



## Advocacy - Governance - Renewal

बृहन्मुंबई महानगरपालिका.

उद्यान अभिक्षक यांचे कार्यालय

व वृक्ष प्राधिकरण

- 5 OCT 2023

क्रमांक SG/.....

To,

Mr Jitendra Vitthalsingh Pardeshi

Superintendent of Gardens & Tree Officer

2 Floor, Veermata Jijabai Bhosale Botanical Udyan,

Humbolt Penguin Cell,

Dr. Babasaheb Ambedkar Marg, Byculla (East)

Mumbai - 400 027.

October 05, 2023

**Subject: Suggestions/Objections to BMC on the Draft Proposed Policy on Provision of Giving Recreational Grounds and Playgrounds on an Adoption Basis**

Dear Sir,

We, NAGAR, are writing to you to put on record our Suggestions/Objections to the above mentioned Policy.

In your Policy document you have said:

*"Mumbai is the financial capital of India and is a very densely populated city. Given the minimal size of the houses of the people in this city, it is necessary to have a large number of public open spaces for their enjoyment, pure recreation purposes and health. As per Sub Development Control Rules 2034, reservations like Gardens/Recreation Grounds/Playgrounds and Parks have been designated in the Development Planning Scheme. Out of these, 1104 plots of land with a total area of 562 hectares have been acquired through the Garden Department of the Municipal Corporation and some more plots are going to be acquired. Brihanmumbai Municipal Corporation is trying its best to develop every reserved plot and aims to develop it for public purposes.*

*In the last few years, the Municipal Corporation has developed many gardens by providing large funds for the development and maintenance of these places. However, although the Municipal Corporation has been successful in keeping the Recreation Grounds and Playgrounds safe, the necessary facilities required for different games and other facilities have not been adequately provided."*



### **Suggestions/Objections to BMC on the Draft Proposed Policy on Provision of Giving Recreational Grounds and Playgrounds on an Adoption Basis**

**NAGAR objects to your plan to hand over Public Open Spaces (POS),** namely Recreation Grounds/Playgrounds to private entities through an adoption scheme you have proposed. One major reason is that the BMC has vast funds at its disposal and it must look after its lands, (POS), by using these funds. BMC is the richest corporation in the country with a budget bigger than many States of the Union. For it to say that they cannot develop, maintain, and manage their public open spaces is just not acceptable. It is your duty to do this especially as citizens pay taxes for civic facilities.

NAGAR firmly believes that Public Open Spaces are not a luxury but a necessity for the physical, mental, and social health of a metropolis and its citizens. They improve the quality of air acting as open green lungs, acting as sponges during the monsoon and providing spaces for recreation. Hence, these spaces need urgent attention and must be protected, conserved, and maintained by the BMC.

**NAGAR suggests that POS are maintained by the BMC** who have the authority, funds and responsibility to safeguard these vital spaces for the greater common good of the citizens of Mumbai.

1. Recreation Grounds/Playgrounds once developed should be accessible to all without any discrimination against religion, caste, race, sex, place of birth or residence.
2. The following **mandatory principles** should be followed while developing the Recreation Ground or Playgrounds:
  - The plots should be non-buildable
  - The plots should be permeable
  - The plots should be accessible to all throughout the day from 6 am to 10 pm
  - The plots should be open to the sky
  - A spatial fence with a low kerb should be built - for example, Oval Maidan
  - Plantation of native/indigenous plants encouraging biodiversity should be permitted
3. **Facilities to be provided** in the Recreation Grounds/Playgrounds:
  - Abundant lighting should be provided. Solar lighting can be installed.
  - Benches/ natural seating should be provided at appropriate places.
  - Rainwater harvesting systems must be set where possible. This saves scarce potable water being currently used.
  - Garden horticultural waste is to be composted where possible and should be used to fertilise the open space.



4. **No water fountains or toilets** should be provided as experience has shown poor maintenance resulting in unhygienic conditions in the toilets and complete misuse by the informal settlements. These facilities should be provided separately in the neighbourhood areas.
5. **A toll-free number/ helpline number** should be designated for citizen to voice their concerns and give their feedback in case of any damage.
6. **Activities that must be prohibited** in the Recreation Grounds/Playgrounds:
  - No commercial activities should be permitted
  - No loudspeaker use should be permitted
  - No hardball games should be permitted in Recreation Grounds, Parks or Gardens. They should be allowed only in Playgrounds.
  - No impermeable paved walkways should be allowed.
  - No billboards or advertisement boards must be allowed in RPOSSs or on the Fence, except for the BMC logo being the owner of the land.
  - No entry for parking of vehicles inside the facility must be permitted, except those authorised for the maintenance of the POSSs.
  - No religious or political events must be allowed on playgrounds.
  - No street vendors should be permitted inside the POSSs
7. **An Audit Committee**, for a monthly Audit of the POS should be officially constituted in each ward which must include the following as its members:
  - The Assistant Commissioner of the Ward.
  - The garden official of the ward
  - The local Corporator
  - The area stakeholder NGO/ALM
  - Other relevant officials of the Ward (SWM, RWH, etc.)
  - An environmental expert to safeguard the biodiversity as well as geospatial assets of the said plot of land.

For the implementation of the said policy to be a success, **public participation is a must**. Hence the Auditing Committee should have members from the authorities as well as civic society in the form of local stakeholders.

8. The responsibility of this Audit Committee is to ensure that the designated contractor is undertaking the work allotted in an efficient manner in keeping with the terms and conditions set out in the contract.
9. The plot/s of land under the policy should be **represented on the MCGM DP Remarks 2034** portal with associated details attached to the map metadata.

**About NAGAR:**

NAGAR is a not-for-profit organization established in 2000, born out of the passion of several ordinary citizens with a goal to improve life in the city of Mumbai. Among several others, one of its key programs is the preservation of public open spaces in Greater Mumbai. In 2010, it conducted a survey of 1429 Public Open Spaces (POSSs) in Greater Mumbai and published a sample of 600 in a publication entitled 'Breathing Space'. Its sustained campaign for the preservation of Public Open Spaces continues to date.

NAGAR has been advocating for the protection and preservation of public open spaces for more than two decades now. NAGAR's erstwhile constituent CitiSpace was appointed as an Expert on the Committee constituted by a G.R. No. BMC/2512/No.953/UD-21 dated 3rd November 2012 under the Chairmanship of the Municipal Commissioner to formulate a "Uniform Policy for Comprehensive planning and development of open spaces within the limits of Mumbai Municipal Corporation".

NAGAR wishes to place on record all the above Suggestions and Objections which have been given in the best public interest. We hope you consider the above-mentioned principles and our recommendations and we trust that the BMC will take cognisance of these in the spirit they have been recommended.

We look forward to an affirmative response.

Thanking you.

Yours sincerely,



**Nayana Kathpalia**  
Trustee



**Meher Rafaat**  
Trustee

On behalf of Trustees

Atul Kumar D M Sukthankar Dinesh Ahir Kunti Oza  
Meher Rafaat Nayana Kathpalia Neera Punj Parul Kumtha