance of illegality or caused loss to the public at large.

**9. IAS, IPS, IRS and elected representatives, are the real and habitual violators of law conspire to conceal mandatory information.**

A common man should be made aware of the following details which are dishonestly concealed by these top ranking public servants

- i. It is most respectfully submitted that directions be issued to all competent authorities to ensure that boards disclosing details of the **authority which grants sanction to prosecute are fixed outside every cabin** and at prominent places in government offices, clearly displaying the designation, office address, official email address, and telephone number of officers, particularly those belonging to the IAS, IPS, IRS cadres, and elected representatives.
- ii. This measure is essential to promote transparency and accountability so that citizens can easily identify and approach the appropriate authority for grievances, applications, or applications for sanction to prosecute. As mandated under Section 4 of the Right to Information Act, 2005, every public authority must proactively disclose details of the competent authority empowered to grant sanction for prosecution.
- iii. Further, in accordance with Regulation 9(2) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005, the designations, **office addresses, email addresses, and telephone numbers of at least three senior officers authorized to receive applications** should be prominently displayed in every office. Such transparency is vital for enabling a common citizen to understand where to file applications or applications for prosecution sanction, thereby ensuring accountability and preventing deliberate evasion of responsibility by public officers.
- iv. The above **information is public intellectual property which entrusted, and is in dominion of the above public servants with direction of law prescribing the mode in which such trust / information / intellectual property is to be discharged, or of any**

legal contract, express or implied, which is touching the discharge of trust, and willfully causes suffering / injury / denial of fundamental rights to citizens who want to prosecute and file applications to set the law in motion against the corrupt and non performing public servants.

- v. Hence the accused have violated the direction of law and **committed criminal breach of trust by public servants** who are entrusted the information and have dominion to such mandatory and vital information.

**Gist of Cognizable Offences:**

The acts of commission and omissions of the accused persons, being public servants entrusted with the management and control and dominion of public roads, footpaths, and traffic islands, and these trustees illegally by misusing and abusing their positions allowed encroachment to create obstruction in free movement of pedestrians and motorists clearly disclose the commission of cognizable offences under various provisions of the Bharatiya Nyaya Sanhita, 2023 and the Indian Penal Code. The accused have, in conspiracy, permitted and protected illegal structures/ encroachment and obstructions on public roads public spaces, falsified official records, used false and incorrect records as true to cheat the citizens, disobeyed lawful directions, misappropriated public funds by using the monies for illegal activities, and thereby endangered public safety and caused wrongful loss to citizens. Their deliberate misuse of authority amounts to criminal breach of trust by public servants, disobedience of law, abuse of position, falsification of records, blatant disobedience of direction of law and creation of unsafe conditions endangering life and property. These acts are punishable under Sections 61(2)/120B, 125/336, 198/166, 199/166A, 255/217, 256/218, 316(5)/409, and 326B/431, 336/2- 465, 338/467, 336/3-468, 340/2-471 316/5-409, and 326B/431 BNS, and fall squarely within the definition of cognizable offences, warranting immediate registration of FIR under Section 173(1) BNS without any prior sanction.

**Prayer**

- A. Direct the applicant to submit clarification / explanations in writing if there are any doubts remaining in the minds of the Hon. Court that this application does not disclose prima facie cognizable offence against the accused.
- B. direct to register an FIR forthwith against all accused mentioned above in the application to register FIR as well as against the SR PI JJ marg police station and DCP zone-1, for not register FIR in application disclosing cognizable offences along with other unknown accused.

Mumbai

Dated this 14<sup>th</sup> day of November 2025.

*KR Shenoy*  
Applicant

**Verification**

I, Kamlakar Ratnakar Shenoy, the applicant herein, do hereby verify that the contents of this application are true and correct to my knowledge and belief.

Mumbai

Dated this 14<sup>th</sup> day of November 2025.

*KR Shenoy*  
Applicant

2115

MUNICIPAL CORPORATION OF GREATER MUMBAI  
No. BY.Ch.E./10340/Traffic of 14.12.99

SUB: Granting permission on R.L. D.P. and other roads for PSC blocks, Vayamshala stalls etc.

In this connection a circular was issued by Ch.Eng. (D.P.) under No. Ch.Eng./4643/DPC of 27.2.96. As per the condition No.10 of the said circular no stalls/centres are to be permitted within the road lines existing/proposed. Subsequently the said condition No.10 was modified by the D.P. Deptt. vide circular issued under No. Ch.Eng./4064/DPC/Gen. of 11.3.98. As per the said modified condition stalls/centres may be permitted where roads are not likely to be widened in near future and subject to obtaining remarks from E.S.T. & C that there is no necessity of widening road in future.

As per the AMC (ES)/MC orders under No. MC/E/2126 of 15.11.99. No structure temporary/permanent are allowed on road/footpath. Hence no permission is to be granted on roads/footpath whether it is D.P./R.L. road.

A photocopy of note put up by AMC (ES) to M.C. and M.C's order there on is forwarded here with for ready reference please.

In view of M.C.'s above orders all zonal Jt. E.C. / J.M.C. / J.O. are requested not to grant any stall/centres/temp. structures etc. on Municipal roads/footpath.

*[Signature]*  
Chief Engineer  
(C.C. Rds. & Tr.)

Copy forwarded for information please.

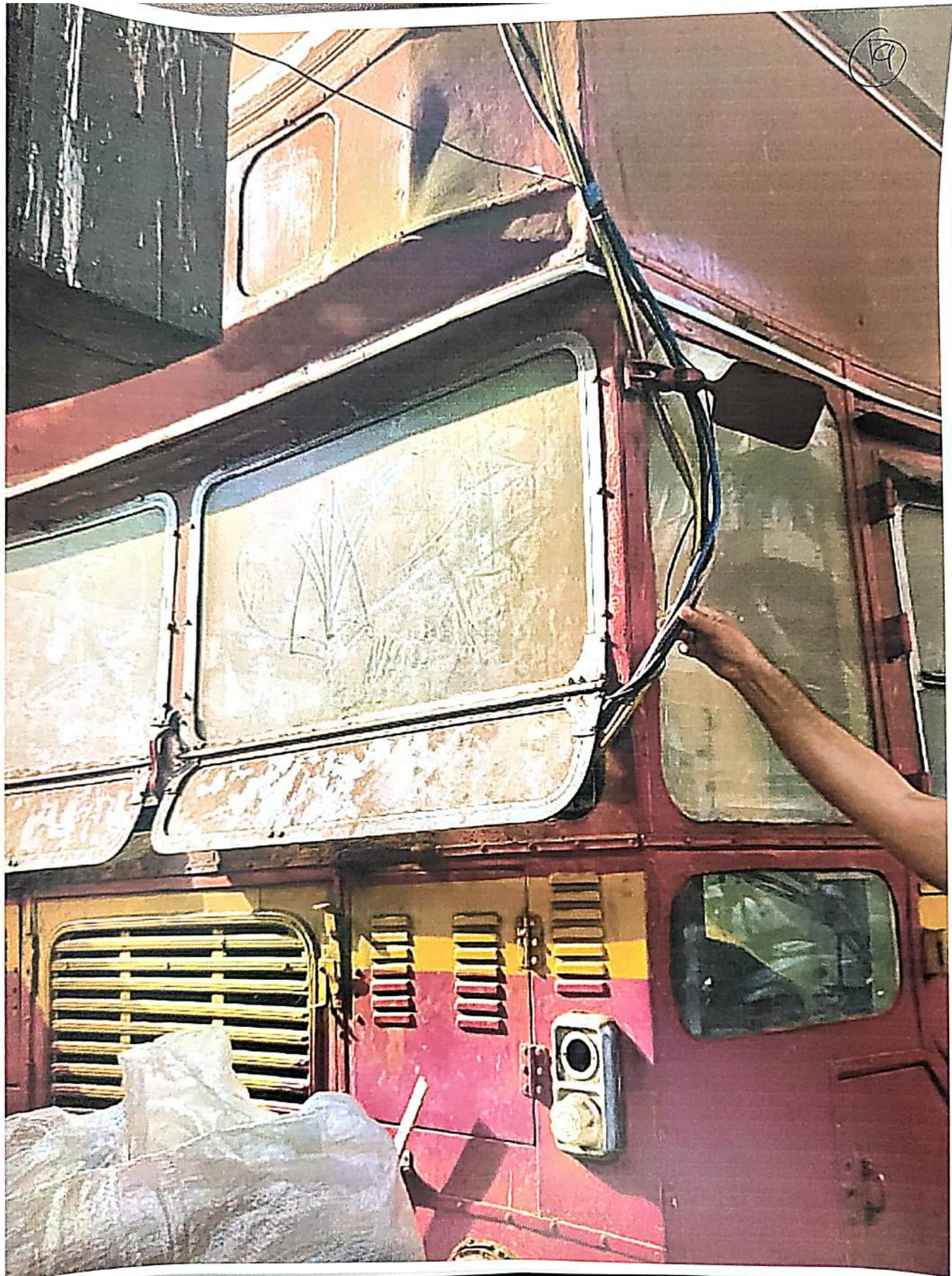
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F/S. P/H. S/S. H/EI H/W. K/M. J. M/E. H/W. H. P/H.  
P/S. R/H. R/S. S.T.

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*[Signature]*

Exh 'B'

18



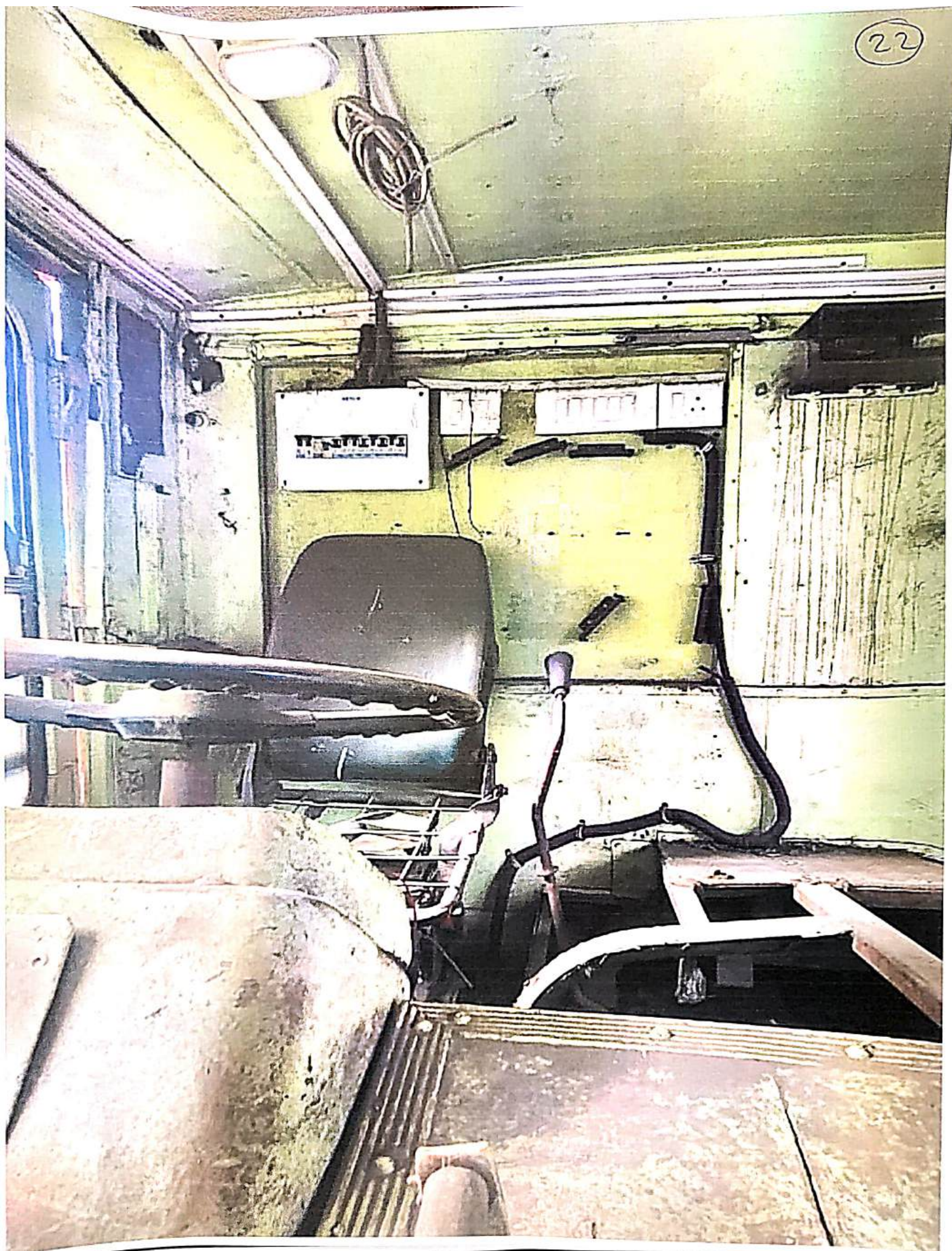


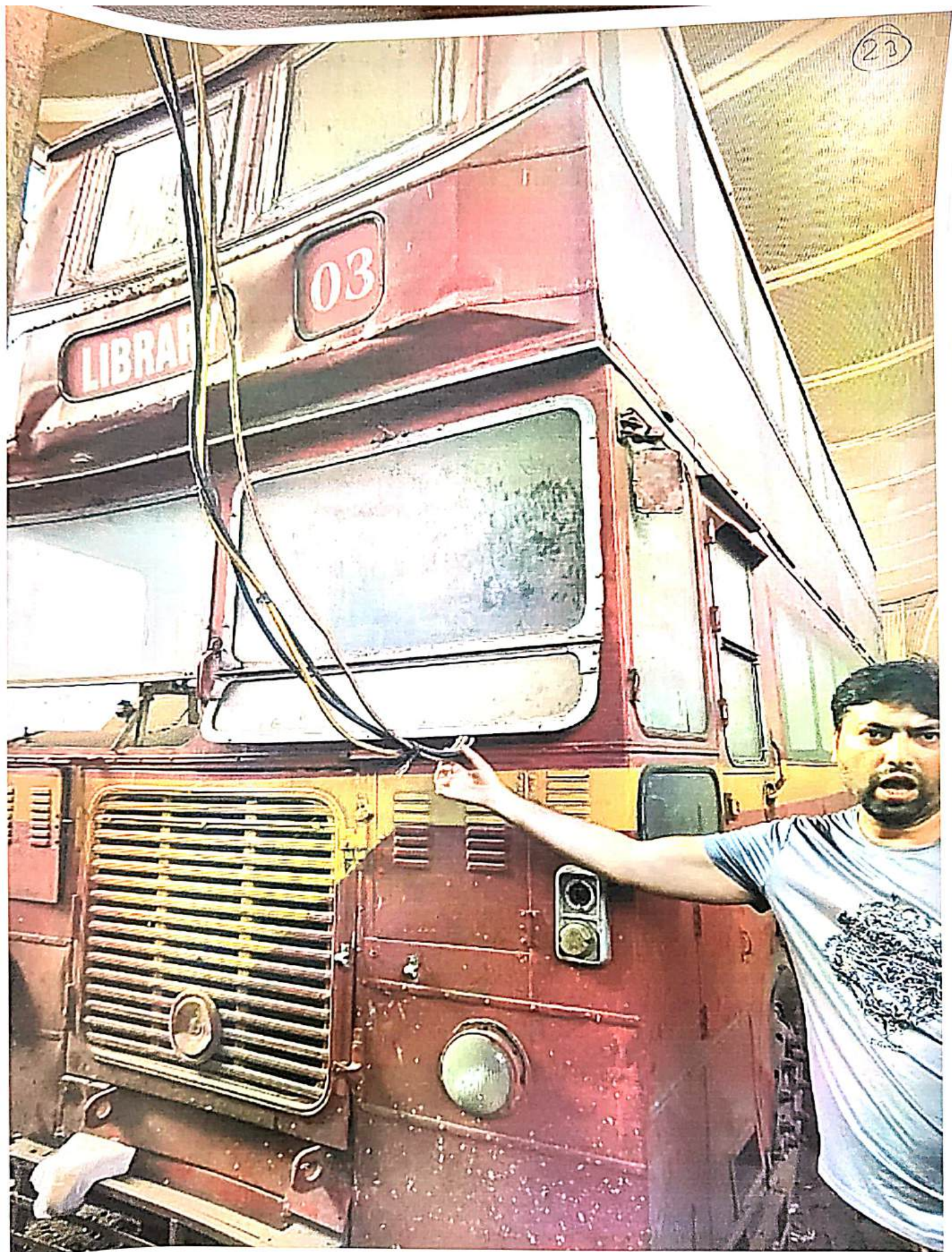
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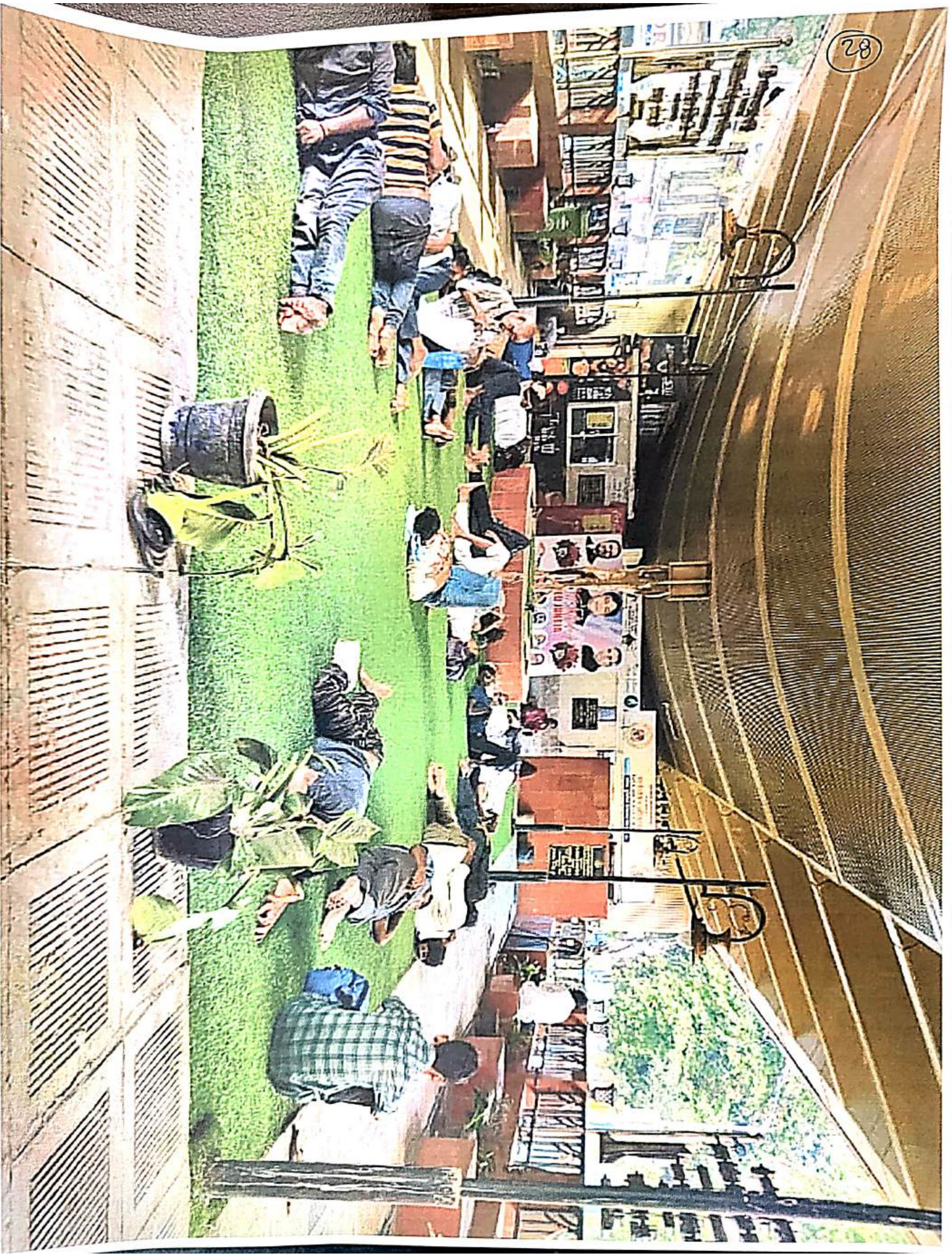
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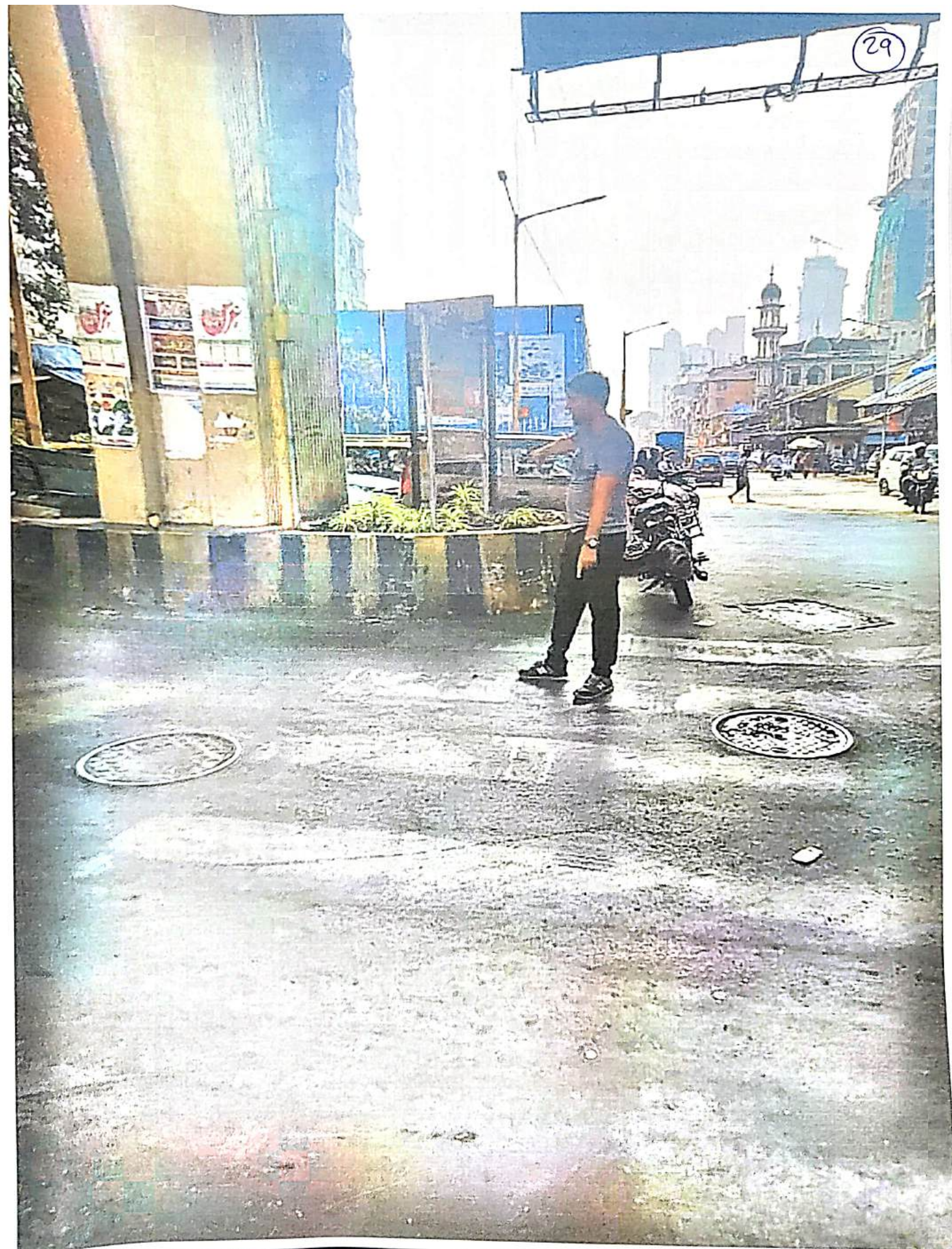










