

लिपि  
मुख्य मंत्र्यांचे सचिवालय  
मंत्रालय, मुंबई ४०० ०३२

17<sup>th</sup> June, 2009

Shri Ashok Chavan  
Hon'ble Chief Minister, Maharashtra  
Mantralaya, Mumbai 400032  
Tel: 22025151

Dear Sir,

CitiSpace (Citizens' Forum for Protection of Public Spaces) established in June 1998 is an NGO which networks 600 Resident Associations, Community Based Organisations (CBOs), NGOs, Trade/Commercial Establishments and individuals in most of Mumbai's 24 Wards. Our creed is the protection of all Public Open Spaces (such as Footpaths, Playgrounds, Recreation grounds, No Development Zones, Beaches and Mangroves etc.) and advocacy of the rightful use of those spaces.

We are horrified, shocked and appalled to read today's news items on open spaces of Greater Mumbai which the MCGM and GOM are proposing to hand over to private clubs (copies enclosed) to exploit for personal gain and use. You must be aware that these reserved open spaces are a public amenity meant for public use by all citizens without exception.

A stay was granted on this anti-citizen Caretaker Policy by Shri Vilasrao Deshmukh for very valid reasons and we wish to point out that the stay does not in anyway cause any impediment in the way of MCGM doing its duty towards securing all open spaces of Greater Mumbai. The MCGM has a budgeted amount for this purpose and in fact Rs.5 crores have been given to each 24 municipal wards for this very purpose.

In the past citizens were up in arms as they saw before them the prospect of losing all open spaces to private developers encouraged by local politicians. In 2007 CitiSpace took a lead in a campaign to save Mumbai's very scant public open spaces. In an open letter to the then Chief Minister eminent citizens have pointed out their misgivings and concern for the caretaker policy stating that if such a disastrous policy was to have been passed the DP planning would go completely awry choking the city to death. A copy of this clipping is enclosed for your ready reference. It details how such a policy would be ruinous and methods towards best practices for MCGM and GOM to follow.

**We would like to mention here very strongly that the citizens of Mumbai are not going to be pleased or forgive any government or politician, who for their personal game convert and takeover public land for private use.** We are aghast at having read that all that the politicians are interested in at this moment is to distribute among themselves this booty by grabbing public open spaces and that this issue is going to be discussed in the Group Leaders meeting today (17<sup>th</sup> June, 2009).

We are very keen to come and meet you at the earliest to convince you that it is in the best interest of Mumbai and its citizens and that reserved public open spaces are



most used by the marginalized, the poor and the middle class. If they are deprived of this the politicians will never be forgiven.

We will call your office to seek an appointment mutually at your convenient time.

Thanking you,

Yours sincerely,

  
**Neera Punj**  
Convenor

  
**Nayana Kathpalia**  
Co-convenor

On behalf of the CitiSpace Core Committee:

Mr. Jekisan Bhatia  
Mr. H. S. D'Lima  
Ms. Vidya Vaidya

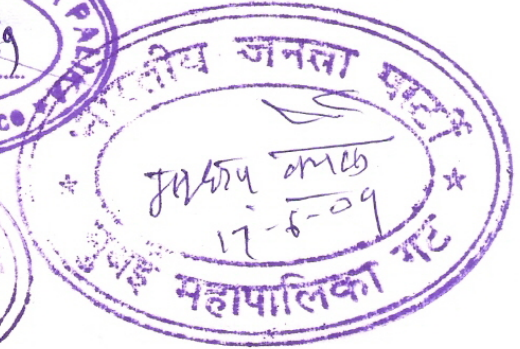
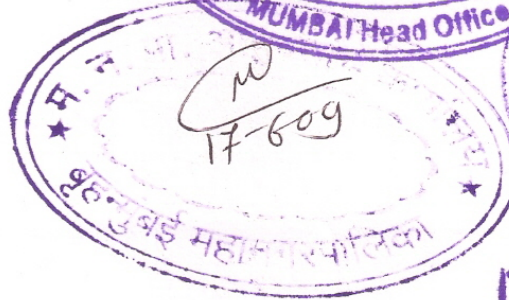
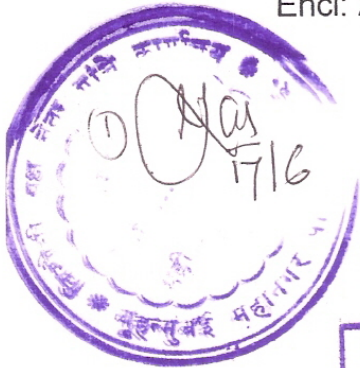
Mr. Gerson da Cunha  
Mr. Rajkumar Sharma  
Mr. Atul Vora  
Dr. Rustum Soonawalla

