

# Mumbai Meri Jaan



**Forward This To All - And All Forward - Together**

## Editorial

### Covid will stay for long

The second wave is yet to be over and at the same time we are about to face a possible third wave. With the Delta plus variant creeping in, the government has removed Levels 1 and 2 from its list of 5 level unlock strategy. This is to restrict the spread of the virus.

In Mumbai, despite having a good record of less infections, more testing and vaccinations, the BMC as a follow-up of the State's order has decided to stay at Level 3.

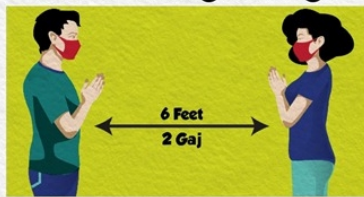
For the last one year, we have been hearing about nothing except Covid. Citizens are fatigued with it, but there is no alternative but to follow Covid-19 appropriate behaviour. This is for our own safety and that of our families and neighbours.

#### FOLLOW COVID Appropriate Behaviours

##### Hand wash



##### Hands-free greetings



##### Face-cover/mask



##### No spitting

Ultimately, we as alert citizens should take precautions thus protecting ourselves.

So friends, let us all vow:

1. To stay at home.
2. Go out only if necessary.
3. Wear a mask.
4. Observe social distancing.
5. Not to forget washing our hands as often as we can.
6. Get Vaccinated

If we follow these guidelines, we will be safe from Covid-19

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## The Dodging Pandemic



Jennifer Shetty

Covid 19 was, is and will always be independent of color, caste, creed, gender, age, and wealth. The pandemic has sucked us into the vortex of a rapidly escalating virus which has devastated our lives. Mixed reactions and responses to the virus have emerged with the country becoming aware that the virus has exposed generous and needy people along with, disgracefully, black marketers and egregious politics.

The outbreak of the virus speaks volumes about the creaky healthcare system in our country. The free-for-all that ensued with citizens fighting for oxygen, beds, medication, ventilators, etc. with the onset of the second wave has traumatised the country. Even logs of wood to cremate their loved ones were available at a premium or not at all. These memories will be etched for life

Lighting Diyas and banging thalis proved how vulnerable and gullible Indians are and that's precisely the name of the game. The first wave took us by surprise. Forgivable under the given circumstances. But, argumentative and irresponsible Indians welcomed the virus with

g u s t o again with parties, weddings, inappropriate Covid behaviour, election rallies, religious functions etc. The second wave was a bigger surprise and a bigger jolt. Not to be forgiven in comparison with global standards. We had enough time, resources and fine minds to contain it.

Although the Maharashtra government swung into action and took control, there have been pros and cons. The tussle for vaccine quota, the vaccine hesitancy, the involvement of politicians, not uploading data for collection of certificates, improper facilities at vaccination centres, insensitivity to senior citizens, jumping the queue, interference from party workers at vaccination centres, political competition and mileage (with posters of politicians outside vaccination centres, a violation of section 398 A) posed more problems.

A crucial point that the government must note is that senior citizens had to bear the trauma of travelling to vaccination centres, thus exposing themselves to the virus.

contd. on Page 4



## Vaccination and the digital divide

The country is in the throes of Covid 19 which will not loosen its vicious grip till a large segment of the population is vaccinated. Till then waves of the disease will sweep over the country, waxing and waning, but never disappearing entirely. In the process, not only will precious lives be destroyed, but an economy, which was

once positive, will plunge into deep recession.

In this bleak scenario the only glimmer of hope is vaccination. India needs to have 60%-70% of its population vaccinated to acquire herd immunity which would give the country safety and some semblance of normalcy again.

However, the vaccination



Pamela Cheema

policy devised by the country may make this goal a mirage. To get vaccinated a citizen has to first register on the Cowin app. This is possible only if you own a smart phone. This is the first huge hurdle that has to be surmounted. The next is the actual procedure of registration followed by a search for a Covid centre on

the app.