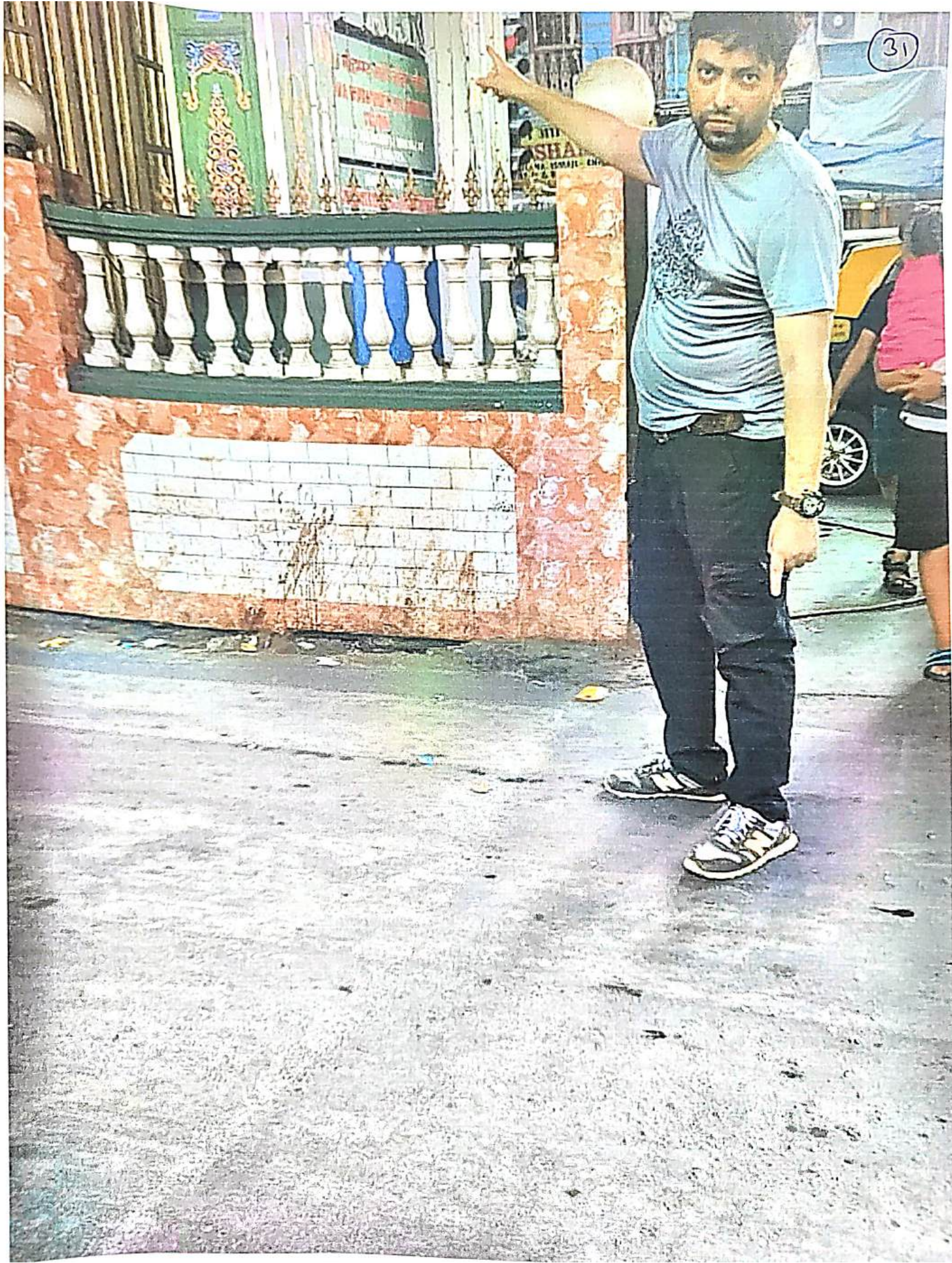


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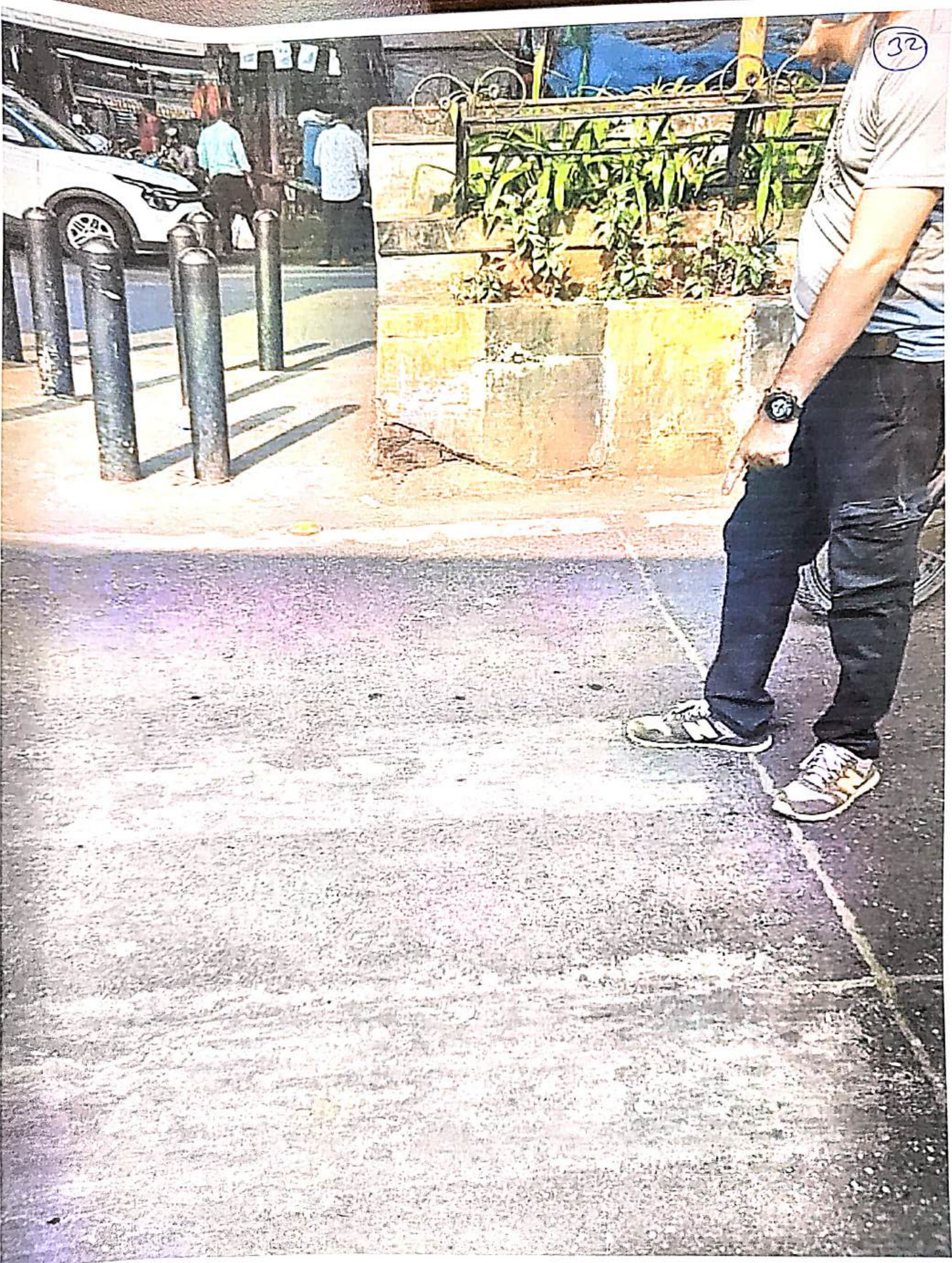
سارے جہاں سے اچھا ہندوستان ہمارا  
 بڑی تیل کم روٹی ہے ہندوستان ہمارا  
 ڈاکٹر علامہ محمد اقبال چوک  
**DR. ALLAMA MOHAMMAD IQBAL**  
**CHONK**  
 SARE JAHAN SE ACHHA HINDUSTAN HAMARA,  
 HINDI HAIN HAM WATAN HAI HINDUSTAN HAMARA.

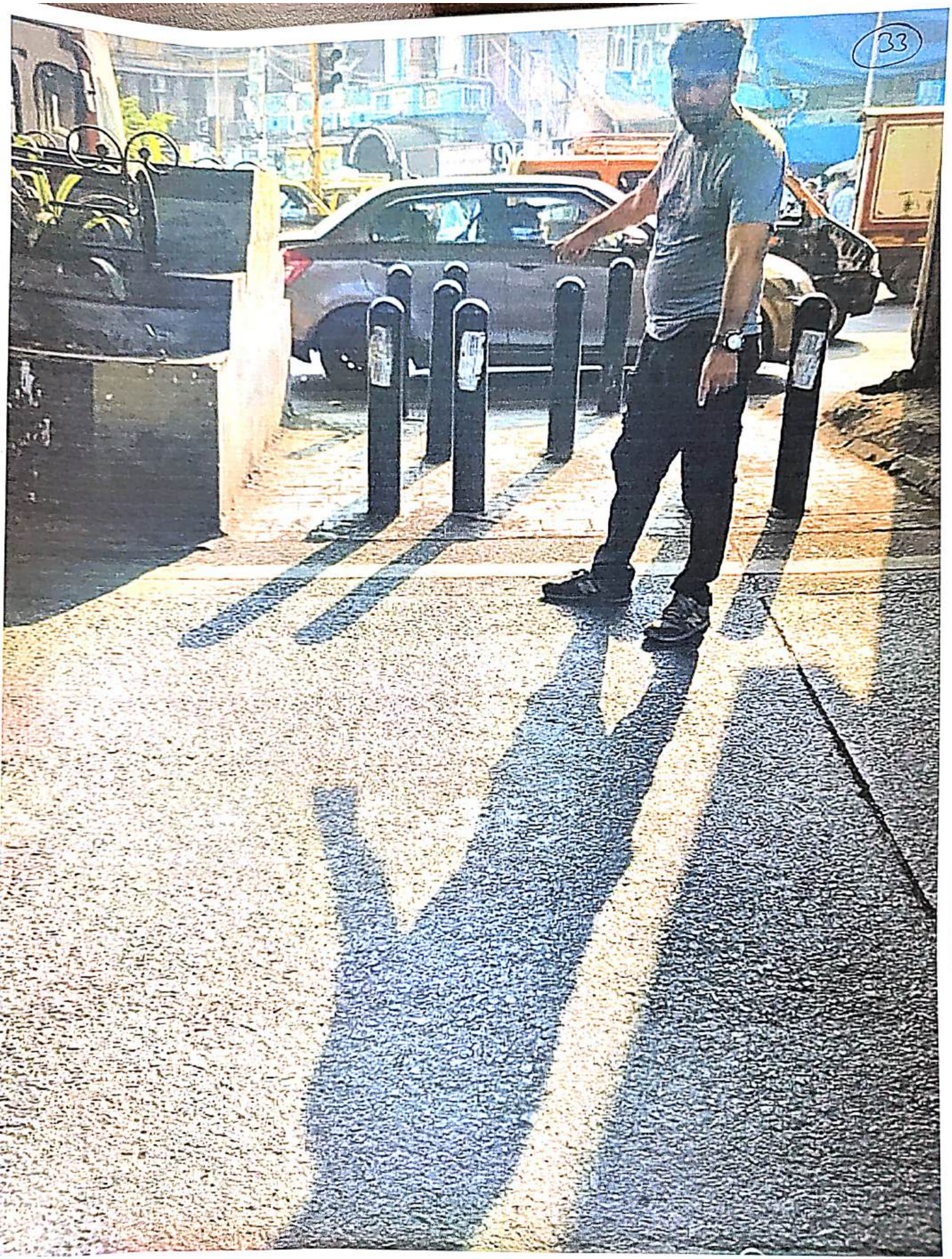
INAUGURATED BY  
**SHRI. MLIND DEORA M.P.**  
 UNION MINISTER OF GOVT. P.C.I. COMMUNICATION & L.L.  
**SHRI. AMIN PATEL M.L.A.**  
 GOVT. P.C.I. STATES  
 CHONK, 11/11/1952





32





आतनाची दिवाळी वारसा नापणारी! शोच्य उजळणारी!

दिवाळी शुभेच्छा

अ. आदित्य शेळार

आतनाची दिवाळी वारसा नापणारी! शोच्य उजळणारी!

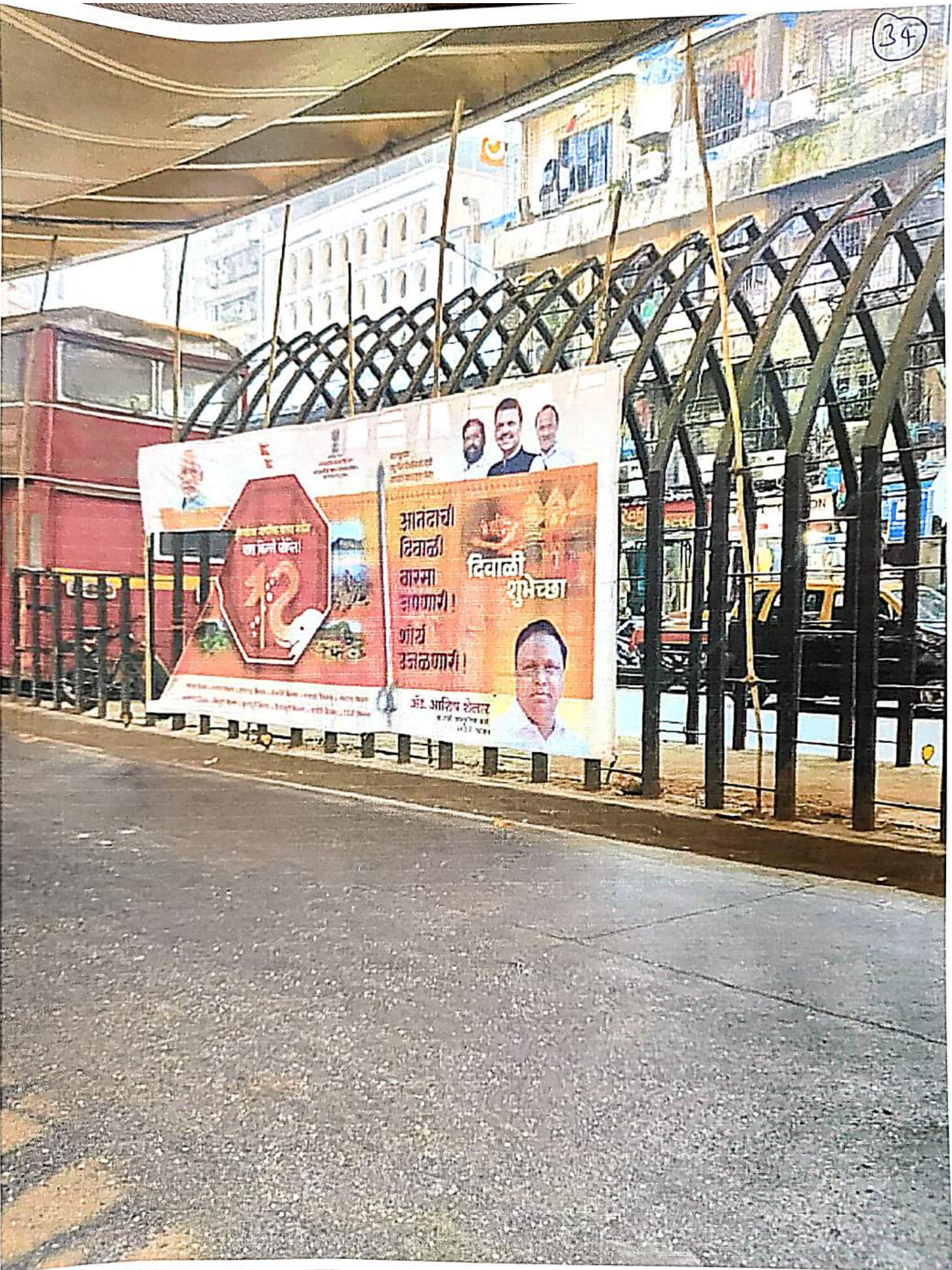
दिवाळी शुभेच्छा

अ. आदित्य शेळार

आतनाची दिवाळी वारसा नापणारी! शोच्य उजळणारी!