Mr. Bhanu Desai  
Capt. Joe Lobo  
Mr. Sharad Bansal

Cc: Mr. Chagga Bhujbal, Dy. Chief Minister  
Dr. Shubha Raul, Hon'ble Mayor  
All Six MPs of Greater Mumbai  
Group Leader in the MCGM of:-

✓ Congress  
✓ Shiv Sena  
✓ BJP  
✓ NCP  
✓ SP  
Municipal Commissioner


Encl: As above



बृहन्मुंबई महानगरपालिका  
राष्ट्रवादी काँग्रेस पार्टी

आवक क्र. ....

दिनांक 17/6/09

सही 

बृहन्मुंबई महानगरपालिका  
सभागृह नं. १८६ कार्यालय

दिनांक:- १६/६/०९



# Mr Chief Minister, stop this ruinous move

**Mr Vilasrao Deshmukh**  
Chief Minister of Maharashtra

Dear Sir,

**M**UMBAI'S ASPIRATION of becoming a Global City received a severe setback on November 22, 2007. While civic and business leaders were meeting with the Mayor of London and his team to exchange ideas and information concerning Mumbai's growth as a global city, the BMC Improvements Committee was debating the Caretaker Policy that would hand over large chunks of open space for the building of clubs. The irony is that while the Mayor's meeting spoke unequivocally about preserving, tending and creating more open recreational grounds for a truly global city, the BMC committee was passing a resolution to deprive Mumbai of those very spaces!

The Caretaker Policy will allow reserved plots of 5000 sq. mt and over, and 15000 sq. mt and over; to be given for the development of private clubs, which include facilities such as sports, restaurants, bars and so on. Clubs, by their very nature, are restricted to members and closed to the general public. However 'correctly' the contractual agreement between the Municipal Corporation of Greater Mumbai (MCGM) and the private party may read, the undeniable fact is that on the ground it has been proven beyond doubt that implementation and enforcement of any such agreement by the MCGM is virtually non-existent, allowing the club authorities to run their facility as a personal fiefdom. Thus to hand over public land, which is held in trust by the Government for its citizens, is truly immoral.

Money is being poured into Mumbai for developmental needs,

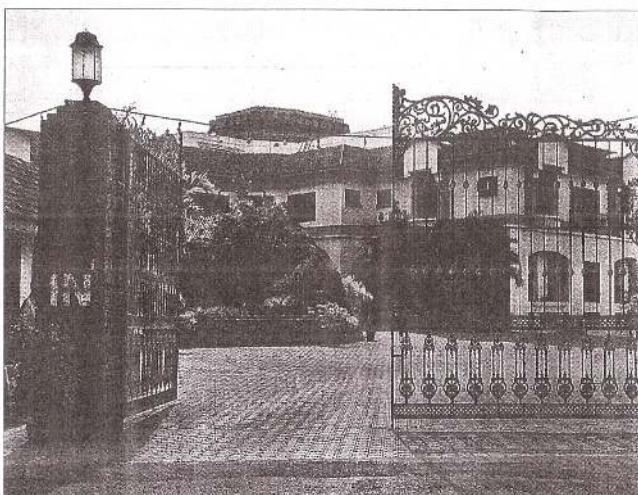
but the city is deteriorating. In marked contrast to cities like Delhi and Hyderabad, we are building at a furious pace with little thought to the dismal environmental picture. The common man with scant resources and no access to places of recreation is the greatest casualty of this blind policy.

