

A Retrospective Analysis of the Success and Limitations of an Apolitical Agitation against Corruption in Local Government in Lonavla, India

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Abstract—Democracy is arguably the best system of governance acceptable to the majority of people all over the world. However, it is far from perfect. Its success lies in the participation of citizens not only during elections but also during the period that separates any two successive elections. If the people do not remain vigilant, the elected representatives are often seen to reorient the administration very tactfully in a direction such that their own interests are served better than those of the people who voted them in power.

The number of people who are vigilant is usually small and they too need an incidental cause to come together to fight injustice which is often buried deep in government records to such an extent that it should appear almost impossible to reveal it. Still there are some times when some activists, through their puritan approach and persistent efforts overcome all hurdles that lie between common civic problems and their legitimate solutions. In the process, they show the ways that common people can and should follow in order to arrive at peaceful solutions of civic problems without affecting the constitutional framework of law and also the social harmony much essential for a town to continue with its routine life.

One such concrete case of fight against injustice and corruption in local government, which was fought with personal involvement by the researcher, is presented in this paper after sufficient time has elapsed. The discussion attempts to provide an in-depth account of the beginning of the conflict, its subsequent escalation to a higher operational and political level and finally its outcome after a long drawn, hard-pitched conflict between a local government (Lonavla Municipal Council) and a body representing the voice of citizens of the town. This would allow everyone concerned to analyse the problem, the methods adopted to solve it and its outcome with utmost objectivity. It is expected that the exercise would facilitate the resolution of conflicts that could be going on elsewhere in any country since such matters are almost global in the democratic world.

Keywords— Apolitical Agitation, Corruption, Government and elections

I. INTRODUCTION

LONAVLA is a small town located on the Pune-Mumbai road and railway route situated about 70 km from Pune. It marks the beginning of the Sahyadri ghat section that separates Mumbai (and the Konkan) from the plateau region of

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Maharashtra state. According to the census done in 2011, the town has a population of about 57698 and comprises of 30854 males and 26844 females.¹ Lonavla enjoys a cosmopolitan culture. You get to see a variety of houses from small old traditional (made in mud) to the ultramodern bungalows inspired by the Western architecture spread over acres.

Lonavla receives good rainfall (about 4000 mm) and the main source of water to the town is Tungarli dam. The town has been known as a convenient tourist spot easily accessible from Mumbai and Pune and was a favourite week-end destination of celebrities half-a-century ago. Although, after the facilities of communication and transportation were dramatically improved, the fascination has somewhat reduced and the majority of vehicles get an opportunity to see only a glimpse of the spread of the town from the elevated express highway. They do not have to pass through Lonavla anymore. This has almost stalled the economy of the town that was mainly dependent on tourists with popular food products like (sweet) variety of Chikki, Fudges and Farsan.

The statutory urban body that rules over Lonavla is the Lonavla municipal council. The annual budget of Lonavla Municipal Council was about Rs.200 million in 2003. The body comprises representatives elected from various wards who represent the people for five years. These representatives choose a Chairman of the council whose term is also five years. In addition, there are various committees of councillors that function usually for the span of five years, although the members are renominated after every year until their term of election expires. There is also a Chief Officer for routine administration but he works under the guidance of the President of the municipal council.

II. CHRONOLOGY OF MAJOR EVENTS

A. Origin and Initial Stage of the Conflict

The process of posting grievances about the inefficiency of the administration of the Lonavla municipal council may be considered to have begun on 24 Jan 1999 when a Mumbai based weekly Marmik published an article in the Marathi language. This was eventually backed up by Marathi daily newspapers 'Sakal'³ and 'Loksatta'⁴.

The first stage of the movement began with the Rajgol Park Agitation. Rajgol Park is a cooperative housing society comprising of 24 duplex bungalows in the C ward of Lonavla. Its construction started in 1978 by Daswani brothers; Mumbai and 14 of the original buyers were also from Mumbai. It was expected that the builders would make adequate provisions for the safety, supply of water, storm water gutters, street lighting, registration of the society before handing over the same to the body of its residents but it did not happen. They absconded leaving many promises unfulfilled.

It was in 1991 when the researcher, Mrs. Geeta Raybagkar (hereafter referred to as Mrs. Geeta) and her family bought a duplex bungalow in this society. Gradually, she understood the various problems related to the society (that was still in the name of the builders) and motivated the residents to come together to solve the civic problems. She collected contributions from the residents of Rajgol Park and got the society registered in 1996 as a prime step in addressing the common problems effectively.