दिवाळी शुभेच्छा

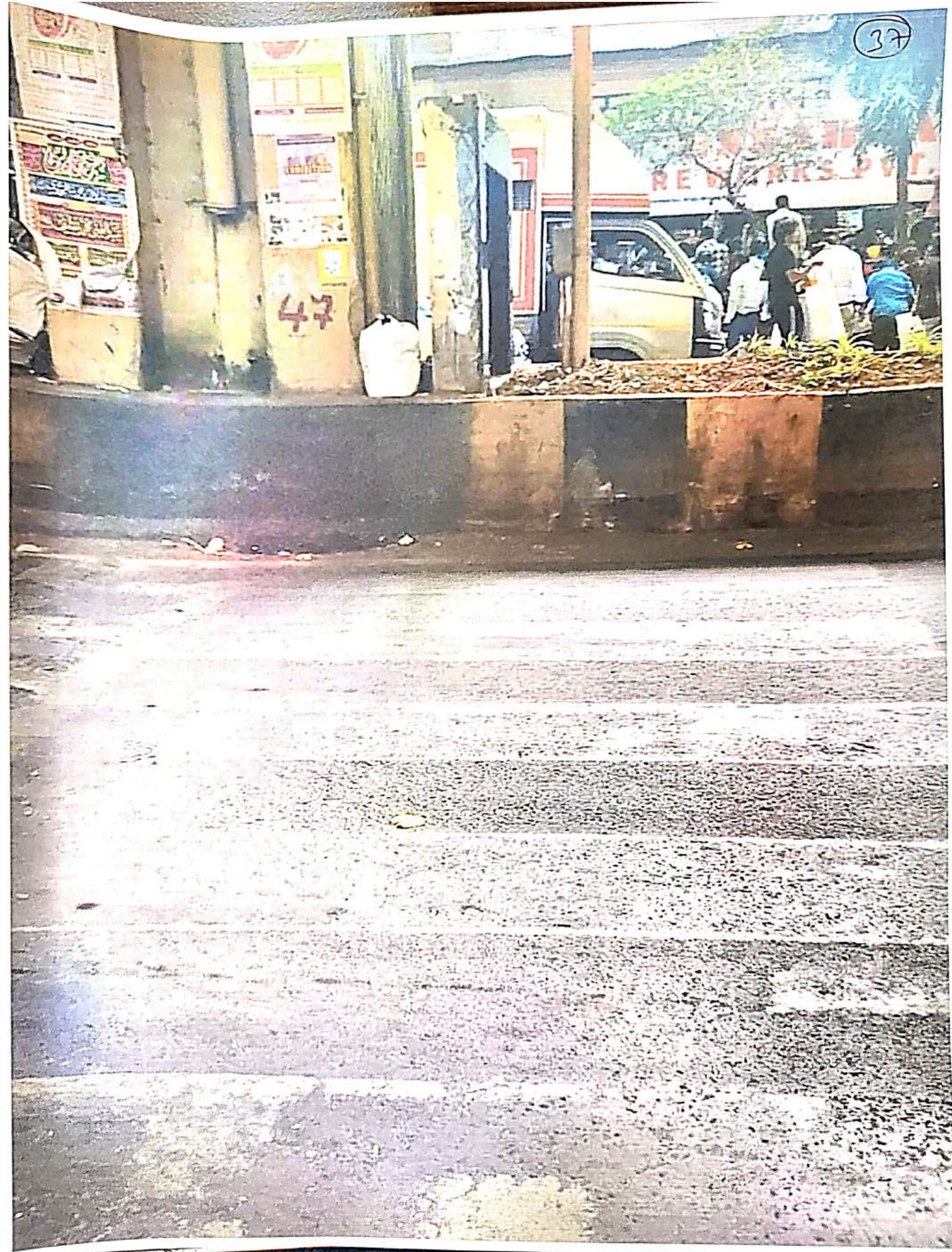
अ. आदित्य शेळार







37



१२  
 सुखदोषा कसोबे चालवू पुरी  
 का किल्ले खोलिए!  
 आतंदाची दिवाळी वारमा जाणवारी!  
 शौर्य राजवणी!  
 दिवाळी शुभेच्छा  
 जेंड. आशिष शेळार



युतन्मुखी महानगरपालिका  
क.उप.अ.वि./2302/वाहतूक दि. 10.07.2023  
पृ 1 पृ 7973

विषय - सन 2021-22 मध्ये व लागूविली करण्यात आलेल्या रस्ते, वाहतूक तरे व प्रत्येक वावर करण्यात आलेली कथित अनधिकृत बांधकामे/अतिक्रमणे/अशुद्ध इत्यादी बाबत श्री.कमलाकर शेनॉय यांनी केलेल्या विविध तक्रारी.

- संदर्भ - 1.उपायुक्त (विशेष)/499 दिनांक 03.02.2023  
2.एमजीसी/एफ/7576/ दिनांक 17.02.2023  
3.एमडीबी/6574/ओडी दिनांक 23.06.2023.  
4.परिपत्रक क्र.DYCHE/10340/Traffic dated 14.12.1999.

उपरोक्त विषयाच्या अनुषंगाने उपायुक्त (विशेष) यांनी वरील संदर्भ क्र 1 अन्वये मा.मनपा आयुक्त यांची मान्यता प्राप्त करून, वरील संदर्भ 2 अन्वये उपप्रमुख अभियंता (रस्ते व वाहतूक) यांना श्री.कमलाकर शेनॉय यांनी तक्रार केलेली 33 कामे उपरोक्त संदर्भ क्र.4 मध्ये नमूद केलेल्या परिपत्रकाच्या मार्गदर्शक तत्वाप्रमाणे आहेत किंवा नाहीत याची सत्यता तपासून त्याबाबतचा अहवाल उपायुक्त (परि-1) यांना सादर करावा, असे आदेश दिले आहेत.

सदर प्रकरणी, उप आयुक्त (विशेष) यांचा संदर्भ क्र.1 व उप आयुक्त (परिमंडळ-1) यांचा संदर्भ क्र.3 अन्वयेच्या अहवालाच्या अनुषंगाने या कार्यालयाचे अभिप्राय खालीलप्रमाणे आहेत:-

1) प्रस्तुत प्रकरणी दोन्ही अहवालांमध्ये नमूद परिपत्रक क्र.DyChE/10340/Traffic dtd.14.12.1999 मधील ठळक मुद्दे खालीलप्रमाणे आहेत:-

"As per the AMC (ES) / MC orders under No.MGC/E/2126 of 15.11.99. No structure temporary/permanent are allowed on road/footpath. Hence, no permission is to be granted on roads/footpath whether it is D.P./R.L. road."

"In view of M.C.'s above order all zonal Joint M.C./D.M.C./A.C. are requested not to grant any stall/centers /temporary structures on municipal roads/footpath."

2) सदर प्रकरणातील नमूद 33 कामांचे परिपत्रक क्र. DyChE/10340/Traffic dtd.14.12.1999 च्या अनुषंगाने उप. प्रमुख अभियंता (वाहतूक) विभागामार्फत दि.10.07.2023 रोजी संबंधित विभाग कार्यालयाच्या कनिष्ठ अभियंत्यांसोबत स्थळनिरिक्षण करण्यात आले, त्यांनी दाखवलेल्या 33 कामांपैकी अनु क्र 2,3,5,6,7,8,10 ते 21,23 ते 24,26 ते 33 मध्ये नमूद केलेल्या कामांची स्थळपाहणी केली असता, सदर कामांमध्ये रस्त्यांच्या दुभाजकावर बांधकाम करणे, रस्त्याच्याकडेला शिल्पाकृती/ पुतळे बांधणे,कमानी बांधणे,वाचनालय बांधणे,नामफलक/शिल्पाकृती फलक बांधणे,वाहतूक बेटांवर शिल्पाकृती/ पुतळे बांधणे,प्याउ बांधणे, नामफलक/शिल्पाकृती फलक बांधणे,रस्त्याच्या लगतच्या भिंतीवर रंगकाम करणे ही कामे केल्याचे आढळून आले.

Aug 4, 2023 4:25  
Shaikh Hafizuddin

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वरील नमुने, अनु क्र. 2,3,5,6,7,8,10 ते 21,23 ते 24,26 ते 33 ही 28 कामे मिळविली व  
DyChf/10340/Traffic dtd.14.12.1999 चा मार्गदर्शक तत्वाप्रमाणे दिवून या नवीत रचना  
आवाचित्री सोबत जोडण्यात आलेली आहेत.

सविनय सादर

सोबत : 5 धारिणी

प्रमुख अधिकारी (रस्ते व वाहतूक) / १०  
11/6/2023

उप आयुक्त (परिमंडळ-1)  
महाराष्ट्र,

बृहन्महानगरपालिका  
प्रमुख अधिकारी (रस्ते व वाहतूक)  
यांचे कार्यालय  
10 JUL 2023  
(ACC: 5 Nasti)  
क. प्र. अ. (रस्ते) / 2476

बातळ

सेवा वी सी कारी र विभाग

शुभच। मणिकृष्णकराड

प्रमुख अधिकारी (रस्ते व वाहतूक)  
यांचेअभिप्राय परीक्षे त्वाप्रमाणे  
परिपत्रक क्र. DyChf/10340/Traffic  
दि. 14/12/99 च्या मार्गदर्शक तत्वा,  
प्रमाणे नसलेली कामे प्रमुख अधिकारी  
(रस्ते व वाहतूक) कार्यालयाचे लक्ष  
केलेले, कामे लिखाणीत करून  
त्याच। अखेर 99 दिवसात उपासु  
परि-। यांचा कादर करावा.

बृहन्महानगरपालिका  
उपायुक्त (परि-१) यांचे कार्यालय  
दिनांक: 14 JUL 2023  
वर्ग: १०, ११, १२, १३, १४, १५, १६, १७  
कामांक - प्रमंडळा 2264  
एम.डी. (परि-१)  
उपायुक्त (परि-१)

(ACC: 5 Nasti)

Aug 4, 2023 4:26  
R.Han...  
उप आयुक्त (परिमंडळ-१)



दुरध्वनी क्रमांक:-०२२ २४९४०३०३/(Extn-120)  
ई-मेल:-piplanning.traffic@mahapolice.gov.in



महाराष्ट्र शासन  
पोलीस विभाग

जन माहिती अधिकारी तथा,  
सहाय्यक पोलीस आयुक्त (नियोजन),  
वाहतुक पोलीस मुख्यालय,  
वरळी, मुंबई-४०००३०.

दिनांक:- 20/12/2023

जा.क्र. 653/वापोमु/सपोआ/नियो/मा.अ. १०५/२०२३

प्रति,

✓ Shri Kamlakar Ratnakar Shenoy  
B-903 Vaishali Apartment,  
Opp MTNL Exchange, Sheth Motisha (love) Lane,  
Mazgoan, Mumbai-400010.  
Mob. No. 9870987359.

विषय :- My meeting on 23.11.23 and Letter Dt 30.11.23 Emailed ची माहिती  
मिळणेबाबत दिनांक ०१/१२/२३ रोजीचा माहितीचा अधिकार अधिनियम-२००५ अर्ज.  
संदर्भ :- १) आ.क्र.२५३७०/वाहतुक पोलीस मुख्यालय/२०२३, दि.०४/१२/२०२३.  
२) जा.क्र.३४१२/पो.नि./नियोजन/वा/मा.अ./२०२३, दि.२०/१२/२०२३.

आपला दिनांक ०१/१२/२०२३ रोजीचा माहितीचा अधिकार अधिनियम-२००५ चा अर्ज संदर्भ क्र. ०१  
अन्वये या कार्यालयास दिनांक ११/१२/२०२३ रोजी प्राप्त झाला आहे.

आपल्या अर्जाचे अवलोकन करून आपण मागणी केलेली माहिती संदर्भ क्र.०२ अन्वये पोलीस निरीक्षक  
(नियोजन), वाहतुक पोलीस मुख्यालय, वरळी, मुंबई यांचे उपलब्ध अभिलेखावरून प्राप्त झाली आहे. प्राप्त झालेली  
माहिती आपणास या सोबत जोडून पुरविण्यात येत आहे.

उपरोक्त माहितीमुळे आपले समाधान झाले नसेल तर, सदर अधिनियमाच्या कलम १९ (१) नुसार या  
कार्यालयातील नियुक्त केलेले प्रथम अपिलीय अधिकारी तथा पोलीस उप आयुक्त, (मुख्यालय), वाहतुक मुंबई यांना  
सदरहू पत्र प्राप्त झाल्याच्या दिनांकाहून ३० दिवसांचे आत आपण आपला प्रथम अपिल अर्ज सादर करू शकता.  
प्रथम अपिलीय अधिकारी यांचे नाव व पत्ता खालील प्रमाणे.

प्रथम अपिलीय अधिकारी व  
पोलीस उप आयुक्त (मुख्यालय),  
वाहतुक पोलीस मुख्यालय,  
८७, सर पोचखानवाला रोड, वरळी, मुंबई.

20/12

( रविदत्त र. सावंत )

जन माहिती अधिकारी तथा,  
सहाय्यक पोलीस आयुक्त (नियोजन),  
वाहतुक, मुंबई.  
अतिरिक्त कार्यभार



माहितीचा  
अधिकार

जा.क्र. ३६३.../व.पो.नि./नियोजन/वा/  
मा.अ./२०२३,  
वरिष्ठ पोलीस निरीक्षक (नियोजन),  
वाहतूक पोलीस मुख्यालय, वरळी, मुंबई.  
दिनांक :- ३०/१२/२०२३.

प्रति,

मा. शासकीय माहिती अधिकारी तथा  
सहाय्यक पोलीस आयुक्त (नियोजन),  
वाहतूक पोलीस मुख्यालय, वरळी, मुंबई.

- विषय :- माहितीचा अधिकार अधिनियम-२००५ अन्वये केलेल्या अर्जाची माहिती.  
संदर्भ :- १. अर्जदार- श्री कमलाकर रत्नाकर शेणॉय यांचा दि.०९/१२/२०२३ रोजीचा  
माहिती अधिकार अर्ज.  
२. आपले पत्र जा.क्र. १०५/मा.अ./२०२३, दि. १८/१२/२०२३

महोदय,  
उपरोक्त विषय व संदर्भास अनुसरून अर्जदार श्री.कमलाकर रत्नाकर शेणॉय यांनी  
दि. ०९/१२/२०२३ रोजी माहिती अधिकार अधिनियम-२००५ अन्वये केलेला अर्ज या कार्यालयास  
दि.१९/१२/२०२३ रोजी प्राप्त झाला आहे. त्या अनुषंगाने माहिती सादर करण्याबाबत आदेशित केलेले आहे.  
सादर अर्जातील मुद्द्यांची माहिती खालील प्रमाणे सविनय सादर करण्यात येत आहे.

Sr. No	Applicant desire to seek information	Answer / Report
1	Date wise movement of the file/complaint	अर्जदार यांनी दि. ३०/११/२०२३ रोजी मा. पोलीस सह आयुक्त, वाहतूक, मुंबई यांचे कार्यालयास ई मेल द्वारे केलेला तक्रार अर्ज या कार्यालयास पुढील कार्यवाहीकरीता दि. ३०/११/२०२३ रोजी प्राप्त झाला.
2	Copy of the complaint along with Direction given by JT CP traffic on the complaint filed by me.	छायांकीत प्रत सोबत जोडण्यात आली आहे.
3	Action Taken Report	अर्जदार यांचे अर्जाच्या अनुषंगाने मा.पोलीस सह आयुक्त, वाहतूक, मुंबई यांचे कार्यालयीन जा.क्र. ७७९/पोसहआ/वाहतूक/नियोजन/२०२३ दि. १५/१२/२०२३ अन्वये फुटपाथ, वाहतूक बेट, रोड दुभाजक, उड्डाणपुलांचे खालील भागात सौंदर्यीकरणाचे कामाकरीता वाहतूक शाखेकडून अभिप्राय/ना-हरकत प्राप्त करण्याबाबत कळविण्यात आले आहे.
4	Direction given to all Addl. MC, BMC to remove all obstruction and encroachment on road, footpath and traffic islands.	उपरोक्त नमूद पत्राची साक्षात्कीत प्रत या सोबत जोडण्यात आली आहे.

सादरचा अहवाल माहिती व पुढील योग्य त्या कार्यवाहीकरीता दोन प्रतीत सादर करण्यात येत आहे.

आपला विश्वासू,

(सायकस इराणी) ३०/१२/२३  
वरिष्ठ पोलीस निरीक्षक (नियोजन),  
वरळी, मुंबई.



Government of Maharashtra  
Police Department



Tel. No. 24954443, 24920358 Ext. 102

E-mail-

cp.mumbai.jtep.traf@mahapolice.gov.in

O.W. No. ७५९ /Jt.C.P./Traffic/PLG/2023

Office of the  
Joint Commissioner of Police, Traffic,  
87, Sir Pochkhanwala Road, Worli,  
Mumbai 400 030

Date - 15/12/2023

To,

The Additional Municipal Commissioner (Projects),  
Brihanmumbai Municipal Corporation,  
Municipal Corporation Head Office,  
Mahapalika Marg, Mumbai- 400 001.



Subject :- Request to obtain Traffic NOC for beautification projects.

Sir,

With reference to the subject mentioned above, it is to inform that, various beautification projects on footpath, traffic islands, road dividers and under the bridges are undertaken by MCGM within the city.

We appreciate and support initiatives aimed at enhancing the aesthetic view of public spaces. We would like to bring to your kind attention the necessity of obtaining a No Objection Certificate (NOC) from Traffic Control Branch for such beautification projects.

Ensuring proper traffic flow & Safety of pedestrians is of utmost importance and obtaining a Traffic NOC will help coordinate efforts to minimize any potential impact on vehicles and pedestrian movements.

It is requested that MCGM to initiate the process of obtaining the required Traffic NOC before commencing any beautification work to be carried out at Central, Zonal or Ward Level.

खरी नक्कल / TRUE COPY

वरिष्ठ पोलीस निरीक्षक (नियोजन)

वाहतुक पोलीस मुख्यालय,

वरळी, मुंबई

Copy to :



Yours Sincerely,

*Pravin Padwal*  
(Pravin Padwal) I.P.S.,  
Jt. Commissioner of Police,  
Traffic, Mumbai.

o/c

1. Chief Engineer (Roads) MCGM, Engineering Hub Bldg, Dr. E. Moses Road, Worli, Mumbai.
2. Chief Engineer (Bridges) MCGM, Engineering Hub Bldg, Dr. E. Moses Road, Worli, Mumbai.

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ward has no permission / NOC for any of the illegal obstructions and encroachment carried  
BMC from tax payer monies causing wrongful loss and endanger life and limbs of citizens

From : JTCP TRAFFIC MUMBAI <cp.mumbai.jtcp.traf@mahapolice.gov.in>  
Subject : Fwd: B ward has no permission / NOC for any of the illegal obstructions  
and encroachment carried out by BMC from tax payer monies causing  
wrongful loss and endanger life and limbs of citizens  
To : PI PLANNING TRAFFIC <piplanning.traffic@mahapolice.gov.in>

Thu, Nov 30, 2023 02:45 PM  
1 attachment

From: shenoykr2001@yahoo.co.in  
To: "ac b" <ac.b@mcgm.gov.in>, "dmc z1" <dmc.z1@mcgm.gov.in>, "amc city" <amc.city@mcgm.gov.in>,  
"amc ws" <amc.ws@mcgm.gov.in>, "amc es" <amc.es@mcgm.gov.in>, "amc projects"  
<amc.projects@mcgm.gov.in>, "JTCP TRAFFIC MUMBAI" <cp.mumbai.jtcp.traf@mahapolice.gov.in>  
Cc: "DCP SOUTH TRAFFIC" <dcpssouth.traffic@mahapolice.gov.in>, "ADDL CP TRAFFIC"  
<addlcp.traffic@mahapolice.gov.in>, "che vigilance" <che.vigilance@mcgm.gov.in>, "jtmc vig"  
<jtmc.vig@mcgm.gov.in>, petitiongroup@googlegroups.com, mumbadevipraja@gmail.com, "agni central"  
<agni.central@gmail.com>, yogesh@moneylife.in, "ac e" <ac.e@mcgm.gov.in>, "DCP ZONE I MUMBAI"  
<dcpzone1-mum@mahapolice.gov.in>, "ac a" <ac.a@mcgm.gov.in>, "ac c" <ac.c@mcgm.gov.in>, "ac d"  
<ac.d@mcgm.gov.in>, "ac gn" <ac.gn@mcgm.gov.in>, "ac fn" <ac.fn@mcgm.gov.in>, "dmc special"  
<dmc.special@mcgm.gov.in>, "dmc z2" <dmc.z2@mcgm.gov.in>, "dmc z5" <dmc.z5@mcgm.gov.in>, "dmc  
finance" <dmc.finance@mcgm.gov.in>, "dmc z3" <dmc.z3@mcgm.gov.in>, "dmc z7"  
<dmc.z7@mcgm.gov.in>, "dmc z6" <dmc.z6@mcgm.gov.in>, "balamwar vijay"  
<balamwar\_vijay@yahoo.com>, dmcz4@mcgm.gov.in, "dmcphd mcgm" <dmcphd.mcgm@gmail.com>,  
"dmc ph" <dmc.ph@mcgm.gov.in>, dmcz5@mcgm.gov.in  
Sent: Thursday, November 30, 2023 11:40:56 AM  
Subject: B ward has no permission / NOC for any of the illegal obstructions and encroachment carried out  
by BMC from tax payer monies causing wrongful loss and endanger life and limbs of citizens

Respected Sir / Madam,

Date: 30.11.23

523-511-510-509-491-484- 468-466-457-455- 454-448-434-392-380-377-A / Asst Comm B ward / provision of law  
and sections / 4500 crores azad Maidan folder and scam file

To,

1. Asst Com B ward

2. JT CP Traffic (for necessary action against obstruction and encroachment which is in mischief played by  
BMC officers and offence u/s 431 IPC amongst others section too.)