International guidelines for green open spaces in an urban environment are 4 acres per 1000 people, with several mega cities like Delhi, London and New York far exceeding this figure. Mumbai, with an abysmally low 0.03 acres per 1000 people, is poor indeed!

**Last year, Mumbai suffered a body blow when the Supreme Court, inexplicably, overturned the Bombay High Court ruling in the mill lands case, and the city's chance to have a sizeable green space was lost. More recently the much-awaited Eastern Waterfront Project, with its inclusion of promenades, parks, gardens and other public amenities, seems to be sunk before it starts**

Apart from irreparable loss to the citizens, what of the physical safety of our city? During the floods of July 26, 2005, over 500 Mumbaiers lost their lives, and property loss and damage ran into hundreds of crores of rupees. Every expert report, including the Government's own Chitale report, stresses the need for open, un-surfaced spaces to act as sponges to absorb excess water in

**Eminent citizens and activists write an open letter to Vilasrao Deshmukh to save Mumbai**



MEMBERS ONLY: Matoshree Club, Jogeshwari

the eventuality of heavy rainfall. Climate change being an undisputed reality, with several such catastrophic events scientifically foretold, how can we in all conscience, actually destroy our defences?

Last year, Mumbai suffered a body blow when the Supreme Court, inexplicably, overturned the Bombay High Court ruling in the mill lands case. The city's chance to have a sizeable green space was lost. For once the 'lack of funds' excuse does not hold wa-

ter. The MCGM has allocated Rs 400 crore in its budget of 2007-08 for public open spaces. There are currently 940 acres (information received under RTI) of such reserved open spaces available for adoption/caretaker in Greater Mumbai. Looking at the budgets of Oval Maidan (22 acres) and Kridangan Sangopan Samiti Garden (1.35 acres), both public open spaces, we find that their average capital costs plus maintenance budget for one year come to an approximate Rs 11 lakh per acre (we

are not accounting for the skating rink at the Kridangan Garden, as this would not apply to most grounds). Both Oval Maidan and Kridangan Garden are maintained in prime condition under the adoption scheme. At Rs 11 lakhs an acre, 940 acres would cost the MCGM Rs 103.4 crore, leaving Rs 296.6 crore for additional facilities!

To remedy this faulty policy in the public interest, we believe that certain steps must be undertaken by the MCGM and support-

ed by the State Government, preceded by a public debate. Some suggestions:

■ The Rs 400 crore budget should be used first to secure all MCGM reserved grounds with fencing and a security arrangement

■ There should be no blanket policy based entirely on the size of the reserved open spaces.

■ A ward-wise survey of plots of 5000sq m and above and 15000sq m and above should be undertaken to assess the needs of the community for a sports facility

■ Suggestions/objections should be invited in a transparent manner after the survey results are disseminated to the public

■ The sports facility must serve all members of the community and not just members.

■ A hybrid model where the MCGM develops the facility with its own funds and the stakeholders manage it with funds from corporates is one such option

■ Private clubs cannot be built on reserved open spaces. They must be built on land purchased by promoters

■ If the MCGM wants citizens to assist it, then the 'Adoption' policy should be followed. This differs from the caretaker model in that it is more citizen friendly, allows neighborhood committees to come forward in the maintenance of open spaces and is more environment sensitive as it does not allow any construction other than a small *mali chowky*.