To defeat the Coronavirus and its swiftly mutating variants, the country has to have mass vaccinations but most Indian citizens do not possess a smart phone to register on the app. Even with a smart phone the technology is mind boggling for most who use their phones mainly to call friends and relatives or to receive calls.

contd. on Page 4



## THE ICONIC JUHU BEACH-Part 1

 Zahida Banatwala

While a lot has been written about Juhu Beach one can never tire of reading about it or simply sitting on the beach and gazing at it. It's beauty is occasionally marred by irresponsible dumping of garbage. This is precisely the aspect I would like to focus on, the challenges of



maintaining a beach which spans over 5 kms. As members of the Juhu Citizens Welfare Group we have been monitoring the cleaning of the beach for over 10 years. When the BMC floats a tender and the



contract is awarded to the approved persons, the humongous task of cleaning the beach is a challenging one.

Beach cleaning has many aspects to it, to begin with the beach is littered by visitors who leave behind food wrappers, bottles of all shapes and sizes, aluminium cans and much more. There are litter bins placed at every 50 meters, yet people choose to ignore the same. The food court which has around 80 stalls generates a huge quantity of food waste, both cooked and uncooked, and a lot of dry waste too. The food stalls are only interested in raking in the money, taking little or no interest in proper disposal of the waste generated. In spite of the designated food court, illegal hawking continues on the entire stretch of the beach. In



fact, very slyly much of the waste is dumped into the sea at high tide. There is a constant battle between the BMC and the Beach Cleaning Contractor about who should be responsible for disposing of the same.

Equally important is managing the waste thrown back by the sea on to the beach, which in turn has been discharged by the nullahs. The waste comprises faecal matter and everything else from old sofas to foam mattresses, which find their way from the nullahs into the sea. High tide throws all the debris on to the beach, leaving behind a carpet of hazardous waste. It's a tedious task and while men and machines strive hard to clear the mess, we lose a lot of precious sand too in the process. There are stringent clauses in the beach cleaning contract, on how much labour



is to be employed and the number of beach combers and shifts etc. that need to be employed to maintain Juhu beach. However, monsoons are the worst time in the year to manage the cleaning as every high tide brings its share of woes.

This iconic beach is lined with housing societies, bungalows and hotels, all of which generate waste which finds its way to the beach, shocking yet true. The beach cleaning contractor ultimately ends up clearing all the tree waste, construction debris and stormwater **Contd. on page 4**

## When nature played havoc, the city's spirit never collapsed

 Lillian Pais

On 17 May 2021, Cyclone Tauktae coupled with over 200 mm rainfall and gusty winds of more than 100 kmph wreaked havoc in our coastal city leaving 6 people dead. A video of a flooded Gateway of India due to the strong waves



from the Arabian Sea pounding at its ancient walls went viral on social media. 600 or more trees got uprooted across the city. There was loss of property, mostly cars that got crushed under fallen trees. 122 BEST busses broke down and 52 street light poles got damaged. Nature definitely played havoc!

This unprecedented number of fallen trees put a strain on the Municipal authorities to clear and dispose of the same immediately. This called for a



joint action plan in every ward. H/ West Ward itself recorded a tree fall of 103. The Maintenance Department, Solid Waste Department worked hand in hand with the Garden Department to clear the main roads overnight, this being their first priority. A portion of a Municipal playground each in Bandra, Khar and Santacruz was designated for the temporary storage of tree waste while teams of tree cutters were deployed. Some bylanes in Bandra remained closed to traffic for more than a day as a result.

When Mumbaikars surveyed the damage the next morning then swung into action to save as many trees as they possibly could. Local residents and NGO



groups managed to replant 4 trees with the help of infrastructure provided by H/West Ward. This is quite commendable considering the age and girth of these massive trees. We salute this joint effort in which a Vad tree at Reclamation promenade, Peltophorum tree at Mother Teresa playground, a Badam tree at RG garden at B.J. road and Peltophorum at Nargis Dutt road Pali Hill was replanted. No matter what the calamity, the city's spirit never collapses.