CC to

Dongri police station (intimation of going for inspection under video recording)

Respected sirs/ Madam,

Sub: Coming for inspection of documents as per GR 26.11.2018 under video recording on 28.11.23 in the matter  
of illegal obstruction on road, footpath and traffic islands under guise of beautification.

Rea: on 28.11.23 no inspection was granted as no such legal process was followed and there is  
obstruction on road, footpath and traffic island

I had visited B ward on 28.11.23 around 3.30 pm. Asst Commissioner was not available. Marathe. No documents sought were provided as no such legal process was followed.

Hence, the submission made by DMC zone-1 that permissions have been obtained after following law is false, incorrect misleading and an attempt to shield and protect illegal construction and obstruction on road, footpath and traffic island. Hence all the illegal construction and obstructions are required to be demolished

1. Copy of all NOC and permission obtained from and / or for

- a. Study carried out on impact of motorist and pedestrian movement which endangers life and limbs and as well loss injury to public property
- b. Consultation with public after giving wide publicity
- c. Traffic police
- d. BMC road chief engineer
- e. Underground utility agencies
- f. Commissioner of cultural activities
- g. Local police station.
- h. Regulatory authorities
- i. Change in shape and size of dividers to convert into central median
- j. Change the dimensions of dividers
- k. Install objects more than 60 mm or 2 ft.

2. Types of illegal construction and obstruction protected by Addl MC , DMC and Asst Comm

- 1. flower beds on road and footpath
- 2. reading rooms with name of politicians on rod and footpath
- 3. chowks with concrete structure in the middle of road or footpath
- 4. illegal names of junctions with huge concrete slabs (legally permissible 7 ft pole with 2 ft board of metal with blue color)
- 5. tree protection walls up to 2.5 to 3 feet (legally 3 inches)
- 6. illegal structures on traffic islands of concrete
- 7. illegal huge gates on roads
- 8. conversion of divider into illegal traffic islands to illegally construct structures (reducing usable space of road and footpath)
- 9. conversion of dividers into median garden (reducing usable space of road and footpath)
- 10. erection of bamboos on road and footpath for banners and posters (disturbing / obstructing the vision of motorists and pedestrians)

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of private encroachers / furniturewalas / butchers / extended shopkeepers etc ( B , C, E wards have which can be used by pedestrians )

al food trucks or any type of trucks carrying business on road (obstructing free movement of motorists and pedestrians)

heavy lighting and digital screens which blind the motorists

15. bombards and flower pots ( Senapati Bapat marg and near Race Course)

16. garden strips on footpath

17. huge boards of politicians below any bridge ( like I love Mumbai ....)

18. Banners and boards of politicians illegally advertising the funds used. These funds are tax payer money. Hence, no politicians / elected representatives have any legal right / authority to claim and advertise the work done as SEVA for which they are showered with heavy benefits and luxurious perks.

Lets us work for better Mumbai.

Jai Hind

—  
Kamlakar R. Shenoy  
M. 99207 75798  
Twitter / FB - @Kamlakar\_Shenoy  
Email - shenoykr2001@yahoo.co.in

Note: With Due Respect & Humility. If my submissions is incorrect, please educate me by furnishing relevant documents.

"The world suffers not because of bad persons but because of silence of good persons"

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— B ward ( 30.11.23 no inspection of documentst sought provided).docx  
15 KB

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**BRIHANMUMBAI MUNICIPAL CORPORATION****DY. CHIEF ENGINEER (TRAFFIC)**Engineering Hub Building, Ground Floor, Dr. E. Moses Road, Worli, Mumbai-400018  
No. Dy. Ch. Eng./8516/ Traffic dt. 2 MAR 2024

Sub. - "Ho. Ho Buses" BEST Double Decker Scrap Buses to be used as Cafeteria, Art Gallery and Library under the Beautification and Development of the space below Makhdumshah Mahimi flyover (J.J Flyover) in A, B & E ward.

- Ref. - 1) ACB/AE(M)/1504/SR/Gen dated 01.03.2023.  
2) Commercial Arbitration Petition Nos. 5930 of 2021, 546 of 2017 & 475 of 2021.  
3) Dy. Ch. Eng./11230/ Traffic dtd. 14.03.2023.  
4) ACB/AE(M)/1067/SR/Gen dated 11.10.2023.  
5) ACB/AE(M)/1600/SR/Gen dated 19.12.2023.  
6) Dy. Ch. Eng./11230/ Traffic dtd. 15.01.2024.  
7) ACB/AE(M)/873/SR/Gen dated 07.02.2024.

Reference is requested to note from Exe. Eng. 'B' ward u/no. ACB/AE(M)/873/SR/Gen dated. 07.02.2024 regarding above cited work. Reference is also requested to this office note u/no. Dy. Ch. Eng./11230/ Traffic dtd. 14.03.2023 & Dy. Ch. Eng./11230/ Traffic dtd. 15.01.2023.

In view of above this office remarks as below:-

As regards to the work of Beautification and Development of the space below Makhdumshah Mahimi flyover (J.J Flyover) in A, B & E ward, this office has already issued the remarks u/no. Dy. Ch. Eng./11230/ Traffic dtd. 14.03.2023 & 15.01.2024. Copy of the same is enclosed for information & taking cognizance please.

It is to inform you that, Commercial Arbitration Petition Nos. 5930 of 2021, 546 of 2017 & 475 of 2021 regarding Signages, Traffic amenities and bollards, etc. in city area (A to E wards) is pending. As such, opinion from legal department shall be obtained before start of proposed works if any kind of traffic amenity is proposed in the said work.

Please note that, the Hon'ble High Court of Bombay in PIL no. 100 of 2015 has passed the judgement on 08.02.2016. The cognizance of the order passed by the Hon'ble High Court shall be taken in consultation with legal department prior to processing the proposal.

Since the said work is beautification and development related to Makhdumshah Mahimi flyover, the specific NOC from the MSRDC/Bridges department shall be obtained. Also, prior NOC/remarks from Traffic Police, Roads (Planning), S. W. D., Bridge department and concerned utility service providers / agencies shall be obtained by ward office.

Ward Exe. Eng. 'B' Ward

M. S. J. J.  
Dy. Ch. E. (Traffic)

o/c.

*[Signature]*  
S. B. N. P. W.

*[Signature]*  
A. E. C. T. P. O. C.

*[Signature]*  
E. S. C. T. P. O. C.

## वृहन्मुंबई महानगरपालिका

नगरपालिका आयुक्त 'बी' विभाग कार्यालय, 121, रामदास भट्ट भवन, मातुला टॉन बॉय रोड, मुंबई - 400 000.  
दूरध्वनी क्र. 022-23736799 | फॅक्स क्र. 022-23714604 | ई-मेल: nc.b@mcgm.gov.in

न-०१

(6)

ACB/AE(M)/SR/Gen. वि. 00108.2024.

विषय: ए. वी आणि ई विभागातील मकदुमशाह माहिमी उखडाणपुलाखालील  
(जे.जे. उखडाणपूल) जागेचे सुशोभिकरण व विकासा कामांतर्गत प्राप्त  
तक्रारीसंदर्भात मार्गदर्शन अन्वये आदेश मिळणेबाबत.

- संदर्भ: 1. महानगरपालिका उप-वास्तुविशारद (उद्यान कक्ष) यांचे पत्र  
क्र. EE/GC/Dy.M.A/960/Gen दि. 04.10.2024. पृ. क्र. C-09.
2. ह्या कार्यालयाचा प्रस्ताव क्र. ACB/AE(M)/726/SR/Gen.  
दि. 19.10.2022. पृ. क्र. C-11 ते C-25.
3. मान. उप-आयुक्त (परि.-1) यांचे अभिप्राय. पृ. क्र. C-19.
4. मे. युडीएआई कन्सल्टंट यांची नियुक्ती क्र. 4435 दि. 27.12.2024. पृ. क्र. C-27 ते C-33.
5. मान. अतिरिक्त आयुक्त यांची प्रशासकीय मंजूरी क्र. अति.आ./शहर/4158/  
डी दि. 20.03.2023. पृ. क्र. C-35 ते C-39.
6. मान. अतिरिक्त आयुक्त यांची प्रशासकीय मंजूरी क्र. अति.आ./शहर/  
डी/1769 दि. 17.11.2023. पृ. क्र. C-41 ते C-71.
7. जिल्हा नियोजन अधिकारी, जिल्हा नियोजन समिती, मुंबई शहर जिल्हा यांस  
सादर करण्यात आलेला प्रशासकीय मान्यता आदेश क्र. ACB/AE(M)/1319/SR/  
Gen. दि. 20.11.2023. पृ. क्र. C-73 ते C-87.
8. जा. क्र. जिनिसमुंश/लेखा/जिवायो/2217/निधी वितरण/सन 2023-24/169  
दि. 07.02.2024. पृ. क्र. C-89 ते C-93.
9. ई-निविदा क्र. 2023\_MCGM\_964283\_2
10. स्थायी समिती ठराव क्र. म.स/12627/प्रशासक(स्था. स.)  
दि. 07.02.2024. पृ. क्र. C-95.
11. ह्या कार्यालयाकडून कंत्राटदारास देण्यात आलेले स्विकृती पत्र  
क्र. ACB/AE(M)/1799/SR/Gen. दि. 25.01.2024. पृ. क्र. C-97 ते C-103.
12. कंत्राटदार मे. पुशपम इन्फ्राप्रोजेक्ट्स यांस देण्यात आलेला कार्यादेश क्र.  
4100100963 दि. 25.01.2024.
13. श्री. कमलाकर शेणॉय यांचे ई-मेल द्वारे प्राप्त तक्रार अर्ज. क्र. AMC/City/L/  
4862 dtd. 12.01.2024, AMC/City/L/6238 dtd. 05.03.2024,  
AMC/City/L/6506 dtd. 28.03.2024, सीपीए/एम/1764 dtd. 21.03.2024,  
AMC/City/L/737 dtd. 08.05.2024, AMC/City/L/982 dtd. 21.05.2024,  
AMC/City/L/1484 dtd. 10.06.2024, AMC/City/L/2419 dtd. 15.07.2024,  
AMC/City/L/2658 dtd. 24.07.2024, पृ. क्र. C-173 ते C-253.

माहितीचा अधिकार अधिनियम 2004 अन्वये उपलब्ध  
करून देण्यात येणा-या कागदपत्राची/अभिलेखची सत्यप्रत

14. जे.जे. उड्डाणपूलाखालील जागेचे सुशोभिकरण व विकास कामासंबंधी सहाय्यक आयुक्त 'डी' विभाग यांच्या दालनात दि.12.03.2024 रोजी दुपारी 03:00 वाजता झालेल्या बैठकीचे इतिवृत्त.पृ. क्र.C-257 ते C-263.


उपरोक्त विषयास अनुरारून, ए, डी आणि ई विभागातील मकदुमशाह माहिमी उड्डाणपूलाखालील (जे.जे. उड्डाणपूल) जागेचे दोन गाळ्यांमधील सुशोभिकरण व विकास काम प्रायोगिक तत्वावर करणेकरिता उपरोक्त संदर्भ क्र.(1) अन्वये महानगरपालिका उप-वारस्तुषिशारद (उद्यान कक्ष) यांचे पत्र प्राप्त झाले होते त्याअन्वये ह्या कार्यालयाकडून संदर्भ क्र. (2) नुसार प्रस्ताव सादर करण्यात आला होता. त्यास संदर्भ क्र.(3) अन्वये उप-आयुक्त(परि.-1) यांनी 100% सुशोभिकरण व विकास काम करण्याबाबत निर्देश देण्यात आले. संदर्भ क्र.(4) अन्वये सदर कामाकरिता मे. युडीएआई कन्सल्टंट यांची प्रकल्प सल्लागार म्हणून नियुक्ती करण्यात आली.

येथे नमूद करण्यात येते की, सदर कामाबाबत मान. श्री. राहुल नार्वेकर(महाराष्ट्र विधानसभा अध्यक्ष), मान. श्री. दिपक केसरकर, पालकमंत्री, शालेय शिक्षण व मराठी भाषा तथा पालकमंत्री मुंबई शहर, मान. आमदार अमिन पटेल इ. तसेच मान. अतिरिक्त आयुक्त(शहर) यांचेकडे वेळोवेळी झालेल्या बैठकांमध्ये निर्देशित केलेले विविध दुरुस्त्या व बदल करण्यात येऊन सदर कामासाठीचे अंतिम स्वरूप प्राप्त झाले. त्याअनुषंगाने नियुक्त सल्लागार मे. युडीएआई कन्सल्टंट यांचेद्वारे सादर करण्यात आलेल्या सादरीकरणास व अंदाजपत्रकास संदर्भ क्र.(5) व (06) अन्वये मान. उप-आयुक्त(परि.-1)/मान. अतिरिक्त आयुक्त(शहर) यांची प्रशासकीय मंजूरी प्राप्त झाली आहे. पृ. क्र.C-35 ते C-71. त्यामध्ये जे.जे. उड्डाणपूलाखालील जागेवर मुख्यत्वे रस्ता दुभाजकाचे (Central Median) सुशोभिकरण व विकास काम घेण्यात आले आहे.

सदर प्रकल्प महानगरपालिका आणि जिल्हा नियोजन समिती द्वारे एकत्रितपणे प्राप्त होणा-या निधीमधून करण्याचे निर्देश मान. श्री. दिपक केसरकर, पालकमंत्री, शालेय शिक्षण व मराठी भाषा तथा पालकमंत्री मुंबई शहर यांनी दिले, त्याअनुषंगाने उपरोक्त संदर्भ क्र.(7) अन्वये डी विभाग कार्यालयाकडून जिल्हा नियोजन अधिकारी, जिल्हा नियोजन समिती, मुंबई शहर जिल्हा यांस निधी उपलब्धतेकरिता प्रशासकीय मान्यता आदेश सादर करण्यात आला होता.पृ. क्र.73 ते 87. त्यास संदर्भ क्र.(8) नुसार जिल्हा नियोजन अधिकारी, जिल्हा नियोजन समिती, मुंबई शहर जिल्हा कार्यालयाकडून निधी प्राप्त झाला आहे.पृ. क्र.C-89 ते C-93.

याअन्वये सदर कामासाठीची संदर्भ क्र.(9) नुसार ई-निविदा प्रक्रिया पूर्ण करण्यात आली आहे. निविदा प्रक्रियेनुसार मे. पुश्पम इन्फ्राप्रोजेक्ट्स या कंत्राटदाराची नियुक्ती करिता संदर्भ क्र. (10) अन्वये सदर कामास स्थायी समिती ठराव मंजुर असून संदर्भ क्र. (11) अन्वये ह्या कार्यालयाकडून मे. पुश्पम इन्फ्राप्रोजेक्ट्स कंत्राटदारास रिवकृती पत्र व कार्यादेश देण्यात आले

माहितीचा अधिकार अधिनियम 2004 अन्वये उपलब्ध  
करून देण्यात येणा-या कागदपत्राची / अभिलेखी सत्यापन

  
जनसमाहिती अधिकारी

N-03

8

97 ते C-103. सदरचे काम 65% पूर्ण झाले असून 02 महिन्यांचा कालावधी शिल्लक कामाचे छायाचित्रे पृ. क्र. C-281 ते C-295. वर जोडले आहेत.

श्री. कमलाकर शेणोय यांनी ई-गेल द्वारे दाखल केलेल्या तक्रारीच्या अनुषंगाने सदर करण्यात आलेल्या अहवालास मान. अतिरिक्त आयुक्त(शहर) यांचा शेर क्र.अति.आ./शहर/डी/1129 दि.05.08.2024 अन्वये पृ.क्र. C-347 ते C-353 वर जोडला आहे.

सदर प्रकल्पाकरिता ह्या कार्यालयाकडून खालीलप्रमाणे विविध खात्यांमार्फत ना-हरकत आणि अभिप्राय मागविले आहेत त्याचा तपशील खालीलप्रमाणे आहे. C-105 ते C-167.

Sr.No.	Department wise correspondence made by this office for obtaining NOC/Remarks for this said project to various Dept. as follows:
1.	Initially, Letter received from Letter stating NOC for the proposed J.J. Executive Engineer (MSRDC Ltd) Flyover Beautification work. Mumbai addressed to Dy. Supt. Of Copy attached at page no. C-105 to C-107.
2.	Letter Dy. Ch. Engg. (Traffic). Copy Remarks received from Dy. Ch. Engg. (Traffic) addressed to Executive Engineer 'B' ward. Copy attached herewith at page no. C-117 to C-121.
3.	Letter to Dy. Ch. Engg. (Roads). Copy Considered as deemed NOC as no reply received to this office till date.
4.	Letter to Superintendent of Gardens. Considered as deemed NOC as no reply received to this office till date.
5.	Letter to Sr. Police Inspector(J.J. Marg Police Station), Sr. Police Inspector(Pydhonie Police Station). Copy attached at page no. C-109 to C-115.
6.	Letter to Sr. Police Inspector(Pydhonie Traffic Division) by this office to obtain traffic NOC/Remarks. Copy attached herewith at page no. C-123. Letter from Pydhonie Traffic Police Division wherein it is mentioned that objection is taken because of complaint from Mr. Shenoy is received at page no. C-125. This office replied to the said Objection Letter copy attached at page no. C-127 to 129. No reply received till date to this office hence considered as deemed NOC.
7.	Letter to Sr. Police Inspector(Byculla Traffic Division) by this office to obtain traffic NOC/Remarks. Copy attached herewith at page no. C-123. Considered as deemed NOC as no reply received to this office till date.
8.	Letter Dy. Ch. Engg. (SO) City for concern utility services. Copy Remarks received from E.E.Mech (M.S.)City. Copy attached at pg. no. C-133 to 135.
9.	Letter to Dy. Ch. Engg. (SWD) City. Considered as deemed NOC as no reply

माहितीचा अधिकार अधिनियम 2007 अन्वये उपलब्ध करून देण्यात येण-या कायदप्रकाची / अभिलेखी सत्यपद

जनमाहिती अधिकारी तय्या उपायुक्त (धरंदाळ-9) यांचे पशासकीय अधिकारी

E.E.(W.W.)C/S & BEST Undertaking received to this office till date.  
for concern utility services. Copy  
attached herewith at page no. C-137.

9

- 10. For HO-HO Bus project, Letters Letter of NOC/Remarks from Senior  
forwarded to Executive Engineer Police Inspector(I) J. Marg Police  
(MSRDC). Senior Police Inspector(I) Station) addressed to Executive,  
Marg Police Station). Senior Police Engineer 'B' ward is attached herewith  
Inspector(Paydhoonie Police at page no. C-147 to C-157. However, on  
Station). Senior Police complaint of Mr. Shenoy J. Marg Police  
Inspector(Byculla Traffic Division), Station, compliance is done by this  
Senior Police Inspector(Traffic Traffic office vide copy of letter attached at pg.  
Division). Dy. Ch. Engg. (Roads), Dy. no. C-159 to 161.  
Ch. Engg. (Traffic), Dy. Ch. Engg. Deemed NOC has been considered as no  
(Roads Planning), Supt. Of Garden, reply received from J. Marg Police  
Dy. Hydraulic Engineer (City), Station and other depts.  
Engineer (Customer Care, BEST) to Letter of NOC/Remarks from Senior  
obtain NOC's of concerned Police Inspector(Pydhonie Police  
department. The copies of letters are Station) addressed to Executive  
attached at page no. C-139 to C-145. Engineer 'B' ward is attached herewith  
at page no. C-163. Letter of  
NOC/Remarks from Dy.Ch.E(Traffic) at  
page no. C-165 to C-167.