The Lonavla municipal council, however had been working on the whims of certain vested interests. Mr. B. C. Chatterji had been paying the water taxes to the municipality on behalf of all, yet the municipality sent a notice asking for dues of water taxes for four years. It provided independent water connections to 10 residents without seeking No Objection Certificate from the registered society. The remaining 14 residents continued to have common connections. Thus, in spite of being aware about the efforts of Mrs. Geeta to solve the problem at the community level seeking cooperation from the civic body, they made almost every possible effort to foil the efforts to permanently solve the water problem by constructing a common water reservoir in the premises of Rajgol Park. In February 1998, the society requested the municipality to change the four old common connections with new ones. They changed only two and demanded the payment of arrears. However, due to lack of harmony and mismanagement, the society could not do so. Then the society members decided to change their guards. On 12th July 1998, Mrs. Geeta was given the responsibility to work as the treasurer of the society. Within the next two days, the water connections given to the society and also two other connections were disconnected by the civic body. Geeta wrote a letter (21st July) to the Chief Officer of municipality asking how the council could expect to receive the arrears of the water taxes if it directly encouraged the members to violate society governance and provided separate connections. To this the reply was that the responsibility of paying taxes rests exclusively with the members. Further, the council asked the society to pay the arrears in one month and stated that the society must construct a separate tank of capacity sufficient to fulfil the needs of all residents, a pump house before it could expect the old lines of water supply to be replaced. It was mentioned that the separate water connections already given to some members would be withdrawn when such a common system comes into existence!

The apathetic attitude shown by the authorities of the

council and their illogical actions forced the researcher, Mrs. Geeta to approach the divisional commissioner Mr. Arun Bhatia in Pune to complain about the high-handed behaviour of the Lonavla Municipal Council. In her letter, dated 29th July 1998, she attracted the attention of the Commissioner towards problems such as registration of new house-owners in the society without written consent of the society, forcible demolitions etc and demanded an enquiry into the functioning of the council itself.

On the societal front, Mr. Apoorva Chatterjee was elected as the new Chairman on 27th September 1998 and it was resolved that the society would construct the common tank and pumping system as demanded by the municipal council. On 4th October 1998, the society through collective contributions from members paid off the pending arrears of the council and also started with the work for the common water supply tank and pump, keeping the council informed.

Strangely enough, Mr. Nikhilesh Chatterjee, the younger brother of the Chairman and also a resident of the society applied for a separate water connection to the council. When the society learnt about this development, it sought a stay in the vadgaon Maval court on the provision since Mr. Nikhilesh's application was not endorsed by the society. The court gave an interim stay on supplying any fresh separate connections to residents of Rajgol Park, as requested. This was conveyed to the authorities of the council immediately. Yet, the council went ahead and provided him the separate connection.

The construction work of the common water tank and the pumping station had, in the meanwhile been in progress. This was also conveyed to the civic authorities. The council then sent a letter to the society (17th December 1998) stating that the society had not sought permission from the council for the construction and as such the 'illegal' work should be immediately stopped. Mrs. Geeta then approached the council with all necessary documents like the plan and schedule but there was nobody willing to accept the same. It was then sent to the Lonavla Municipal Council by registered post.

In the meanwhile, the Office of the Commissioner had moved and initiated an enquiry into the complaints made by the society. The enquiry was conducted by Mr. Suhas Divse, SDO, Rajgurunagar. Soon (11th January 1999) the municipal council informed the society of its rejection of the application and plan for the common water reservoir and pumping system. The members of the society then decided to approach the Court of Law and did so for seeking redressal of their problems. The court gave stay orders prohibiting the municipality from demolishing the work done.

An appeal against the council's decision to deny the permission to the common water supply system in the society was made to the Director, Town planning, Maharashtra State well within time. The case came up for hearing on 24th May 1999 and a verdict was given in favour of the society on 20th July 1999. The Director told the Lonavla Municipal Council that the construction was legal!

A common water tank of 17000 litres capacity and a pumping station built over it at an expense of Rupees 240,000/-; raised only through members' subscription, had been completed on 26th January 1999 but was officially declared fully legitimate only after a prolong fight of almost one and a half year with the local civic body. The sanction letter mentioned that the society's tank was legal but it must demolish other illegal constructions. The old half-inch connections that resulted in low pressure water supply were substituted with two inch connections and resulted in the desired direction of availability of sufficient water with adequate pressure to all residents. The system was ceremonially inaugurated by Mr.Avinash Dharmadhikari, IAS(Retd) on 20th October 2000 in presence of priests of all religions since the society included members of almost all major religions.