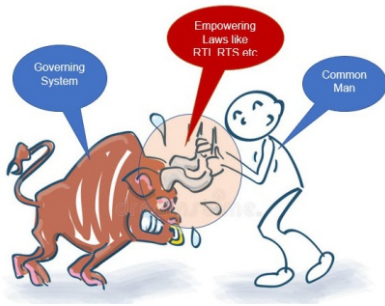
While most of this may have been reported in the press and on social media I for one wondered if MCGM had a future plan. Much to my surprise I was told that most of the trees that fell are from the British times and were not indigenous species. Their location is as per the old planning and the only option for such trees is to maintain. Presently roadside plantation includes trees of only native variety which have a full grown height of 125 feet only. The mandatory tree basin as per norms is being strictly followed. The H/West Garden Department is targeting a plantation of minimum 125 trees which is already



underway. Their motto is simple. We cannot undo the past but we can redo the present to minimise the loss of green cover in the future.

**Lillian Pais is AGNI's H/West Ward Coordinator**





## Take the Bull by the Horns

**How to make the Governing System work for Citizens - 9**

**Shrikant Soman**

## Traffic Police and the Law

The image of the traffic police in the minds of the general population is not that good—and for valid reasons as we all know. The main culprit for this state of affairs is not the police but the person who either encourages the corrupt practice or meekly submits to the unlawful demands of the police. It is more of the former than the latter. In our hurry to get to our destination, we find the shortcut of bribe more effective in saving time. The police are given daily targets by the authorities for (official) collections by way of fines (with official receipts). This results in the police being more preoccupied in 'catching' the motorists on the wrong side of law (on a few occasions the motorists are even stopped even if they have not flouted any traffic rules) rather than doing their more important task of regulating traffic.

In this context, it is important to know traffic rules and the rights of the citizens in order to take the system head on:

1 Always ask for the identification of the traffic official. As he has the right to ask for your driving licence, you can also ask for his official identification. Your right (of asking for identification) takes priority over the right of the traffic police to ask for your driving licence. You can REFUSE to show your documents if the traffic policeman does not show his identity card.

2 Traffic police cannot tow away your car if there is a person inside the car.

3 A traffic policeman cannot force you to get out of your

car. He also cannot take your car keys forcefully. He also cannot deflate the tyres of your car.

4 A car owner can claim compensation from the towing operator if his vehicle is damaged during towing operation (as per the judgement of the Bombay High Court).

There is also a virtual eCourt for challenging traffic violations orders and E-Challans in Maharashtra. It is not necessary to carry physical documents of your ID Proof (AADHAR Card, Driving Licence, Car Insurance, Vehicle Registration) with you while driving as it can be uploaded on the Digilocker App from the government of India. This is sufficient proof of your documents.

Mumbai Traffic Police main office can be contacted to lodge your complaint at telephone 022-24940303, 8454999999 or by email to cp.mumbai.jtcp.traf@maha police.gov.in. A brief complaint with a photo can even be posted on the Twitter handle of Mumbai Police at @MumbaiPolice. They are usually quick to respond to the posts on this twitter handle. There is also a special App for mobile phones which can be downloaded from Google Play for Android phones. The name of the official App of Mumbai Traffic Police is MumTrafficap. Complaints can also be lodged on this App.

**Shrikant Soman is AGNI's Coordinator in R/North**

**MMJ**



## GST levied On Housing Societies Is Unconstitutional

**Mohit Pande**

The Bombay high court has ruled that a housing society is not an industry. Justice Suresh Gupte, in an order, quashed a labour court's order asking a housing society in Mumbai to reinstate a watchman whose services were terminated.

Since a housing society is not an industry as ruled by the Bombay High Court the levy of 18% GST on members who are required to contribute Rs 7500.00 or more per month towards common expenses is wrong. Therefore, Section 2(17) of the CGST Act:

"business includes— (e) provision by a club, association, society, or any such body (for a subscription or any other

consideration) of the facilities or benefits to members" is unconstitutional.

Article 14 of the constitution guarantees the Right to Equality. The State shall not deny to any person equality before law or equal protection by laws within the territory of India.

Let us now examine how Section 2(17)(e) of CGST Act 2017 does not provide equality before law:

Members staying in the same housing society are discriminated on the basis of monthly contribution towards common expenses.