वरील तक्त्यातील अनु. क्र.06 नुसार वरिष्ठ निरीक्षक पायधुनी वाहतूक विभाग यांनी हरकत नोंदविली होती. विविध खात्यांशी निगडित सहाय्यक आयुक्त वी विभाग यांच्या दालनात दि.12.03.2024 रोजी झालेल्या बैठकीत कळविण्यात आले की, जे.जे. उड्डाणपुलाखालील जागेवर भिकारी, वाघरी, गर्दुल्ले व अंमली पदार्थांचे व्यसनी लोकांचा वावर वाढत आहे. छायाचित्र सोवत जोडले आहे. पृ. क्र.C-277 ते C-279. सदर बाबत वरिष्ठ पोलिस निरीक्षक पायधुनी व जे.जे. मार्ग यांचेकडून सदर जे.जे. उड्डाणपुलाखालील परिसर स्वच्छ ठेवण्याकरिता वारंवार मौखिक विनंती करण्यात येते. त्यामुळे वरिष्ठ निरीक्षक पायधुनी वाहतूक विभाग यांना हरकतीचा पुनर्विचार करण्याबाबत कळविण्यात आले आहे.पृ. क्र.C-127 ते C-129.

येथे नमूद करण्यात येते की, ह्या कार्यालयाकडून नियुक्त कंत्राटदार मे. पुश्पम इन्फ्राप्रोजेक्ट्स यांस वेळोवेळी कामाची गुणवत्ता व नियमन राखण्याकरिता स्थळनिरीक्षणे नोंदवून दंड आकारण्यात आलेला असून व कारणे दाखवा नोटीस बजावण्यात आली आहे.पृ. क्र.C-169.

येथे नमूद करण्यात येते की, ह्या कार्यालयाकडून प्रस्तावित "हो-हो" वसेस-'ए', 'बी' व 'ई' विभागातील मकदुमशाह-माहिमी उड्डाणपुलाखालील (J. J. Flyover) जागेवर सुशोभिकरण व विकास कामाअंतर्गत विनावापरातील मोडीत काढलेल्या दुमजली वेस्ट वसेसमध्ये उपहारगृह (Cafeteria), कला दालन (Art Gallery) आणि वाचनालय (Library) तयार करण्याबाबत मान. आयुक्त यांच्या प्रशासकीय मंजूरी प्राप्त आहे. तरी ई-निविदा प्रक्रियेद्वारे मे. पार्वती इन्फ्राप्रोजेक्ट यांना दि.29.02.2024 रोजीच्या कार्यदेशान्वये सदरचे काम 80% पूर्ण झाले असून 02 महिन्यांचा कालावधी शिल्लक आहे. कामाचे छायाचित्रे पृ. क्र.C-297 ते C-345 वर जोडले आहेत.

माहितीचा अधिकार अधिनियम 2009 अन्वये उपलब्ध  
करून देण्यात येणा-या कागदपत्राची /अभिलेखकी सत्यप्रत

तरी उपरोक्त संदर्भ क्र.(13) अन्वये श्री. कमलाकर शेणॉय यांनी जे.जे. उड्डाणपुलाखालील जागेवरील सुशोभिकरण व विकास कामाबाबत हरकती व आक्षेप नोंदविले आहेत. ई-मेल वरील प्राप्त तक्रारी सोबत जोडल्या आहेत. पृ. क्र.C-173 ते C-253. येथे नमूद करण्यात येते की, संदर्भ क्र.(14) अन्वये सदर कामाबाबत रॉलॉन असलेल्या विविध विभागांशी निगडित सूचना तसेच तांत्रिक बाबी, हरकती व अभिप्राय इ. वर चर्चा करण्यासाठी दि.12.03.2024 रोजी दुपारी 03:00 वाजता सहाय्यक आयुक्त 'वी' विभाग यांच्या दालनात बैठक आयोजित केली होती. सदर बैठकीमध्ये सर्व संबंधितांच्या हरकती व आक्षेपांना समर्पक व यथायोग्य माहिती देण्यात आली व उपस्थित तक्रारदार श्री. कमलाकर शेणॉय व त्यांचे सहकारी, उपस्थित नामांकित वकील, पत्रकार व नागरिक, यांची हरकत नसल्याने सर्वांच्या सहकार्याने सदर प्रकल्प पुर्णत्वास नेण्यात येत असल्याचे नमूद केले आहे. पृ. क्र.C-257 ते C-263.

तदनंतरदेखील तक्रारदार श्री. कमलाकर शेणॉय यांचेकडून वारंवार सदर कामाबाबत तक्रारी प्राप्त होत आहेत. पृ. क्र.C-265 ते C-275.

तरी वरील बाबींचा विचार करिता, मान. उपायुक्त(परि.-1)/ मान. अतिरिक्त आयुक्त(शहर)/ मान. आयुक्त यांना खालील बाबींकरिता विनंती करण्यात येत आहे:

1) ए. वी आणि ई विभागातील मकदुमशाह माहिमी उड्डाणपुलाखालील (जे.जे. उड्डाणपूल) जागेचे सुशोभिकरण व विकास काम चालू ठेवण्यासंदर्भातील मार्गदर्शन अन्वये आदेश मिळण्याकरिता सविनय सादर.

2) "हो-हो" वसेस-'ए'. 'बी' व 'ई' विभागातील मकदुमशाह-माहिमी उड्डाणपुलाखालील (J. J. Flyover) जागेवर सुशोभिकरण व विकास कामांतर्गत विनावापरातील मोडीत काढलेल्या दुमजली वेस्ट वसेसमध्ये उपहारगृह (Cafeteria), कला दालन (Art Gallery) आणि वाचनालय (Library) प्रकल्प चालू ठेवण्याबाबत मार्गदर्शन अन्वये आदेश मिळण्याकरिता सविनय सादर.

मार्गदर्शन अन्वये आदेश मिळण्याकरिता सविनय सादर.

नस्ती: पृ. क्र. N-01 ते N-09 व C-01 ते C-353.

सहाय्यक आयुक्त 'वी' विभाग

Submitted by order कार्यकारी अभियंता वी विभाग

मान. उपायुक्त(परि.-1)  
महोदय,

Call urgent meeting at your office  
or call me at 9810010000

मान. अतिरिक्त आयुक्त (शहर)  
महोदय,

मान. आयुक्त (परि-9)

मान. आयुक्त  
महोदय,

माहितीचा अधिकार अधिनियम 2005 अन्वये उपलब्ध  
करून देण्यात येणा-या कागदपत्राची/अभिलेखची सत्यप्रत  
अतिरिक्त महानगरपालिका  
आयुक्त (शहर)

SRK  
13/08/24  
उपआयुक्त (परि-9)

A. C. B' ward

(11)

बृहन्मुंबई महानगरपालिका  
उपायुक्त(परि-१) यांचे कार्यालय

दिनांक: 13 AUG 2024

वेळ: १०.११.१२.१३.१४.१५.१६.१७.१८.१९.२०  
कक्षांक - एमसीसी: २५८५  
एमसीसी एल  
उपसहस्रक-१ (परि-१)

This was discussed  
with Hon. M.C by you  
in presence of AMCC.

13/8/2024 - please do the  
needful accordingly

*(Signature)*  
01/09/24

Jt. M.C. (MCO)

बृहन्मुंबई महानगरपालिका  
अतिरिक्त आयुक्त (साहज)  
यांचे कार्यालय

14 AUG 2024

इ. सी. साहज जी/ १३०८

(नस्ती)

06.08.24

बृहन्मुंबई महानगरपालिका  
सहाय्यक आयुक्त  
'बी' विभाग

19 SEP 2024

वेळ २१.२२.२३.२४.२५.२६.२७.२८  
कक्षांक. 12890

AE (M)

मान. आयुक्त यांचे कार्यालय  
महानगरपालिका येथे नगर कार्यवाही  
सहाय्यक आयुक्त  
'बी' विभाग  
*(Signature)*

बृहन्मुंबई महानगरपालिका  
अतिरिक्त आयुक्त (साहज)  
यांचे कार्यालय

05 SEP 2024

वेळ २०.२१.२२.२३.२४.२५.२६.२७.२८.२९.३०.  
३१.३२  
कक्षांक/एल 4202

NF

12/09/24

पुलाव्यानी permitted कार्यालय  
पाटपलख मार्त लागू करायची  
करावी

माहितीचा अधिकार अधिनियम २००९ अन्वये उपलब्ध  
करून देण्यात येणा-या कागदपत्राची / अभिलेखी सत्यप्रत

*(Signature)*  
जनमाहिती अधिकारी तथा  
उपायुक्त (परिगंडक-१) यांचे  
कार्यालय

पत्रलेखनाबाबत कार्यालयीन कामकाज  
नियमपुस्तिकेतील तरतूदीचे पालन करण्याबाबत.

महाराष्ट्र शासन  
सामान्य प्रशासन विभाग  
शासन परिपत्रक क्रमांक: संकीर्ण- २०१८ / प्र. क्र. ८१ / १८ (र. व का.)  
मंत्रालय, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक,  
मुंबई ४०० ०३२.  
दिनांक : ३० मे, २०१८

- वाचा : १) सामान्य प्रशासन विभाग, शासन परिपत्रक, क्रमांक : संकीर्ण १००५ / ५६६ / प्र. क्र. ३० / २००५ / १८ (र.व का. ), दिनांक १६ जून, २००५.  
२) सामान्य प्रशासन विभाग, शासन परिपत्रक, क्रमांक : संकीर्ण २०१६ / प्र. क्र. २९ / १८ (र.व का. ), दिनांक १० फेब्रुवारी, २०१६.

**परिपत्रक :**

कार्यालयीन कार्यपद्धती नियमपुस्तिकेतील ५३ (८) येथील तरतूदीनुसार शासकीय पत्रे निर्गमित करताना पत्रावर स्वाक्षरी करणाऱ्या अधिकाऱ्याने स्वाक्षरीखाली कंसामध्ये नाव व त्याखाली पदनामाचा उल्लेख करण्याबाबत संदर्भाकित दिनांक १६ जून, २००५ तसेच दिनांक १० फेब्रुवारी, २०१६ च्या परिपत्रकान्वये सूचना निर्गमित करण्यात आल्या आहेत.

२. तथापि माहितीचा अधिकार अधिनियम, २००५ अनुसार राज्य माहिती आयुक्त, कोंकण खंडपीठ यांचेसमोर दाखल झालेल्या द्वितीय अपिल क्रमांक के. आर. - ४३२४ / २०१७ संदर्भातील सुनावणीच्या वेळी माहितीच्या अधिकारांतर्गत उपलब्ध करून देण्यात आलेल्या फेरफारावर संबंधित तलाठी यांचे नाव लिहिलेले नसल्याने, संबंधित जबाबदार अधिकाऱ्यांची नावे शोधण्यास आता अडचण निर्माण झालेली असल्याचे आयोगाच्या प्रकर्षाने निदर्शनास आले आहे.

३. सबब सर्व मंत्रालयीन प्रशासकीय विभाग तसेच त्यांच्या नियंत्रणाखाली सर्व विभाग / कार्यालये यांना पुन्हा सूचित करण्यात येते की, शासनाच्या वतीने करण्यात येणारा सर्व पत्रव्यवहार / प्रत्येक कागदपत्र / आदेश / पावती व इतर कोणत्याही प्रकारच्या दस्तऐवजावर सही करणाऱ्या अधिकारी / कर्मचारी यांनी सहीखाली स्वतःचे नाव, पदनाम व कार्यालय स्पष्ट शब्दात नमूद करावे. तसेच कोणत्याही परिस्थितीत वरिष्ठ अधिकाऱ्याचे पदनाम नमूद करून "करीता" असा उल्लेख करून पत्रे निर्गमित करण्यात येणार नाही, याची काटेकोरपणे दक्षता घेण्यात यावी.

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शासन परिपत्रक क्रमांक: संकीर्ण 2018 / प्र. क्र. 81 / कार्यासन 18 ( र. व का. )

४. सदर शासन परिपत्रक महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) या संकेतस्थळावर उपलब्ध असून त्याचा संगणक संकेतांक २०१८०५३०११३०५१८२०७ असा आहे. हे परिपत्रक डिजीटल स्वाक्षरीने साक्षांकित करून काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

Dinesh  
Kumar Jain  
(दिनेश कुमार जैन)

Digitally signed by Dinesh Kumar Jain  
DN: cn=Dinesh Kumar Jain, o=Government Of Maharashtra,  
ou=Chief Secretary Department,  
serialCode=400032, title=Secretary,  
2.5.4.20=9a3b8615acc75916134801290c1b7  
127000c4e176f3/848c07582e28251c  
cn=Dinesh Kumar Jain  
Date: 2018.05.31 15:38:06 +0530'

मुख्य सचिव, महाराष्ट्र शासन

प्रति,

मा.विरोधी पक्षनेता, विधान परिषद/ विधान सभा, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.  
सर्व सन्माननीय विधानसभा, विधानपरिषद व संसद सदस्य,  
मा. राज्यपालांचे सचिव ( ५ प्रती ),  
मा. मुख्यमंत्र्यांचे प्रधान सचिव ( ५ प्रती ),  
सर्व मंत्री / राज्यमंत्री यांचे खाजगी सचिव / स्वीय सहायक,  
मुख्य सचिव यांचे वरिष्ठ स्वीय सहायक,  
मा. महाअधिवक्ता, महाराष्ट्र राज्य,  
सर्व अपर मुख्य सचिव / प्रधान सचिव / सचिव, मंत्रालयीन प्रशासकीय विभाग,  
प्रबंधक, उच्च न्यायालय, अपील शाखा, मुंबई,  
प्रबंधक, उच्च न्यायालय, मूळ शाखा, मुंबई,  
प्रबंधक, लोकायुक्त व उप लोकायुक्त यांचे कार्यालय,  
सचिव, राज्य निवडणूक आयोग, मुंबई,  
सचिव, महाराष्ट्र लोकसेवा आयोग, मुंबई,  
प्रधान सचिव, विधानमंडळ सचिवालय, विधान भवन, मुंबई,  
मुख्य माहिती आयुक्त, राज्य माहिती आयोग, मुंबई,  
सर्व विभागीय आयुक्त,  
सर्व जिल्हाधिकारी,  
सर्व जिल्हा परिषदांचे मुख्य कार्यकारी अधिकारी,  
सर्व मंत्रालयीन विभागांच्या अधिपत्याखालील सर्व विभाग प्रमुख /  
प्रादेशिक प्रमुख / कार्यालय प्रमुख,  
महासंचालक, माहिती व जनसंपर्क महासंचालनालय, मुंबई ( ५ प्रती ),  
सामान्य प्रशासन विभागातील सर्व कार्यासने,  
निवड नस्ती ( कार्यासन १८ ).

पृष्ठ २ पैकी २

up

Exh 'K'  
Exh 'E3'  
57

Chart of Evidence disclosing direct involvement of BMC IAS Officers – JJ Flyover Beautification and Encroachment

Sr. No.	Officer Name & Designation	Period of Tenure	Acts/Omission	Evidence Available
1	Iqbal Singh Chahal – Municipal Commissioner (BMC)	May 2020 – March 2024	Failed to prevent illegal encroachment and misuse of JJ Flyover space under the garb of 'beautification'. Ignored multiple public complaints and violated duty under MMC Act and Public Premises (Eviction) Act.	RTI replies, photographs, citizen complaints, site inspection reports.
2	Bhushan Gagrani – Municipal Commissioner (BMC)	March 2024 – Present	Failed to review illegal beautification projects and did not order demolition of illegal structures despite knowledge of illegality. Continued inaction amounts to abetment and concealment of offence.	RTI records, BMC circulars, lack of action reports, correspondence from citizens.
3	Ashwini Joshi – Additional Municipal Commissioner (City)	During both tenures of Chahal & Gagrani	Responsible for approving and monitoring beautification works. Failed to verify legality of structures. Did not hold mandated citizen meetings as per GR 13.1.25.	Meeting records, RTI replies, GR copies, missing minutes of meetings.

4	Ashish Sharma – Deputy Municipal Commissioner (Zone I)	Tenure overlapping JJ Flyover beautification phase (to be verified from records)	Permitted illegal encroachment and allowed construction of stalls/kiosks in violation of traffic safety norms and heritage restrictions.	Site photographs, contractor bills, work orders, CCTV footage.
5	Sanjeev Kumar – Assistant Municipal Commissioner (Ward Officer)	During JJ Flyover beautification phase	Negligence in supervising ward-level works; allowed illegal occupation below flyover in connivance with contractors and local political support.	Ward files, payment vouchers, inspection reports, public complaints.
6	Vigilance Joint Municipal Commissioner	Common to both administrations	Failed to initiate suo-motu inquiry despite visible illegalities and clear violation of GRs and circulars. Suppressed citizen complaints.	RTI trail, missing vigilance reports, internal noting sheets.

*This chart summarises evidence of administrative negligence, dereliction of duty, and abetment of illegal encroachments under the garb of beautification at JJ Flyover, Mumbai.*

जा.क्र. २०४ / प्रपोनि / पायधुनी / वा / २०२४,  
प्रभारी पोलीस निरीक्षक,  
पायधुनी वाहतुक विभाग, मुंबई

दिनांक: ०१/०२/२०२४

प्रति,

०५३३५९

मा. सहाय्यक आयुक्त,  
'अ' वॉर्ड / 'बो' वॉर्ड, / 'ई' वॉर्ड  
वृहन्मुंबई महानगर पालिका, मुंबई.

02 FEB 2024

०३१५०

वेळ : 11 12 13 14 15 16 17

वेळ ११, १२, १३, १४, १५, १६, १७  
कपाळ

विषय:— अ,ब आणि ई प्रभागांमधील मखदूमशाह माहिमी प्लायओव्हर (कुतुबे कोकम मकदुम अली माहिमी उड्डाणपुल) च्या खाली असलेल्या जागेचे सुशोभीकरण आणि विकासासाठी वाहतुक शाखेची ना हरकत मिळणेबाबत..

संदर्भ :- ACB/AE(M)1784/SR/GEN Dt. 24.01.2024

महोदय,

उपरोक्त विषय व संदर्भास अनसरुन पायधुनी वाहतुक विभागाकडुन सविनय सादर की, वर नमुद संदर्भान्वये आपल्या कार्यालयाकडुन पत्र प्राप्त झाले असुन सदर अर्जाची पडताळणी केली असता अ,ब आणि ई प्रभागांमधील मखदूमशाह माहिमी प्लायओव्हर (कुतुबे कोकम मकदुम अली माहिमी उड्डाणपुल) च्या खाली असलेल्या जागेचे सुशोभीकरण आणि विकासासाठी वाहतुक शाखेची ना हरकत मिळणेबाबतचा विषय नमुद केला आहे.

तरी पायधुनी वाहतुक विभागाकडुन कळविण्यात येते की, सदर विषया संदर्भात तक्रार अर्ज श्री कमलाकर शेणॉय यांनी आपल्या कार्यालयामार्फत करण्यात येणारा विकासकामावर आक्षेप घेतले असुन तक्रार अर्जाची प्रत सोबत जोडत आहोत.

तरी सदर विकासकामाकरिता पायधुनी वाहतुक विभागाकडुन हरकत घेण्यात येत आहे.

आपला विश्वासु,

o/c

09/02/2024

(सुहास जनार्दन चौधरी)  
प्रभारी पोलीस निरीक्षक  
पायधुनी वाहतूक विभाग, मुंबई.

**BRIHANMUMBAI MUNICIPAL CORPORATION**

Assistant Commissioner 'B' Ward, MCGM B Ward, 121, Ramchandra Bhatt Marg, Dongri, Mumbai - 400 009.  
Ph. No: 022-23736799 | Fax No.: 022-23714664 | Email-id: aemaint01.b@mcm.gov.in

To,

AC: 1784 SRIGen Date: 24.01.2024

Senior Police Inspector

(Pydhonie Traffic Division)

Mumbai- 400 003.