B. Escalation of the Conflict

What appeared to be a full stop to Mrs. Geeta and other residents of Rajgol Park society proved to be a semicolon. Even after the commissioning of the common water supply system of the Rajgol Park society, the council appeared to continue harassing the members. The regular water supply to the society was stopped by the council under the pretext of repairs to the Tungarli dam. The society and C ward 'Nagrik Kruti Samitee' (Citizen Action Committee) then approached the district collector, Mr.Vijay Gautam about the water problem. He appointed an Enquiry Officer (Mr.Suhas Divse) who asked the CEO of the council to make alternate arrangements until the council could restore the regular supply through normal channels. In this stage, the people of not only ward C but the whole town started gathering together to complain about the inefficient administration of the council. This resulted in expediting the pipeline work (a part of the new water supply scheme of the municipality) along the highway that was stalled for want of certain permissions for almost two years. The work began immediately.

On 15th April 2000, the 'Nagrik Kruti Samitee (NKS)' felicitated the outgoing district collector Mr.Gautam for his proactive support in solving the water problem. The incoming district collector Mr.Madhukar Kokate had also been invited for a welcome but he did not attend. Mr.Gautam appealed to the present citizens to assert for their rights and get the complaints redressed through the administrators and felt that officers and political representatives must be sincere and people friendly in democracy⁵. It was in this period that one of the major activists Mr.C.B. Joshi, an Ex-Engineer of the Lonavla Municipal Council and a local journalist started a series of articles related to the malfunctioning and corruption in the council.

Different individuals, organizations and even political parties started raising various issues related to the council although their loyalties and perhaps motives were different. However, all were concerned about the misuse of clause 58(2) of the Municipal Act and citizens expected that the District Collector should ratify the actions of elected representatives

and civic officials. On 10 May 2000, a team of six prominent citizens from Lonavla, including the researcher, submitted a memorandum signed by 56 eminent Lonavliters to the Chief Minister of Maharashtra requesting him to dissolve the corrupt council through Urban Secretary Mr.Ramanand Tiwari. They cited a long list of irregularities and misuse of article 58(2) of the Municipal Act in siphoning of funds by the President of municipal council (Mr.Madhukar Sonawane) and his team. Mr. Tiwari assured of justice to the citizens of the town.

C. Last Phase of the Conflict: The Indefinite Fast ("Uposhan")

The last phase of the citizens' movement seems to have begun with the memorandum submitted to the Chief Minister of Maharashtra. On 2 June 2000, a one-day token fast ('Lakshank Uposhan') was organized by 'Bhrashtachar Virodhi Sangharsh Samiti' (Committee for Action against Corruption) to educate the common masses about why they were demanding the dissolution of the municipal council to the Chief Minister. The number of people who participated in the fast was about 850 including Mr.C.B.Joshi, Mrs. Geeta and Mr.Jagannath Naidu as prominent leaders.

In the last week of June 2000, the citizens from Ward 'A', auto rickshaw Union and Shivsena (a major political party in the state) staged a 'Rasta Roko' (Block Road) agitation to protest against the garbage menace and poor condition of roads in Lonavla. The citizens of Lonavla were hoping for some visible action by the state government but nothing seemed to move. Mrs.Geeta wrote a letter in a prominent national daily about the apathy of the authorities (CEO Mr.Kasar) in addressing the complaints of Lonavla citizens.

Then to take the next step, the NKS (Citizens' Committee for Action) decided to personally meet the Chief Minister Mr. Vilasrao Deshmukh in the state capital - Mumbai. The meeting was held on 8 September 2000. Mr. Deshmukh told the committee that he did not have much knowledge about their case but he would pursue the matter related to the Lonavla Municipal Council to its logical end through an instituted enquiry.

Even after a month, when the situation did not seem to show any symptoms of resolution, the NKS decided to take direct action.

One of the concepts that had come forward during the discussion with the Urban Secretary Mr.Ramanand Tiwari to develop a 'Vision Lonavla' document; was articulated by the NKS. A workshop was organized in Lonavla on 2 October 2000 to discuss the modes of interaction between the citizens and the government for the development of Lonavla. It was attended by many government officers including the Additional Collector, Pune and the Director General of Maharashtra Tourism Development Corporation. Local politicians were also invited but told categorically to leave politics behind before joining the workshop. It is noteworthy that only one councillor (Mr.Bharat Agarwal) attended the workshop⁸.