Members of housing societies whose annual turnover is Rs 20 Lakhs or less **Contd. on Page 4**

## An appeal for donations

AGNI is a movement managed and run by volunteers. Being a voluntary movement, AGNI needs the support and contribution of every citizen to continue its work. Citizens are invited to contribute their indispensable ideas, time, effort and financial support. Send Cheque / DD in favour of "AGNI" to any of our Ward Coordinators as listed on Page 4 or to AGNI Office: Chadha

Bldg, 1st Floor, Plot no. 95, Wadala (West), Mumbai 400 031  
Bank Details for donations transferred electronically:

**Account Name: AGNI,**  
**SBA/c No.: 000710210000005**  
**Bank of India, Breach Candy Branch, Mumbai 400 026.**  
**NEFT/IFSC: BKID0000007**

AGNI is a Charitable Trust. Donations are eligible for exemption under 80G of the Income Tax Act. **MMJ**

**A VERY BIG THANK YOU**  
**for Donations received**

**in the month of June 2021:**

**Ajit Balakrishnan Rs. 75,000/=**  
**Smita Godrej Crishna Rs. 20,000/=**  
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**Lalitha Ram Rs. 2,000/=**  
**Rear Admiral Thukral (Retd) Rs. 1,100/=**  
**Vakola Shekinah Motors Rs. 500/=**

Vaccination and the digital divide

**contd. from Page 1** This writer has helped domestic workers, electricians and other assorted workers who expressed helplessness with negotiating the app. Once registration is done, hunting for a Covid centre in one's neighbourhood is equally difficult for citizens with a complete lack of computer literacy.

The digital intricacies of the app have led to many

The Dodging Pandemic

**contd. from Page 1** It would be highly appreciated if a door-to-door system of vaccination for senior citizens is established.

Please ponder over the grave situation in our country. We are not only battling a virus, we are also battling a health crisis, an economic crisis, a humanitarian crisis. The virus went global, but in India it was close to a man-made disaster. Step out for change if you want a better India. Wake up and participate, if not you will be surely doomed with or without the virus.

Jennifer Shetty is AGNI's Coordinator in A ward **MMJ**

citizens shying away from vaccination by saying helplessly "humein registry karna nahi aata (we don't know how to register)". A Cowin app in regional languages will not help either as that also requires digital literacy. Citizens then either request their friends, relatives or employers to assist them or dodge vaccination completely! Or else they have to be persistently counselled to join the long queues at Covid centres!

The Covid vaccination campaign should have followed the immensely successful Pulse Polio immunisation programme which penetrated deep into the population of the country and eliminated the disease. Vaccination, in addition, has been compounded by severe recurring vaccine shortages, when the essence of the programme should actually have been to surge ahead and vaccinate most of the population, thus considerably reducing the impact of the deadly disease.

Pamela Cheema is AGNI's Coordinator in S ward **MMJ**

GST levied On Housing Societies

**Contd. from Page 3** are fully exempt from 18% GST even if their monthly contribution is more than Rs 7500.00 per month towards common expenses.

Affluent residents staying in standalone multi- storied buildings are also fully exempt from 18% GST on the expenses incurred on maintenance, security, housekeeping etc. even

when such expenses are more than Rs7500.00 per month.

The Bombay High Court order of June 2018 has clearly said that a housing society is not an industry.

The Supreme Court has ruled in a number of cases that housing societies are run on the concept of Mutuality by members themselves on a voluntary basis.

Cooperative Housing Societies were exempted from Service Tax. Service tax is now included in GST therefore housing societies should be totally exempted from GST.

The levy of 18% GST is causing avoidable harassment and additional coplan ce expenses to housing societies due to filing of multiple returns. Many requests submitted to the Prime Minister, PMO, Finance Minister, Revenue Secretary and CMO for unconditional exemption from 18% GST to housing societies have fallen on deaf ears. A writ petition in the High Court may provide relief.

Mohit Pande is an AGNI volunteer and Chairman, Symphony Cooperative Housing Society Ltd **MMJ**

The Iconic Juhu Beach

**Contd. from Page 2** discharged on to the beach. Last, but not the least, is the shallow water fishing that carries on unchecked by motorised boats. The diesel floats on the surface of the water and ends up on the beach mixed with sewage to form tar balls, a very difficult item to clean and the perfect recipe to destroy marine life and create water pollution.

If citizens and municipal authorities paid attention to the above hazards and prevented the same with heavy penalties, we would not need a beach cleaning contract.

Zahida Banatwalla is AGNI's Trustee **MMJ**

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