**Sub.:** Traffic NOC for Beautification and Development of the space below  
Makhdumshah Mahimi Flyover (J.J. Flyover) in 'A', 'B' & 'E' Wards.

**Ref.:** 1) Tender Drawings provided by M/S UDAI Consultants u/no.:  
UDAI/JJFlyover/MasterPlan/20231011 dtd. 11.10.2023.  
2) No.779/Jt.C.P./Traffic/PLG/2023.(Copy attached at pg. no.03)

With reference to above subject matter, a project of beautification and development of the space below Makhdumshah Mahimi flyover (J.J. Flyover) in 'A', 'B' & 'E' Wards under the "Mumbai Beautification Projects" is taken up. This project has been initiated by this office with the due approvals of competent authorities of BMC.

However, NOC and your remarks, if any is required from your department to carry out the said project works to avoid future delays in the same.

Tender Drawing is attached here at pg. no.05 to 15 for your kind reference.

In view of above, considering the urgency and the uniqueness of this project, kindly offer your remarks and NOC for the said project work within 03 days otherwise it will be pre-assumed that NOC is granted for the said works from your department.

Please treat this as **MOST URGENT**.

Forwarded for further necessary please.

  
Executive Engineer 'B' ward

Exhi 'f'

(61)

Date: 2.3.24

90 / Sr. PI Jj police / illegal NOC issued by JJ police station / JJ flyover beautification folder a file

To,

Sr. PI JJ Police station

Cc to

DCP zone=1

Addl CP south region

**Sub: illegal NOC given to BMC to create obstruction and encroachment on road under guise of beautification. BMC circular dt. 14.12.99 directs that no permissions shall be granted to any temporary and permanent structures on road and footpath.**

**Reg:**

- a. **Inspection report before granting NOC confirming there are no encroachment, obstruction and construction on road, footpath and traffic islands.**
- b. **NOC dt. 12.2.2024 to create obstruction and encroachment on road, footpath and traffic island in violation of**
- i. **Illegal acts disclose cognizable offences u/s 268, 269, 270, 429, 431, 441 IPC section 102 and 115 C Bombay Police Act. Hence, police cannot drive citizens to BMC.**
- ii. **Maharashtra Police at 28, 64,66,67,102, 103, 106, 107, 110, 110, 118, 145.**
- iii. **Police violating the provisions of 154, 156(2) 157, CRPC and Lalita kumari judgement para111.**
- iv. **Police shall issue notice u/s 149 to 152 CRPC to prevent the offence from being committed. and if offenders commit offence.**
- v. **Police can use 107, 108-111 CRPC thereafter Tadipar proceedings shall be initiated in addition to FIR.**
- vi. **522 MMC act: it shall be the duty of every police officer to communicate without delay to the proper municipal officer any information which he receives of a design to commit or of the commission of offence against this Act or against any regulation or by-law made under this Act and to assist any Municipal officer or servant, reasonably demanding his aid for the lawful exercise of any power vesting in the Commissioner, or in such Municipal officer or servant under this Act. Section 149 and 152 CRPC.**

- vii. Bombay High Court judgement dt. 3.5.2019 in PIL 78 of 2013: police shall be responsible to keep public spaces free from encroachment
- viii. Police commissioner circular dt. 19.6.19: police shall be responsible to keep public spaces free from encroachment as directed in para 5 of the order dt. 3.5.2019

**"we direct the Commissioner of police, Mumbai to issue office order directing all BEAT MARSHALLs, to keep an eye on the pavements in the area of the beat, and if any encroachment is noted, information be immediately given for police assistance so that the encroacher is not able to re-erect temporary structure erected by the encroachers on pavement and road and shall be demolished."**

1. I humbly submit that no police officer shall have any authority to issue NOC to any public authority to

**"Any encroachments, obstruction or construction under guise of beautification on road, footpath and traffic island, which makes the road and footpath less safe and impassable. "**

**"No pedestrians and motorists can be denied their right to have free, safe and smooth road and footpath / traffic island"**

**"no discretion to compromise with safety of health, life and limbs of the citizens."**

2. SR. PI JJ police Station shall provide video and photographs of the space below the JJ flyover from Byculla to of the road and footpath / traffic island where the pedestrians can have a safe and smooth walk on any road, footpath and traffic island.
3. The Hon. Courts have directed that police action be taken against habitual offenders who have encroachment on public property.
4. JJ police should have directed them to submit the relevant sections relied upon in MMC act and MRTP act.
5. I therefore request that your NOC is illegal, bad in law and against the larger public interest I have informed the details of the violations committed by JJ police station in issuing any NOC to BMC as mentioned herein above. BMC has been violating almost every law and thereby endangering life and limbs of citizens.
6. Police and BMC are trustees of the public property and has to act only in larger public interest. Therefore, request that such NOC shall be withdrawn with immediate effect. A copy of the letter revoking the permission for creating encroachment below JJ flyover should be immediately sent to BMC for immediate implementation.

Jai Hind.

F Colly

63

register FIR if illegal encroachment on road below JJ fly over bridge is not stopped by B ward

From: shenoy kamlakar (shenoykr2001@yahoo.co.in)

To: ac.b@mcgm.gov.in; ps.jjmarg.mum@mahapolice.gov.in; cp.mumbai.jtcp.traf@mahapolice.gov.in; dcpsouth.traffic@mahapolice.gov.in; addlcp.traffic@mahapolice.gov.in; pydhunie.traffic@mahapolice.gov.in; ps.pydhunie.mum@mahapolice.gov.in; dongripolicestationzone1@gmail.com

Cc: amc.city@mcgm.gov.in; amc.ws@mcgm.gov.in; amc.es@mcgm.gov.in; amc.projects@mcgm.gov.in; jtmc.vig@mcgm.gov.in; che.vigilance@mcgm.gov.in; dmc.finance@mcgm.gov.in; aminpatel186@gmail.com; mahacpa52@gmail.com; aslamshaikhoffice@gmail.com; ashishmlclotus@gmail.com; captainr.tamilselvan@gmail.com; bhajjagtap09@gmail.com; petitiongroup@googlegroups.com; mumbadevipraja@gmail.com; ac.a@mcgm.gov.in; dcpzone1-mum@mahapolice.gov.in; dmc.z1@mcgm.gov.in; yogesh@moneylife.in; agni.central@gmail.com; ac.e@mcgm.gov.in; mc@mcgm.gov.in; sucheta@moneylife.in; dmc.z2@mcgm.gov.in; dmc.special@mcgm.gov.in; dmc.z5@mcgm.gov.in; dmc.z3@mcgm.gov.in; dmc.z7@mcgm.gov.in; balamwar\_vijay@yahoo.com; dmcz4@mcgm.gov.in; dmc.z6@mcgm.gov.in; dmc.swm@mcgm.gov.in; dcpzone3-mum@mahapolice.gov.in; dcpeowzone-mum@mahapolice.gov.in; dcpzone4-mum@mahapolice.gov.in; dcpzone2-mum@mahapolice.gov.in; ac.c@mcgm.gov.in; jtmc.ga@mcgm.gov.in; ac.gn@mcgm.gov.in; adityakshenoy@gmail.com; ac.d@mcgm.gov.in; nisha.viva@gmail.com; ac.fn@mcgm.gov.in; pratikriya@expressindia.com; vishwas07@gmail.com; ac.gs@mcgm.gov.in; shenoyuday@yahoo.co.in; grvora1@gmail.com; dychetr.rt@mcgm.gov.in; mangalprabhat.lodha@lodhagroup.com; chittaranjan.tembhekar@gmail.com; swati.deshpande@timesgroup.com; nauzerbharucha@gmail.com; ac.fs@mcgm.gov.in; che.rt@mcgm.gov.in; richa.pinto@timesgroup.com; mekramesh@gmail.com; cp.mum.addcp.south@mahapolice.gov.in; mumbaicongress@gmail.com; contact@poonammahajan.in; mail@sachinbjp.com; 2019.bjpmumbai@gmail.com; jamshedmistry@gmail.com; gayatrisingh@gmail.com; che.br@mcgm.gov.in; cs@maharashtra.gov.in; dcm@maharashtra.gov.in; acs\_home@maharashtra.gov.in; baladna12@gmail.com

Date: Friday, 15 March, 2024 at 02:15 pm IST

Date: 15.3.24

113 / SR PI JJ marg, / illegal encroachment below JJ flyover bridge / JJ flyover bridge folder and file to,

Sr. PI

JJ marg Police station

Cc to

JT CP Traffic

DCP traffic south

You all are police officers under section 156(2) CRPC. The offences committed are cognizable offences

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Respected Sir / Madam,

**Sub: illegal encroachment on road below JJ flyover bridge without any legal authority.**

**Reg:**

- a. falsely implicating elected representatives in illegal activities without their consent which can affect their political career.
- b. In my opinion the elected representatives named in the letter addressed to you are
  - a. Law abiding
  - b. God fearing
  - c. Non corrupt
  - d. Will never get involved in any illegal construction, encroachment and misappropriation of public funds.

**attached detailed letter to register FIR**

—  
Kamlakar R. Shenoy  
M. 99207 75798  
Twitter / FB - @Kamlakar\_Shenoy  
Email - shenoykr2001@yahoo.co.in

**Note: With Due Respect & Humility. If my submissions is incorrect, please educate me by furnishing relevant documents.**

**"The world suffers not because of bad persons but because of silence of good persons"**

On Thursday, 14 March, 2024 at 05:30:45 pm IST, shenoy kamlakar <shenoykr2001@yahoo.co.in> wrote:

Respected Sir / Madam,

**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**

65

**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**

69

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 citv. 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

- a. Sections under MMC and MRTTP act which empowers the Addl MC and DMC to give approval for any encroach and create obstruction on road, footpath.
- b. Section relied upon to say that the road below the fly over is not coming under definition of road.
- c. **Falsely stating that you have obtained all NOC when every department has objected to such illegal work namely from**
  - i. Traffic police.
  - ii. JJ marg police station
  - iii. Nagpada police station
  - iv. BMC road Traffic department has laid down several conditions which have blatantly violated which includes NOC from
  - v. SWD depart.
  - vi. Underground utilities department.
  - vii. 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.

- d. **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

- e. 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.
- f. 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.
- g. Not provided the section and provision of law to construct any divider and median above 2 ft.
- h. 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
- i. 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.

- i. Not provided how fire brigade, ambulances and emergency vehicles will move when BMC has protected
  - a. When traffic moves at 5 to 10Km per hour
  - b. Pedestrians walk on middle of road as 60% road is encroached upon
  - c. 100% encroachment on footpath
  - d. 100 % traffic islands
  - e. 60% road
  - f. 10 ft of road below the JJ flyover bridge encroached
- ii. Increasing the pedestrian movement in the middle of road without providing any parking space and place to walk
  - a. Providing cafeteria and reading rooms
  - b. Providing art gallery.
- iii. failed to reply to all videos and photos posted to them and emailed showing traffic jams.
- iv. Failed to reply the obstruction constructed at zebra crossings

at all signal under the JJ fly over bridge.

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**detailed letter ( last attachment) is attached along with videos and Rejection of permissions by all agencies**

--  
Kamlakar R. Shenoy  
M. 99207 75798  
Twitter / FB - @Kamlakar\_Shenoy  
Email - shenoykr2001@yahoo.co.in

Note: With Due Respect & Humility. If my submissions is incorrect, please educate me by furnishing relevant documents.

**"The world suffers not because of bad persons but because of silence of good persons"**

<https://www.kamlakarshenoy.com/3-videos-attached-disclosing-how-addl-mc-of-bmc-ias-and-dmc-are-destroying-mumbai/>

BMC misuse 13 Crore of Public Money to create obstruction on Road. JJ to Crawford market Mumbai



**BMC misuse 13 Crore of Public Money to create obstruction on Road. JJ to Crawford market Mumbai**

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Mohammed Ali Road has emerged to most unsafe Road for Motor & Pedestrians



68

## Mohammed Ali Road has emerged to most unsafe Road for Motor & Pedastrians

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<https://youtu.be/DMZUQojZ9iA>: Search, Organize, Conquer



Police JJ marg( 15.3.24 regsiter FIR for not stopping encroachment below JJ bridge ).docx  
16.4 kB

F Copy

19.3.24

TO

Sr PI J.J. Mang Patra

Applicator u/s 154-1 CrPc  
CrM.

Sub :- FIR against Addl MC Ashwari Joshi.

DM and others for carry out illegal construction on road below J.J. fly over.

You have issued letter dt to provide all  
Permissions or else to stop work or demolish  
The illegal construction

However The said illegal construction is still being  
Carried out. Hence I have made out a  
opinion which is cognizable u/s 268, 431, 409  
IPC

स्विकारुले  
बाराबिशी लेखनिक,  
सर जे. जे. मार्ग पो. दाणे,  
मुंबई.

I have done several correspondence on the same  
is sent on Email. Since 2.3.24

Request include Register A FIR.

I am Senior Citizen 66 years old.

K.R. Shetty

Exhi 'G'

70



जा.क्र. २२८८/२०२४  
वरीष्ठ पोलीस निरीक्षक  
सर जे.जे. मार्ग पोलीस ठाणे, मुंबई  
दिनांक ०६/०३/२०२४

प्रति.

कार्यकारी अभियंता  
बी वार्ड, बृहन्मुंबई महानगरपालिका कार्यालय  
रामचंद्र भट्ट मार्ग, डोंगरी, मुंबई

विषय :- मकदुम शाह माहिमी फ्लाय ओव्हर याठिकाणी सुरु असलेल्या विकासकामाबाबत...  
संदर्भ :- १) आपल्या कार्यालयाचे पत्र जा.क्र. एससीबी/एई (एम) ८७३/एमआर/जेन दिनांक ०७/०२/२०२४  
२) सर जे.जे. मार्ग पोलीस ठाणे, मुंबई येथील पत्र जा.क्र. ११६४/२०२४ दिनांक १२/०२/२०२४

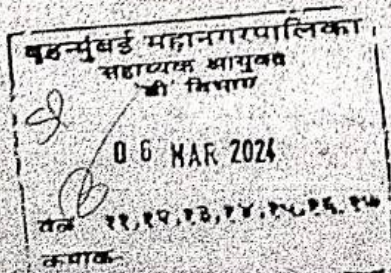
उपरोक्त विषय आणि संदर्भान्वये आपणास कळविण्यात येते की, संदर्भ क्रमांक १ अन्वये आपल्या कार्यालयाकडून मकदुमशाह माहिमी फ्लाय ओव्हर च्या खालील मोकळ्या जागेमध्ये हो हो वसेम वेस्ट डचल डेकर स्कॅप वसेम चा वापर कॉन्टेरिया, आर्ट गॅलरी आणि लायब्ररी म्हणून करण्यात येणार असून त्यासाठी ना हक्कत प्रमाणपत्र देण्याबाबत विनंती करण्यात आली होती. त्या अनुषंगाने संदर्भ क्रमांक २ अन्वये आपल्या कार्यालयाने काही अटी आणि शर्तीच्या अधीन राहून ना हक्कत प्रमाणपत्र देण्यात आले होते.

सर जे.जे. मार्ग पोलीस ठाणे, मुंबई येथे तक्रार अर्जदार नामे श्री कमलाकर शेणोय यांनी ई मल व्हाय तक्रार अर्ज सादर केला आहे. सदरच्या तक्रार अर्जामध्ये त्यांनी कळविले आहे की, जे.जे. फ्लाय ओव्हर च्या खालील मोकळ्या जागेमध्ये सुशोभीकरणाच्या नावाखाली रस्त्यावर अडथळा आणि अतिक्रमण निर्माण केले जात आहे, त्यामुळे सदर प्रकरणामध्ये कायदेशीर कारवाई करण्याची मागणी अर्जदार यांनी केली आहे.

आपणास या पत्राद्वारे असे कळविण्यात येत आहे की, सर जे.जे. मार्ग पोलीस ठाण्याच्या हद्दीमधील जे.जे. जंक्शन ते थेंडी बाजार जंक्शन, आय.आर.रोड, मुंबई याठिकाणी जे.जे. फ्लाय ओव्हर च्या खालील मोकळ्या जागेमध्ये सुशोभीकरणाचे काम सुरु असलेले काम हे कोणत्या कायद्यान्वये/नियम/अधिसूचना किंवा इतर आदेशान्वये करण्यात येत आहे याची माहिती सदरचे पत्र मिळाल्यापासून दोन दिवसांच्या आत सर जे.जे. मार्ग पोलीस ठाणे, मुंबई येथे समक्ष हजर राहून किंवा आपल्या प्रतिनिधी मार्फत सादर करावी. अन्यथा संदर्भ क्रमांक २ अन्वये आपल्या कार्यालयामे यापूर्वी देण्यात आलेले ना हक्कत प्रमाणपत्र रद्द झाल्याचे समजण्यात यावे, त्याचप्रमाणे सदरचे काम अनधिकृतपणे करण्यात येत असेल तर त्याचे निष्कासन करण्यात यावे.

सदरचे पत्र आपल्या माहितीसाठी आणि कार्यवाहीसाठी देण्यात आलेले असून त्यावर विहित वेळेमध्ये प्रतिसाद अपेक्षित आहे.

सोबत :- अर्जदार श्री. कमलाकर शेणोय यांच्या तक्रार अर्जाची छायांकीत प्रत



(कलीम शेख)  
वरीष्ठ पोलीस निरीक्षक  
सर जे.जे. मार्ग पोलीस ठाणे, मुंबई

Exh 'H'

(7)

जा.क्र २७५८/२०२४  
वरिष्ठ पोलीस निरीक्षक  
सर जे.जे.मार्ग पोलीस ठाणे, मुंबई  
दिनांक २६/०३/२०२४

प्रति,  
श्री. कमलाकर शेणॉय  
बी ३, वैशाली अपार्टमेंट,  
शेठ मोतीशा लेन, एमटीएनएल  
च्या समोर, माझगांव, मुंबई

विषय:- आपण दिनांक १५/०३/२०२४ रोजी केलेल्या तक्रारअर्जा बाबत.....

महोदय,

उपरोक्त विषयास अनुसरून आपणांस कळविण्यात येते की, आपण मकदुम शाह माहिमी फ्लाय ओव्हर खालील मोकळ्या जागेवर सुशोभिकरणाच्या नावाखाली बृहन्मुंबई महानगरपालिकेद्वारे सार्वजनिक रस्त्यावर अतिक्रमण केले जात आहे. तसेच सदरचे काम अनधिकृत असल्यामुळे त्याला देण्यात आलेले ना हरकत प्रमाणपत्र रद्द करण्यात यावे याबाबत ई मेल द्वारे केलेला तक्रार अर्ज प्राप्त झाला आहे.

आपण केलेल्या तक्रारअर्जाच्या चौकशीच्या अनुषंगाने मा.कार्यकारी अभियंता, बी वार्ड, बृहन्मुंबई महानगरपालिका कार्यालय, रामचंद्र भट्ट मार्ग, डोंगरी, मुंबई यांच्या कार्यालयाशी पत्रव्यवहार करून सदरचे काम अनधिकृत असल्यास निष्काषित करण्याबाबत कळविण्यात आले होते. नमूद कार्यालयाकडून सदरचे काम अधिकृत असून ते MMC Act 1888 मधील Chapter III, Duties and Powers of the Municipal Authorities 61 (m) नुसार विषयांकीत असून सदरच्या कामास बृहन्मुंबई महानगरपालिकेच्या सक्षम अधिकारी यांची मंजूरी प्राप्त असल्यामुळे वर नमूद सुशोभिकरणाच्या कामावर कोणतीही कारवाई करण्यात आली नाही अशी माहिती प्राप्त झाली आहे.

तसेच आपण केलेल्या तक्रारअर्जावरून गैरअर्जदार यांच्याविरुद्ध कोणत्याही प्रकारची कार्यवाही करण्यात आली नसून आपला तक्रारअर्ज निकाली काढण्यात आला आहे.

आपला विश्वासू



*(Signature)*  
(प्रसाद वागरे)  
पोलीस निरीक्षक  
सर जे.जे.मार्ग पोलीस ठाणे, मुंबई

Exh. 'K'  
Exhi 'I'  
72

application u/s 154(3) CRPC as JJ marg police station failed to register FIR against Addl MC city, BMC Smt. Ashwini Joshi and prevent the accused from continuing the illegal work without having any permissions.