Meanwhile, Mr. Tiwari (Urban Secretary) had directed the

additional collector, Pune (Mr. Anoopkumar) to conduct an inquiry into the representation made by Lonavla citizens to the Chief Minister. He started the inquiry in May 2000 and completed the same in July 2000. His detailed report to the government including findings⁹ based on a special audit, found Mr. Sanjay Sonawane guilty of misusing section 58(2) to carry out public works invoking provisions of emergency actions that were actually not required. Further, he pointed at Mr. Kasar, the then Chief Officer of the council had failed in discharging his mandatory duties in reporting irregularities to the collector as required under section 308 of the municipal act.

However, the NKS could get the copy of this report and some other relevant documents like the audit compliance report only after seeking intervention from the Bombay High Court through a Writ petition (18th November 2002). A special audit was instituted to look into the financial transactions of Lonavla Municipal Council. It brought out several irregularities which have been cited elsewhere in details.

Meanwhile, on the basis of this audit report, the state government on 27 September 2000, issued a Show Cause notice seeking explanation for financial irregularities to the Lonavla Municipal Council under section 313(1) of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act. The notice cited irregularities in the following matters: discrepancy in normal income and expenditure, Non-payment of Educational cess, Employment Guarantee Cess to the state government for the past three years, illegal appointments on vacant posts, misuse of government grants and maintaining false accounts.

The council had a special meeting on 16 October 2000 wherein the present 13/23 councillors accepted the audit report and resolved to dissolve the council with 12 versus 1 majority.

Both BVSS (Committee against corruption) and NKS (Citizens Committee for Action) had so far adhered to the politico-administrative system in their action programs. This resulted in the government responding within the same framework defined by the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. However, even after the indictment of the council's office bearers by the Anoopkumar committee, the special audit report and the resolution passed in the Lonavla municipal council itself, the state government was dragging its feet to act decisively.

The delay on part of the state government led to younger members of the NKS becoming more aggressive to demand a change in the strategy. They were also supported by local residents who felt that the NKS efforts were proving futile. After several stormy discussions among prominent activists like Mr. Sham Mokashi, Dr. Sushila Agashe, Mrs. Geeta and Mr. C. B. Joshi, it was finally decided to launch an indefinite fast at a public place. This was a paradigm shift leaving the administrative domain to enter political arena of action-reaction; a direct confrontation.

The indefinite fast ('Uposhan') began on 26th November 2000 (refer Fig. 1) at the most crowded location in Lonavla- in front of the office of the Lonavla Municipal Council. Three members of the NKS: Mrs. Geeta, Mr. Sunil Thombre (an autoriksha driver) and Mr. Pravin Kadam (a local journalist) started the fast in the Jain tradition that allowed taking only water after the sunset. Later it was revealed by the Police Inspector Mr. Dilip Shinde that he could not legally force the agitators to end their fast since it was initiated in the presence of a prominent Jain sage (Sahaj Muni Maharaj) and carried on in the Jain tradition. The fast created unprecedented public awakening as the fast proceeded day by day. The people in the region thronged the site of the fast all throughout the day, read the posters put up at the site below the elevated stage and expressed solidarity with the agitators.

The Tahsildar of the Maval region, Ms. Smita Damle (refer Fig. 1) visited the site on the first day but thereafter there were no government officials visiting the site for three days. The second day onwards, Shivsena performed a 'Maha-Arati (a common Hindu ritual while worshipping Gods)' and started 'Rasta Roko (Block roads)' agitation in Mumbai, the state capital. On the third day, the local traders and businesses downed their shutters, autorikshas were pulled off the roads and the social atmosphere started warming up rapidly.