■ For the Adoption policy to succeed the MCGM must FIRST make the public at large aware that a) such a policy exists and b) where the information would be available. As an immediate first step the MCGM must advertise this fact widely in major English and Indian language newspapers. The policy should be explained and a list of all Recreation Ground/Playground Parks and

Gardens available for adoption placed on the Ward Office Notice Board, at the site, at other public spots in the locality, in the print and electronic media and the MCGM website. The application system needs to be streamlined and more time for the application process be given—30 days, as now given, is just not enough.

We are writing to you Hon'ble Chief Minister to please save our city from this looming threat. Though the matter is directly handled by the MCGM, surely your office has the power to veto a bad policy. In the name of development, Mumbai is being overbuilt in the worst possible manner and this great city of India will be ruined forever. We hope that your concern for the environment, the ordinary citizen and Mumbai itself, will ensure that you intervene in this matter and stay the policy in its current form.

Yours faithfully

**Justice B. N. Srikrishna, former judge, Supreme Court, Justice S. Varadachari, former judge, Supreme Court, Sharad Kale, former Municipal Commissioner, Mumbai, D. M. Sukthankar, former Municipal Commissioner, Mumbai, Satish Sahney, former Police Commissioner, Mumbai, Julio Ribeiro, former Police Commissioner, Mumbai, Cyrus Guzder, CMD, APL Limited, Nasser Munjee, Chairman, DEB Limited, Garson Da Cunha, Convenor, AGNI, Sheila Srinivasan, President, Dignity Foundation, Debi Goenka, Executive Trustee, Conservation Action Trust, Shirin Bharucha, Trustee, OVAL Trust, Shalish Gandhi, RTI Activist, Nayana Kathpalia, Trustee, NAGAR, Neera Punj, Convenor—CHS, Meher Rajani, Convenor, CLEAN AIR**



IT'S ABOUT the open spaces in your city.

The playgrounds and recreation grounds where your children play could get usurped once again if your elected representatives have their way.

Leaders of the ruling saffron alliance met Mayor Shubha Raul and Municipal Commissioner Jairaj Phatak on Tuesday to decide on the caretaker policy for open spaces and their development.

As per the caretaker policy, private players can carry out development of open spaces.

In 2007, the state government stayed allocation of open spaces — recreation grounds and playgrounds — to private parties following citizens' complains. Some of these open spaces were given to trusts run by politicians from the saffron alliance.

These included the Matoshri Club at Jogeshwari-Vikhroli Link Road, Kamala Vihar Sports Club at Kandivli, Prabodhankar Thackeray Krida Sankul and Swimming Pool at Vile Parle, Prabodhan Krida Bhuvan at Goregaon and MIG Club in Bandra besides others.

*Hindustan Times* had in 2007 revealed how your elected representatives, who were supposed to make open spaces available for the city, were keen to take their possession.



### Last stand for open spaces in Mumbai

How city officials and politicians are preparing to hand over your last public spaces to private clubs



"The development of many open spaces is restricted due to the stay on the caretaker policy and hence we demand that the stay be lifted," said Shiv Sena leader Ravindra Waikar.

"We haven't decided anything on Tuesday as members from the Congress were not

present at the meeting," said Mayor Shubha Raul. "We will decide on it tomorrow at the group leaders' meeting."

The policy was stayed after the builders flouted norms by leasing the grounds for commercial purposes, increasing membership fees and not keeping the grounds accessible for public use.

The civic body planned to give away 49 plots of over four acres to private builders who would build clubs with restricted entry to citizens.

bhavika.jain@hindustantimes.com

(Above) An aerial view of the MIG Club in Bandra. (Left) The *Hindustan Times* report published on November 14, 2007.

### HOW HT DROVE CHANGE

■ In November 2007, *HT* revealed how BMC intended to hand over 49 public spaces to private clubs.

■ *HT*'s series showcased the city's lost spaces. *HT* also carried a letter from eminent citizens to the chief minister, urging him to save our last spaces.

■ With public pressure mounting, the chief minister stopped the handing over of 49 open spaces.