From: shenoy kamlakar (shenoykr2001@yahoo.co.in)

To: ps.jjmarg.mum@mahapolice.gov.in; jjmargps@gmail.com; acpdongri7@gmail.com; dcpzone1-mum@mahapolice.gov.in; cp.mum.addcp.south@mahapolice.gov.in; jtmc.vig@mcgm.gov.in; cp.mumbai.jtcp.traf@mahapolice.gov.in; dcp.south.traffic@mahapolice.gov.in; addlcp.traffic@mahapolice.gov.in

Cc: ac.b@mcgm.gov.in; ac.e@mcgm.gov.in; ac.a@mcgm.gov.in; ac.c@mcgm.gov.in; ac.d@mcgm.gov.in; ac.gn@mcgm.gov.in; ac.fn@mcgm.gov.in; ac.fs@mcgm.gov.in; ac.gs@mcgm.gov.in; dmc.z2@mcgm.gov.in; petitiongroup@googlegroups.com; mumbadevipraja@gmail.com; dmc.z1@mcgm.gov.in; amc.projects@mcgm.gov.in; amc.city@mcgm.gov.in; agni.central@gmail.com; amc.ws@mcgm.gov.in; amc.es@mcgm.gov.in; k\_jagetiya@yahoo.com; aminpatel186@gmail.com; aslamshaikhoffice@gmail.com; ashishmlclotus@gmail.com; captainr.tamilselvan@gmail.com; bhajjagtap09@gmail.com; psjathar03@gmail.com; mahacpa52@gmail.com; mangalprabhat.lodha@lodhagroup.com; mc@mcgm.gov.in; dmc.special@mcgm.gov.in; che.vigilance@mcgm.gov.in; sucheta@moneylife.in; yogesh@moneylife.in; shenoyuday@yahoo.co.in; adityakshenoy@gmail.com; jtmc.ga@mcgm.gov.in; ps.azadmaidan.mum@mahapolice.gov.in; che.rt@mcgm.gov.in; dychetr.rt@mcgm.gov.in; mcgmrddcity@gmail.com

Date: Wednesday, 20 March, 2024 at 12:01 pm IST

Respected Sir / Madam,

Date: 20.3.24

125 / DCP zone-1 / application u/s 154(3) CRPC/ Sr. PI JJ marg police station not registering FIR in complaint disclosing cognizable offences

**Application u/s 154(3) CRPC**

To

DCP zone-1

Cc

JJ marg Police station

Addl CP south region

**Sub: My complaint against Smt. Ashwini Joshi ( Addl MC City, BMC and IAS officer). (copy attached) for**

- a. giving illegal approval to create obstruction and encroachment on road below JJ fly over bridge.
- b. Protecting and promoting the non performing officers by not taking action under all the

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relevant provision of law against DMC zone-1 and Asst Comm of A, B , E ward for creating obstruction inspite of objections raised by every department opposing such illegal encroachment

- c. All the traffic police have objected to such illegal acts, JT CP has written to Addl MC to take NOC as the free movement of motorist and pedestrians shall not be let down.
- d. All concerned departments have not given NOC.

**Reg:** absolute failure to discharge duty by SR PI JJ marg Police station not registering FIR against creating obstruction and encroachment on usable road below JJ Fly over bridge. The complaint disclosing cognizable offences and no FIR is registered as well as the below mention documents not provided

- a. FIR within 48 hours as per DGP circular 17.2.2012.
- b. Reply within stipulated period of law.
- a. Date wise movement of the complaint since lodging of complaint.
- b. File noting and direction of Sr. PI, ACP and DCP
- c. Rules and regulations relied upon to conduct enquiry and come to conclusion that no cognizable offence is disclosed.
- d. Procedure followed after receipt of the above complaint.
- e. Provision of law and sections relied upon to inform that no cognizable offence is disclosed after lapse of 35 days.
- f. All correspondence and copy of enquiry conducted
- g. Provision of law and materials relied upon to intimate closing of the complaint in one letter when there are different complaints against different persons and on different subject.
- h. Copy of all formalities followed to conduct enquiry as per directions of Hon. Supreme court in Lalitakumari Judgement

the illegal work shall be stopped immediately along with notice u/s 149 CRPC and registration of FIR.

**detailed letter is attached last exhibit along with supporting evidence.**

—  
Kamlakar R. Shenoy  
M. 99207 75798  
Twitter / FB - @Kamlakar\_Shenoy  
Email - shenoykr2001@yahoo.co.in

**Note:** With Due Respect & Humility. If my submissions is incorrect, please educate me by furnishing relevant documents.

**"The world suffers not because of bad persons but because of silence of good persons"**



Police JJ marg ( 2.3.24 grounds to give NOC ).docx  
16.2 kB










11/11/2025, 10:05 PM

Exln 'K'

Yahoo Mail - application u/s 154(3) CRPC as JJ marg police station ...

<https://mail.yahoo.com/d/folders/293/messages/142908?.intl=in&...>

74

-  police JJ marg ( 6.3.24 show cause notice for JJ fly over).pdf  
2.2 MB
-  Police JJ marg( 15.3.24 regsiter FIR for not stopping encroachment below JJ bridge ).docx  
16.4 kB
-  Police JJ ( 19.3.24 registert FIR u-s 154(1) CRPC).pdf  
310.4 kB
-  Traffic Dy. CE BMC ( 12.3.24 remarks not followed).pdf  
2.7 MB
-  traffic NO NOC Pydhunie, nagpada, Azad maidan, Wadala, byculla \_20240319\_0001.pdf  
2.9 MB
-  trafic police ( 2.2.24 NO NOC to JJ flyover beautification.pdf  
2.8 MB
-  DMC Z-1( 18.7.23 traffic island demolition order).pdf  
4.5 MB
-  circular BMC road ( 14.12.99 no temporary and permanent structures.pdf  
953.5 kB
-  DCP zone 1( 20.3.24 application u-s 154(3) CRPC to register FIR).docx  
21.8 kB

4/24/24, 2:40 PM

73  
Yahoo Mail - Fwd: Reminder 4: application u/s 154(3) CRPC as JJ marg police station failed to register FIR against Addl MC ...

Fwd: Reminder 4: application u/s 154(3) CRPC as JJ marg police station failed to register FIR against Addl MC city, BMC Smt. Ashwini Joshi and prevent the accused from continuing the illegal work without having any permissions.

From: DCP ZONE I MUMBAI (dcpzone1-mum@mahapolice.gov.in)

To: acpcolaba.mum@mahapolice.gov.in

Cc: shenoykr2001@yahoo.co.in

Date: Tuesday, 2 April, 2024 at 08:06 pm IST

ACP Dongri Division, Mumbai.

Appropriate action should be taken as per law.

From: "ADDL CP DR. ABHINAV DESHMUKH" <cp.mum.addcp.south@mahapolice.gov.in>

To: "DCP ZONE I MUMBAI" <dcpzone1-mum@mahapolice.gov.in>, dcpzone1reader@gmail.com

Sent: Tuesday, April 2, 2024 6:44:13 PM

Subject: Fwd: Reminder 4: application u/s 154(3) CRPC as JJ marg police station failed to register FIR against Addl MC city, BMC Smt. Ashwini Joshi and prevent the accused from continuing the illegal work without having any permissions.

From: shenoykr2001@yahoo.co.in

To: "DCP ZONE I MUMBAI" <dcpzone1-mum@mahapolice.gov.in>, "ADDL CP DR. ABHINAV DESHMUKH" <cp.mum.addcp.south@mahapolice.gov.in>

Sent: Tuesday, April 2, 2024 6:26:58 PM

Subject: Reminder 4: application u/s 154(3) CRPC as JJ marg police station failed to register FIR against Addl MC city, BMC Smt. Ashwini Joshi and prevent the accused from continuing the illegal work without having any permissions.

To DCP zone 1

Sir unreasonable delay is causing injury and harrasment as well irreparable loss to citizens and all citizens of Mumbai and Maharashtra.

Justice delayed is justice denied. We citizens have great expectations from an officer of DCP Rank

Jai Hind

Yahoo Mail: Search, Organize, Conquer

----- Forwarded Message -----

From: "shenoy kamlakar" <shenoykr2001@yahoo.co.in>

To: "ps.jjmarg.mum@mahapolice.gov.in" <ps.jjmarg.mum@mahapolice.gov.in>, "jjmarggps@gmail.com" <jjmarggps@gmail.com>, "acpdongri7@gmail.com" <acpdongri7@gmail.com>, "Dcp Zone 1" <dcpzone1-mum@mahapolice.gov.in>, "ADDL CP DILIP SAWANT" <jtmc.vig@mcgm.gov.in>, "Jt CP traffic Main" <cp.mumbai.jtcp.traf@mahapolice.gov.in>, "DCP Traffic south" <dcpssouth.traffic@mahapolice.gov.in>, "Addl.CP Traffic Mumbai" <addlcp.traffic@mahapolice.gov.in>

Cc: "BMC B ward" <ac.b@mcgm.gov.in>, "BMC E ward" <ac.e@mcgm.gov.in>, "BMC Ward A JADHAV" <ac.a@mcgm.gov.in>, "BMC C Ward" <ac.c@mcgm.gov.in>, "D ward BMC" <ac.d@mcgm.gov.in>, "BMC G/N ward" <ac.gn@mcgm.gov.in>, "BMC F/N ward" <ac.fn@mcgm.gov.in>, "Mahesh Subhash Patil" <ac.fs@mcgm.gov.in>, "Asst Comm GS UGHADE" <ac.gs@mcgm.gov.in>, "DMC zone 2" <dmc.z2@mcgm.gov.in>, "Email Peliton Group" <petitiongroup@googlegroups.com>, "Mumbadevi Praja (via Google Docs)" <mumbadevipraja@gmail.com>, "BMC Dmc Z1" <dmc.z1@mcgm.gov.in>, "PERIYASAMY VELRASU" <amc.projects@mcgm.gov.in>, "BMC Addl MC City City" <amc.city@mcgm.gov.in>, "AGNI Mumbai" <agni.central@gmail.com>, "Addl MC WS BMC Dr. Sudhakar Shuinde" <amc.ws@mcgm.gov.in>, "Addl MC eastern suburb Ashwini BHIDE" <amc.es@mcgm.gov.in>, "Kailash" <k\_jagetiya@yahoo.com>, "MLA Aminpatel186@gmail Com" <aminpatel186@gmail.com>, "Aslam Shaikh Cong I. MLA"

Exh 'K'  
Exh 'J'

(A4)

FPJ 28.4.24

### CITY BEAUTIFICATION PLAINT

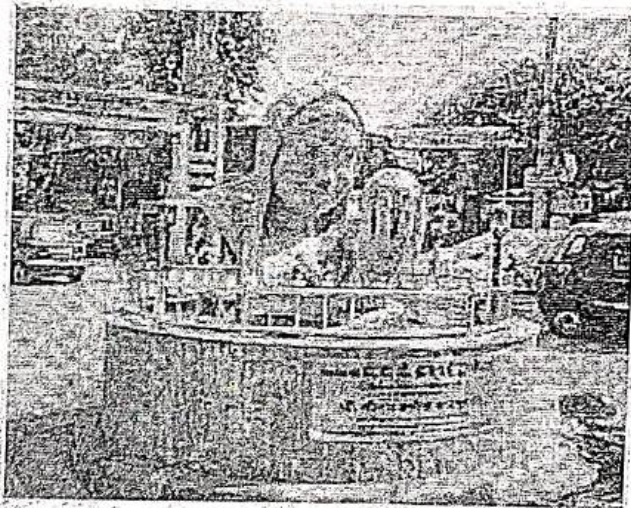
# Action against JJ Marg police station over no FIR

FPJ NEWS SERVICE / MUMBAI

The Deputy Commissioner of Police (DCP, Zone-1) has ordered action against the JJ Marg police station after it failed to register a citizen's complaint against the BMC. The 66-year-old complainant from Dongri, Kamalakar Shenoy, runs a hotel and had been demanding action against the civic body for four months over allegedly illegal beautification under the JJ flyover.

Shenoy had written to the DCP Zone-1 to take action against the police station under section 154(3) of the Criminal Procedure Code as it failed to register an FIR against the additional municipal commissioner (AMC, City). He alleged that the civic body carried out beautification works under the JJ flyover, Sales Tax junction, Ismail Merchant Chowk and other places of south Mumbai without crucial NOCs.

After around four reminders, the DCP (Zone-1) directed the Assistant Commissioner of Police (ACP, Dongri) to take action against the police station. Forwarding the complaint to the ACP, the DCP demanded "appropriate



The complainant, Kamalakar Shenoy, has alleged that the city is being beautified by the BMC without crucial NOCs.

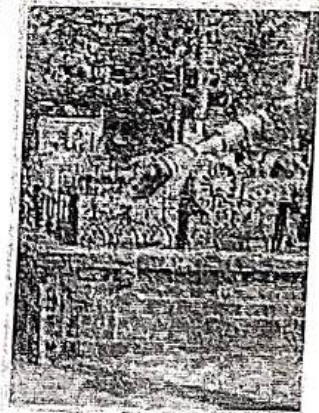
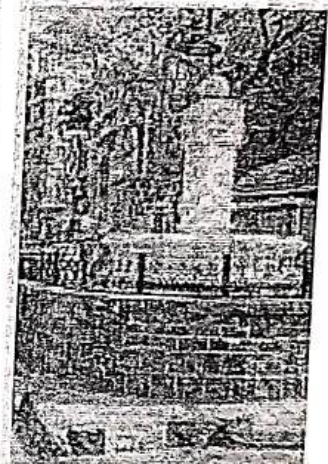
action as per law".

Shenoy told the FPJ, "There has been encroachment on the roads in the name of beautification. There are huge boards like 'I Love Bhandi Bazar' that have been put up by the BMC but all of them are illegal."

Shenoy added, "The BMC is wasting the taxpayers' money in such illegal beautification works, whereas the Reay Road bridge, Carnac

Road bridge and others are suffering," he said.

Shenoy added, "The ACP might now say that he will launch an inquiry before filing an FIR, but the law says that he cannot conduct an inquiry and has to straightaway file the FIR. Even the Joint Commissioner of Police (traffic) had written to the BMC, asking to obtain the necessary NOC but the BMC failed to do so."



Hindustan Times

date 20-10-2023

[ MAKING SPACE ] DEFUNCT BEST BUSES TO BE REPURPOSED

# Cafe, art gallery to come up under JJ flyover soon

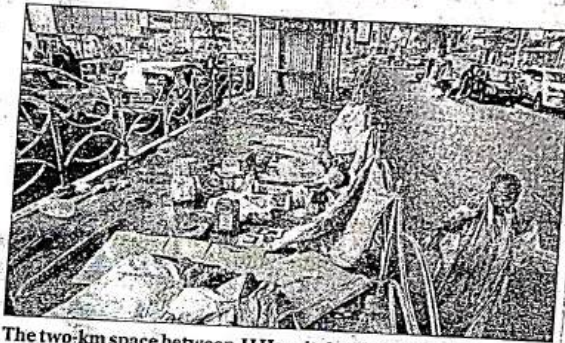
Unah Baliga

leena.baliga@htlive.com

**MUMBAI:** A dearth of open spaces in the thick of Dongri, Bhendi Bazar and Umerkhadi (B ward) has prompted the Brihanmumbai Municipal Corporation (BMC) to put the space under JJ flyover to good use. At present the two kilometer space between JJ Hospital to Crawford Market, has been encroached by vagrants and unruly elements. The civic body has decided to clear the space and recreate it as a spot for recreation for citizens.

Defunct BEST buses will be remodelled and converted into a cafe, library and a space for senior citizens to relax. There will also be an art gallery for people to display their works of art. Uddhav Chandanshive, assistant commissioner, B ward, said, "We will receive three old BEST buses next week which will be modified and remodelled for this purpose."

Chandanshive said one of the locations for the buses is tentatively at the JJ junction in front of Almas Hotel, the second one near Noor Baug Masjid in Dongri and the third near Crawford Market. The estimated cost of the project is ₹13 crore, which has been sanctioned. Of the amount, ₹6.5 crore has been sanctioned by the District Planning Development Committee (DPDC) by guardian minister for



The two-km space between JJ Hospital and Crawford Market has been encroached upon by vagrants which will soon be cleared for the project.

ANSHUMAN POYREKAR/HT PHOTO

city, Deepak Kesarkar, while the remaining ₹6.5 crore will be given by BMC.

Local MLAs Amin Patel from Congress and Rahul Narwekar from BJP, under whose jurisdiction the areas fall, are also jointly involved in the project. Eighty percent of the constituency falls under Patel's jurisdiction and twenty per cent under Narwekar's Colaba constituency.

Patel, who has also ideated for the project, reiterated that a clean-up under the JJ Flyover was necessary as it is in a bad state with encroachers. "Furniture from Chor Bazar has been dumped there; even bathtubs are stationed here and used by people to bathe. A lot of drug peddlers and vagrants use this

space. We are clearing those spaces for public utility," said Patel.

A civic official said the dividers between the road and under the flyover will be redesigned into steps, which will prevent encroachers from sleeping and adding filth to the area. "This will add to the aesthetics. Sturdy plants will also be used here, which can survive without sun and water," said the civic official. A newspaper stand will also be set up for those living in cramped spaces to come here and relax, added Patel.

The drainage pipes running under the bridge will be strengthened to prevent leakage. "We hope the new look manages to keep its sheen for five years at least," said Patel.

HT 6/10/24

[ CIVIC ACTIVIST RAISES ALARM ABOUT BMC'S PROJECT ]

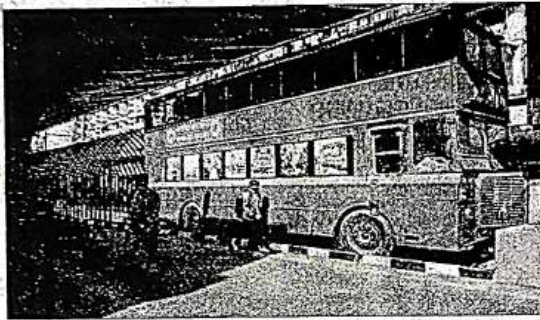
# 'Beautification under JJ flyover illegal'

Sabah Virani

Sabah.virani@hindustantimes.com

MUMBAI: Civic activist Kamlakar Shenoy has raised an alarm about the BMC's beautification project under the JJ flyover, which includes a library and an art gallery space in empty double-decker BEST buses. To be inaugurated on Monday, the activist claims that the project will take away vital space from the already congested road.

"This space was earlier usable road space. Bikes and cars would use it, and pedestrians would halt there while crossing, as there is barely any footpath space," said Shenoy, who has been complaining about the beautification plan from October 2023 and now plans to proceed with a criminal case against the concerned additional municipal commissioner, Ashwini Joshi. "Now, the BMC has parked BEST buses underneath to host a



The project includes a library and an art gallery space in empty double-decker BEST buses under JJ flyover. ANSHUMAN POYREKAR/HT

library, art gallery space and food courts. This will only attract more people, possibly hawkers, and crowd the space even more."

The activist told HT that he was going ahead with a PIL against the project in the Bombay high court. "Just because it's about to be inaugurated does not

mean that we citizens should let illegalities pass," he said. "Our officials must be held accountable."

Elaborating on this, Shenoy pointed out that the new structures under the flyover were technically illegal in accordance with the BMC's circular dated

14.12.1999, which prohibits the permitting of any temporary or permanent structure on roads, footpaths or traffic islands. "Despite this, the BMC has gone and spent Rs 13 crore on what is considered illegal," he said.

Shenoy's complaints to the senior police inspector of the Pydhonie traffic division and the JJ Marg police station led them to raising a formal objection to the plan, which they pointed out to the BMC in February when it asked for an NOC. HT has seen the documents in this regard. However, Shenoy said that the BMC did not resolve his complaint satisfactorily.

"As per an RTI reply I received, the civic body replied to the objection raised by the Pydhonie traffic division, and after it did not receive a response in three days, it took this as an NOC," he said. "As for the objection filed by the JJ Marg police station, the BMC said that it had complied with the complaint

but I have received no news of this."

Shenoy further took objection to the BMC's method of getting an NOC—giving the authorities three days' time for a response and considering the absence of a response as a deemed NOC. "The BMC needs to give the authorities time to check the conditions and then reply," he said. "Instead, it wrote to the Pydhonie traffic division, asking them to furnish the NOC and informing the senior inspector that several politicians, guardian ministers and MLAs were following up on the project. Why was that done, if not to suggest some pressure from above?"

