

# Juhu residents win back open space

## Raze Transit Camps On Plot, Says HC

Linah Baliga | TNN

Scoring a victory against a developer, Juhu residents have won back an open space admeasuring 2,000 sq mt in the Gulmohur area of Juhu-Vile Parle.

The Bombay high court last month directed the developer to free up a recreation ground (RG) of what is around half an acre and demolish the transit camps and toilet blocks he had built on the plot. "This is yet an-

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other victory for residents in their struggle to reclaim public open spaces in Mumbai. It also sadly exposes the way some officials connive with developers in appropriating public property for private profit," said architect P K Das and member of the NGO Save Open Spaces, which filed a PIL in 2012 in the high court over the land.

The issue's roots date to the late 1990s, when the developer

## PROTECTING OPEN SPACES

The case's roots date to 1997, when a builder mooted a proposal to redevelop a slum along the Irla nullah. Between 1998 and 2000, the developer executed the slum rehabilitation scheme on a plot in Vile Parle-Juhu, numbered CTS 464, which was in fact reserved as recreation ground (RG):

**2000** | Slumdwellers approached the HC protesting against the sanction of the slum redevelopment scheme on land reserved as RG

**2001** | An HC-ordered inquiry found Mhada issued an NOC for the entire scheme though the land did not belong to it

**2002** | The court directed that the state be compensated for the loss of recreation ground CTS 464 with equivalent land in the adjoining plot numbered CTS 455 (this too was part of the SRA scheme); no development had appeared on



CTS 455 until then. Subsequently, however, the developer built transit camps and toilet blocks on CTS 455

**2012** | Juhu residents caught the developer covering a nullah passing through CTS 455 with slabs. They alleged the developer was doing this to pass off the nullah land as compensatory RG. An NGO, Save Open Spaces, filed a PIL

**2013** | The HC ordered on March 20 that the nullah land cannot be used as RG

executed a slum rehabilitation scheme on a plot in Juhu-Vile Parle that was in fact reserved as recreation ground in the development plan. The reservation proscribed any develop-

ment on the plot. The proscription was highlighted in a writ petition filed by the resettled slumdwellers in the high court in 2000.

The court ordered an inqui-

ry under the then principal secretary, Ravi Budhiraja, which found that the Maharashtra Housing and Area Development Authority had issued an NOC for the slum rehabilita-

tion scheme even though the RG land did not belong to it.

In 2002, the HC directed that the state government be compensated for the loss of the recreation ground with an equivalent land in the adjoining plot (this too was part of the SRA scheme). Until then, no development had appeared on the adjoining plot. But subsequently, the developer built transit camps and toilet blocks on it.

Last year, locals noticed the developer was covering with slabs a nullah passing through the plot the HC wanted given to the state. The locals alleged it was subterfuge. "The developer showed the compensatory RG on the adjoining plot, as committed to the court, but placed it over the nullah," said Das. Save Open Spaces filed a PIL in the high court against the developer, alleging relocation of the RG over the nullah and misuse of the reserved RG plot.

On April 17 of this year, the high court passed its final order. It directed the developer to submit a revised proposal to the Slum Rehabilitation Authority for obtaining fresh approvals based on land profiles as approved by the court. Furthermore, it ordered the developer to demolish the transit camps and toilet blocks and hand to the state 2,000 sq mt of the RG land they currently straddle. TOI's attempts to contact the developer were unsuccessful.