When asked about the previous situation of the space underneath the flyover being used by beggars, vagrants and drug addicts, Shenoy replied, "Just because the BMC wasn't working to eliminate one wrong doesn't mean it can counter it with another."

PETITION GROUP FOUNDATION

TRANSPARENCY, ACCOUNTABILITY, GOOD GOVERNANCE

# PETITION GROUP

TRUSTEES: KAMLAKAR SHENOY, CLARENCE PINTO, G.R.VORA.

Exhi 'K'  
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PETITION  
G R O U P

Extract of *Resolution* passed at the meeting of the trustees of Petition Group Foundation held at the office of Mr. Kamlakar Shenoy on Monday, 27.10.2025 :

"Resolved that Trustee - Mr. Kamlakar Ratnakar Shenoy, is hereby authorized to – file and/or appear before the Competent courts of Law as and when required and also choose an Advocate to consult or take up the case as he deems fit in connection with any Suit/s, Petitions, Appeal, applications, or such cases or consequential matters, filed in the name of Petition Group Foundation Trust (the "Trust") or by anyone against the trust including at the Hon'ble Small Causes Court, or City Civil Courts or any Metropolitan Magistrate Courts or other courts or Appeal courts or the Hon'ble High court of Judicature at Bombay or Hon. Supreme Court - on behalf of the Trust and/or the other trustees in their capacity as Trustees of the Trust.


Further resolved that Mr. Kamlakar Shenoy is authorized to do all the needful that has be done, in all such legal matters, including signing, presenting, producing, verifying, affirming, filing, executing any Petition/Suit/Plaint/Writ/Complaint etc. and/or making/filing any replies, say, applications, amendments, affidavits, statements or issues arising therefrom or deposing, producing, leading &/or giving evidence, preparing/making/accepting/executing/ filing consent terms, compromising in suits/appeals/complaints or compounding or withdrawing any Suit/complaint/case filed by the trust and/or the trustees against any person/body/corporation/entity etc. or by any other person/body/corporation/ entity against the Trust &/or its Trustees in their said capacity."

Certified true copy

PETITION

  
G R Vora  
Trustee

  
Clarence Pinto  
Trustee

  
Kamlakar R. Shenoy  
Trustee

Mumbai. Date : 27.10.2025  
Page 1 of 1

Correspondence address: Plot 212, Office No.2, Sitaram Bhavan, Dr B A Road, Sion East, Mumbai - 400022

Regd. address: Plot no. 352/41, Shreeji Sadan, Chandwarkar Marg, Matunga East, Mumbai – 400 019



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@Petition\_Group

Regd. as Public Charitable Trust [Regn. No. E-36451 (M)] under Maharashtra Public Trust Act, 1950

Citation

S. No	Citation	Page no.
1.	Delhi HC CrI. MC 2793 / 2009 <u>Locus of every citizen under Article 51A of constitution.</u> Para 7, 9, 11, 12, 13.	

Illegal obstruction and encroachment road and footpath

2.	Bombay HC PIL 141 of 2023 Qaneez E Fatemah Sukhrani v/s PMC order dt. 3.4.25 BY CJ Bombay HC <u>para 1 &amp; 2:</u> road and footpath neglected, safe passage for pedestrians on footpath <u>para 5:</u> installation of <u>fuse Boxes by electric company cannot be allowed</u> on ground that it help smooth functioning of their service cannot be valid ground to deny the pedestrians of their rights to have safe passage	
3.	AIR 2013 SC 927 Dipak Mukharjee v/s Kolkata Municipal corporation <u>Page 1 para A:</u> <b>Illegal / unauthorized construction affects fundamental rights:</b> <b>Benefit of getting sanctioned revised plan cannot be given to builder. Construction made liable to be demolished.</b> <b>Para Notes A &amp; B. para 3, 6 8, 9</b>	

<p>4.</p>	<p>Bombay high Court Contempt petition 90 of 2024 in W.P. 2601 of 2018.</p> <p><b>para 16:</b> it is <u>solemn duty of BMC</u>, who according to us falls within ambit of <u>Article 12 of the Constitution of India</u>, to take all necessary action against illegal structures, once it is pointed out, and even though they themselves are not interested in removing it. <b>But once the citizens point out that certain structures are illegal, then it is duty of the BMC to take necessary action under provisions of law, notwithstanding the fact that it is private and public land.</b> Prevention</p> <p><b>para 17:</b> this demolition of the unauthorized structures is to be taken by BMC or revenue authorities and that it is they alone who can deal with Squatters.</p> <p><b>Para 18:</b> <u>the officers cannot be silent spectator to illegalities committed by certain person, constructing structures without lawful permission on that behalf.</u>  <b>We cannot have two sets of laws one for law abiders and one for non-abiders.</b></p>	
<p>5.</p>	<p>Bombay HC WP 14989 of 2025</p> <p><b><u>Tirolu CHS v/s BMC</u></b> Justice G.S.Kulkarni and Arif Doctor</p> <p>Order dt. 7.7.25</p> <p><b>Para 8:</b> encroachment on road and footpath, accident of pedestrians, high time for accountability.</p> <p><b>Para 9:</b> first and foremost, duty to take action against footpaths, roads, public amenities and public spaces cannot be taken lightly more particularly when there is large scale</p>	

	<p>illegalities /encroachment</p> <p>Timely action of BMC authorities to remove encroachments on road and footpath the matters would not have reached court.</p> <p>A city with neat and clean footpath cannot remain a dream.</p> <p><b>Para 10:</b> open encroachment on footpath cannot take place without tacit support of ward officers</p> <p><b>Para 11:</b> public denied of footpath constructed from tax payer's monies.</p>	
6.	<p>Bombay HC PIL 116 of 2024</p> <p><b>Rajesh Kumar Shukla vs state of Maharashtra</b></p> <p>Justice Naresh Patil and G S Kulkarni</p> <p><b>Para 5:</b> right of pedestrian to walk on street shall be preserved and maintained.</p> <p>In no case pedestrian shall be denied free access to public street and footpath.</p> <p>DCP traffic shall and corporation need to work to remove the encroachment</p>	

**Role of Court / corruption**

7. **Madras HC W.P. 25846 and 30046 of 2018 P. Saravanan v/s District Collectors and others**

**Page 3 para 4:** corruption from birth to Death becomes way of Life.

**Page 10 par 5:** Judiciary is not exempted from Corruption. Corruption in the Judiciary are also wide spread and admitted by the great Jurists and Hon. Judges.

**Page 8 para 3:** the minority non-corrupt and right thinking persons are necessarily to be encouraged and protected by the Constitutional Courts and Authorities Competent to ensure that fight against majority corrupt is advanced.

**Page 9 para 1:** providing a non-corrupt administration by State / Union is also integral part of the constitutional mandates.

**Page 9 para 2:** Ample Anti- corruption laws are enacted and in force in our Nation. However, eve and efficient implementation of those laws are lacking on account of corrupt activities are wide spread in public administration.

**Page 11 para 2:**

**Corrupt Judicial officers are to be declared Anti National so also the public servants. They are antinational because they are obstructing the development activities of our great nation.**

Thus persons corrupt and acting against the development activities of our great nation are also to be declared as anti-Nationals.

	<p>Thus, corruption in Judiciary is the greatest enemy to the constitution and Judiciary must also initiate drastic measures in order to control corruptions in various forms.</p>	
<p>8.</p>	<p><b><u>Gujrat High Court: Dr. Rajesh Chandulal Shah</u></b> v/s State of Gujrat Criminal</p> <p>Misc application 9278 of 2018. order dt. 12.6.2018</p> <p><b><u>Page 8 para 15:</u></b> if even a fraction of what was vox pupuli about the magnitude of corruption to be true, then it would not be far removed from truth, that it is <b><u>rampant Corruption indulged in with impunity by highly place persons that has led the economic unrest in this country.</u></b></p> <p>If the society in a developing <b><u>country faces a menace</u></b> greater than even the one from the hired assassins to its law and order, then that is <b><u>from the corrupt elements at the higher echelons of the government and of political parties.</u></b></p> <p><b><u>Page 9 para 17:</u></b> Therefore, duty of the Court is that any anti-corruption law has to be interpreted and worked out in such fashion as to strengthen the fight against corruption.</p> <p><b><u>Page 9 para 18:</u></b> corruption by public servants have reached monstrous dimension in India.</p> <p><b><u>Page 10 para 72:</u></b> corruption is an enemy of nation and tracking down the corrupt public servants, however, high he may be, and punishing such person is a necessary mandate under PC Act 1988, The status or position of the public servant does not qualify such public servant from exemption from equal treatment.</p> <p>The decision making power does not segregate corrupt officers</p>	

	<p>into two classes as they are common crime-doers and have to be tracked down by the same process of inquiry and investigation.</p> <p><b>Page 11 para 61:</b> unless people rise against bribery and corruption, society can never be rid of this disease. The people can collectively put off this evil by resisting corruption by any person, however, high he or she may be.</p>	
9.	<p>SLP 2671 / 2021 Ram Sagar v/s CBI <b>para 7</b></p> <p>Sanction u/s 197 can be taken before the trial court at any stage of the proceedings. it would depend on the nature of the evidence that prosecution may lead in course of trial</p>	
10.	<p><b>Vinodkumar pandey v/s vijay Agarwal and others ( SLP ( C) 7900 of 2019 )</b></p> <p><b>Para 25:</b> no verification of correctness</p> <p><b>Para 32:</b> prima facie cognizable offence disclosed register FIR</p> <p><b>Para 33:</b> no action on grounds police cannot investigate CBI officers</p> <p><b>Para 34:</b> Constitution bench conclusion prima facie offence disclosed. No reasons to interfere</p> <p><b>Para 35:</b> registration of FIR against officers shall not cause prejudice, they have option to disclose in investigation no cognizable offence committed.</p> <p><b>Para 36:</b> not prudent exercise to scuttle investigation after HC has opined prim facie offence disclosed.</p> <p><b>Para 37:</b> it would dichotomy of justice if an offence is not allowed to be investigated for offence committed in 2000</p>	

	<p>particularly when there is involvement of CBI officers.</p> <p><b>It is high time that those who investigate should also be investigated to keep alive the faith of public at large in system.</b></p> <p><b>Para 41:</b> the police officers who failed to register FIR are directed to be present before the I.O.</p> <p>It is the department which is filing appeal who is no way concerned but a beneficiary by the order passed. the department has no locus standii to file such appeal</p> <p>The real accused have not filed any appeal.</p>	
11.	<p>Bombay HC WP 2017 of 2025</p> <p>Maneesha CHS vs BMC order dt. 13.10.25</p> <p>Fish market on footpath</p> <p><b>Para 7:</b> Municipal commissioner Responsible</p>	

1.	<p><b><u>Supreme Court Krishna Prasad v/s State of Bihar</u></b></p> <p>civil_Appeal 8950 of 2011 order dt. 26.9.2019</p> <p><b>para 1:</b> no rule of law without independent Judiciary. Independence and fearlessness expected from District judiciary too</p> <p><b>para 2 :</b> most litigants only come in contact with District Judiciary.</p> <p>the last word is the word of the Magistrate and at the best the Session Judge. Judiciary at level of Taluka and District</p>	
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	should be absolutely honest and fearless.	
2.	<p><b><u>Allahabad Court</u></b></p> <p><b><u>Sanjay and 3 others v/s State of UP and others</u></b></p> <p><b><u>Page 3 para 3:</u></b> judge acts like god. How will the normal man get justice when judges make such mistakes.</p> <p>At present times. Only from the temples of Justice like Courts, everyone hopes for right and fair justice</p>	
1.	<p><b><u>Bombay HC</u></b></p> <p><b><u>Harish Arora V Registrar of societies, 2025 SCC online Bom 2833. Justice Amit Borkar</u></b></p> <p><b><u>Para 76: allegation against bias and use of Repealed provisions:</u></b></p> <p>In para 28 principle laid by SC in K.K. Dhavan ( supra) SC held that disciplinary action may be taken against officer exercising quasi-judicial functions, if he has acted in breach of legal duties, negligently or with a view to confer undue benefit on another. Particularly relevant to this case</p> <p><b>Iv. If he had acted negligently or that he omitted, the prescribed conditions which are essential for exercise of Statutory Powers.</b></p> <p><b>v. if he has acted in order to unduly favor a party.</b></p> <p><b><u>Para 77:</u></b> the focus of enquiry is not the correctness of the decision per se, but the manner in which the officer discharged his duty, whether in compliance with law or in</p>	

	<p>breach of it.</p> <p>The Court clarified that the government officers are not immune from accountability merely because their action is cloaked with the guard of official authority or Quasi-Judicial discretion</p> <p><u>Para 81:</u> however, the reasoning given in general and does not explain how such finding was arrived at, nor does it show what materials was relied upon in arriving at that conclusion.</p> <p><u>Para 84: ignoring binding precedent – omission of duty and legal malafides</u></p> <p>Respondent no.1 order is also vitiated by his failure to follow binding precedent.</p> <p>This omission to consider the prevailing law, is <u>another facet of negligence, dereliction of duty</u> encompassed by Dhavan (iv).</p> <p>In effect the Respondent no. 1, omitted a prescribed condition essential for fair exercising of power, that his decision must align with the law as interpreted by High Court.</p> <p>If the omission was willful it is even more egregious, suggesting <u>“ a conscious violation of law to the prejudice of another”</u> which the Supreme Court has identifies s <u>hallmark of malice in law.</u></p> <p><u>Para 85: Violation of Principles of Natural justice and fair</u></p>	
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play

The Record lends credence to the Petitioners complaint that Respondent no.1, considered materials that were not a part of office record of inquiry. If that is so, the decision was based on "Extraneous" information, which appears not to be part of record of Respondent no.1, this offends the basic principle of natural justice and reinforces impression that **Respondent no.1, was influenced by factors outside the legitimate scope of inquiry.**

Such conduct violates the dictum of A.K. Kraipak v/s Union of India ( 1969) 2SCC 262 **that even administrative decision must be made fairly and impartially and on relevant evidence.**

The Supreme Court warning that "**the instrumentalities of State must discharge their functions in fair and just manner**" was not heeded by Respondent no.1.

**Para 86: undue favoritism- Evidence of bias to favor a party:**

even absent of direct evidence of bribery or corruption, **if the pattern of conduct shows a tilted balance or preferential treatment without justification,** the charge of undue favoritism can be made out.

In the present case departing from norm, all operated to the sole advantage of the Complainant faction. This colorable exercise of power using legitimate power for illegitimate purpose is nothing, but undue favoritism in action.

<p><b><u>Para 87:</u></b> if a public authority acts with an intention not authorized by law, or consciously disregards legal limits, the element of malice in law is attracted even if there is no overt malice in fact.</p> <p>The Supreme Court reiterated that the legal malice (malice in law) occurs when the act is done without lawful excuse or for an improper purpose.</p> <p><b>Conscious disregard of law fulfills all the essentials of malice in law. It shows a “depraved disregard” for the Petitioner and constraint of law.</b></p> <p><b><u>That any authority would side step a binding precedent cannot be seen as good faith mistake.</u></b> It reflects either an unaccepted level of incompetence or a willful abuse of power. Both alternative are equally condemnable.</p> <p><b><u>Para 91:</u></b> the rule of law mandates that public authorities must act in transparency fairness, and fidelity to statutory norm. <b>when statutory functionaries deviate from these core principles and act with haste or bias, it undermines not only the integrity of process but also trust reposed in them.</b></p> <p><b><u>Para 92:</u></b> complete disregard of procedural safeguard reflects undue favor, and colorable exercise of power as warned against in Gurudial Singh ( supra)</p> <p><b><u>Para 93:</u></b> fulfillment of procedural safeguard, including issuance of show cause notice, grant of reasonable opportunity, recording and finding. This amounts to colorful</p>
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<p>exercise of power, a legal concept deeply embedded in Indian Constitution Jurisprudence.</p> <p><b>Para 102:</b> grace risk that arbitrary action of this nature may encourage undesirable practices, including possible nexus between vested parties and certain regulatory authorities. Ignored multiple binding precedents of the Court, failed to disclose the basis of adverse factual conclusion and proceedings to pass order with serious civil consequences.</p> <p><b>Order para ii:</b> ignoring binding precedents, relying on unverified factual information and passing orders in breach of natural justice.</p>	
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~~IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS~~

~~64th Esplanade Court, Mumbai~~

~~CC: / Sd: / 2023~~

~~Kamlakar Ratnakar Shenoy, senior citizen aged 67 years.~~

~~Mob. 9670987350,~~

~~Email: [kamlakar2001@yahoo.co.in](mailto:kamlakar2001@yahoo.co.in)~~

applicant

**IN THE COURT OF LEARNED METROPOLITAN MAGISTRATE  
64 KILLA COURT, MUMBAI**

**CRIMINAL APPLICATION NO.                      OF 2025**

**IN THE MATTER OF:**

Kamlakar Ratnakar Shenoy ... applicant

Versus

Bhushan Gagrani and Others ... Accused

**AFFIDAVIT IN SUPPORT OF THE application**

**I, Kamlakar Ratnakar Shenoy**, aged 67 years, Indian Inhabitant, residing at B/903, Vaishali Apartment, Seth Motisha Lane, Opp. Telephone Exchange, Mazgaon, Mumbai – 400010, do hereby solemnly affirm and state as under:

1. That I am the applicant in the present matter and am fully conversant with the facts and circumstances of the case.
2. That I have filed the accompanying application under Sections 166A IPC / 199 BNS and others sections
3. That the facts stated in the application are true and correct to the best of my knowledge, belief, and information. The annexures marked as Exhibits A to J are true copies of their respective originals.
4. That prior to filing this application before this Hon'ble Court, I had approached the concerned Police Station by submitting a application dated 20.8.25 under Section 154(1) CrPC (173(1) BNSS) . Upon their

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(12)

failure to act, I filed a application under Section 154(3) CrPC (173(4) BNSS) before the Deputy Commissioner of Police.

5. That no FIR has been registered till date despite disclosure of cognizable offences.
6. I have not filed any other application regarding the same cause before any other competent court or authority.

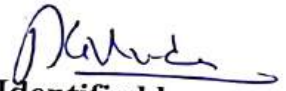
**VERIFICATION**

I, the deponent above named, do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom. **Verified at Mumbai on this 4<sup>th</sup> day of November 2025.**



Kamlakar Ratnakar Shenoy

(Deponent)



**Identified by:**  
Advocate for the Applicant  
(Signature & Stamp)

VAKALATNAMA

I am/we are not a member of the welfare fund. Therefore stamp of Rs.2/- is/are not affixed herewith.

  
Signature

IN THE COURT OF THE JUDICIAL MAGISTRATE OF FIRST CLASS  
64<sup>th</sup> KILLA, AT MUMBAI

C. C. No. / /2025

KAMLAKAR RATNAKAR SHENOY

...Complainant

Versus

MR. BHUSHAN GAGRANI,  
MUNICIPAL COMMISSIONER, BMC AND OTHERS

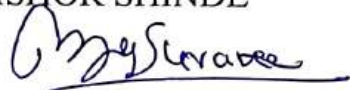
...Accused

We hereby appoint Shri Kishor Shinde and Bhagyesha Kurane Avocates-High Court, Mumbai, to act, appear and plead on our behalf in the above matter. In witness where of we have set our hands to this writing.

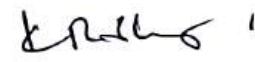
Dated this 14<sup>th</sup> day of November, 2025

Accepted

  
KISHOR SHINDE



BHAGYESHA KURANE  
(Advocates for the Complainant)

  
(Complainant)

Date: 14.11.2025

IN THE COURT OF THE JUDICIAL  
MAGISTRATE OF FIRST CLASS,  
64<sup>TH</sup> COURT, KILLA MUMBAI  
CASE NO. / MISC /2025

KAMLAKAR RATNAKAR SHENOY

... Complainant

V/S

Mr. Bhushan Gagrani, Municipal  
Commissioner, BMC and Ors.

... Accused

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**Criminal Complaint under Sections 61(2)  
(120B), 125 (336), 198 (166), 199  
(166A), 255 (217), 256(218), 316(5) (409),  
326(b) (431) of BNS/ IPC, violation of  
article 49, 51 (f), (i) of Constitution,  
Maharashtra Prevention of Defacement of  
Property Act, 1995**  
-----

Dated this 14<sup>th</sup> day of Nov, 2025

KISHOR SHINDE  
Advocate for Complainant  
16 ½, Manu Seth, Chawl, Near Holi  
Maidan Mumbai - 400017