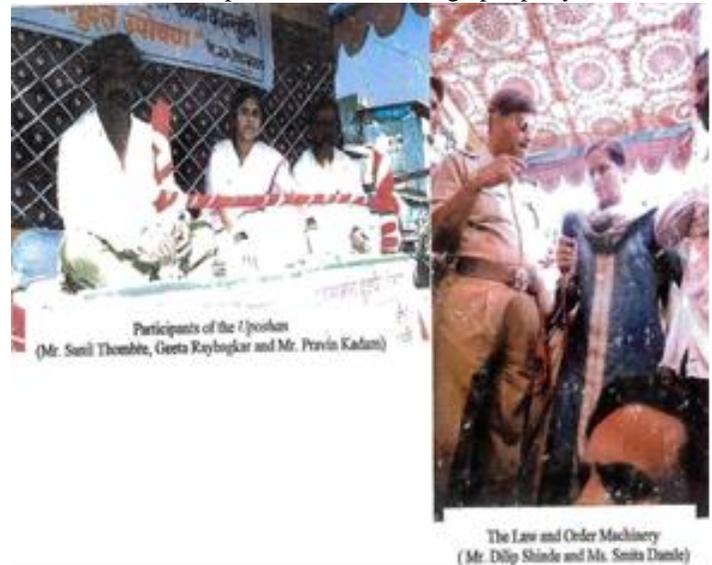


Fig.1 Actual images from the site

This charging up of the atmosphere was sensed by the district collector who imposed restriction orders against public assembly (commonly known as section 144 IPC). The activists on fast then made a fervent appeal to the masses around them not to indulge into any violence or else the agitation could fail.

The fourth day remained tense but the situation did not seem to go out of control of the activists on fast. However, on the fifth day, the doctors who were routinely checking the health of the activists declared that the health of the three members had started deteriorating rapidly due to the fast. This news spread like wild fire leading to raising the level of already existent public unrest. Some of the local councillors, who were

mute spectators until now, sensing a public backlash against them, appeared on the stage. They offered to resign. However, majority of the NKS members suspected this to be a farce aimed at diffusing the public pressure and removing the steam out of the agitation. Therefore, they told the councillors to submit their resignation to the district collector in order that they become valid.

A meeting of government officers like Tahsildar Smita Damle, Police Inspectors Dilip Shinde and Vinayak Jadhav, Chief Office of LMC Mr. Sudhakar Deshmukh, Collector's emissary and Maval SDO Mr. Dnyaneshwar Thube, NKS members and the councillors was held to discuss the course of resolving the situation peacefully. It was agreed that 15 councillors would be escorted by Mr. Thube to Pune and they would personally hand over their resignations to the collector. Accordingly, they left for Pune but on reaching the office, only 9 out of the 15 submitted the resignations. Those who backtracked included the President of the council Mr. Sanjay Sonawane.

When the news of backtracking reached Lonavla, the public resentment and anguish against the councillors shot up very quickly. The shops and offices were closed, traffic paralysed and the atmosphere politically charged again. In the meanwhile, one of the activists (Mr. Kadam) who had undertaken indefinite fast, had to be hospitalized. This added fuel to the fire. People came to streets.

Eventually three more councillors (Mr. Balraj Rile, Mrs. Surekha Bidkar and Mrs. Manisha Gajarmal) proceeded to Pune to hand over their resignations to the collector. Mr. Ashok Chauhan had already submitted his resignation two months prior. Thus the total number of resignations rose to 13 out of 24, crossing the minimum required for dissolving the council. The indefinite fast was called off only after receiving a confirmation of the submitted resignations. The whole town then quickly switched over from an anxious to a jubilant mode.

The resignations were then forwarded to Nagpur where the winter session of the state assembly was in progress. On 13th December 2000, it was officially declared that the Lonavla Municipal Council had been dissolved. This was the culmination of the citizens' movement.

D. Post Agitation Developments:

In order to restore some order in the functioning of the Lonavla council, an administrator was appointed. The government, based on the special audit report sent recovery notices (11 October 2001) to the corrupt councillors including the President of the council. The amount due to be recovered was to the tune of rupees three and a half million. The Chief Officer was also indicted for his collusion in corruption.

III. SOME MAJOR INFERENCES AFTER ANALYSING THE WHOLE MOVEMENT

1) The main source of finance for the council is funding from the state government under various schemes. The executive powers are mainly shared by the Chief Officer and the President. Although the Chief Officer is supposed to act as

the executive and monitor of expenditure, his salary is paid partly by the council, confidential report written by the President of the council. Thus, there is a factor that deters the Chief Officer from being ever-vigilant in his duties and all-time blunt in reporting the matters to the district collector. His executive powers are dependent on the relations with the President and the councillors. Including the Chief Officer, the role of the bureaucracy was found to be reactive rather than proactive in the whole episode of the citizens' movement.

- 2) Mr. Sanjay Sonawane who was the President of the council added a new dimension to the episode. He claimed that the decision to use emergency powers to execute certain projects was taken in consultation with senior councillors and discussion in annual general body meetings. It was the duty of the Chief Officer to bring it to his notice if there were any anomalies and he became a victim of his ignorance of rulebook provisions.
- 3) The dynamics of this movement involved a very large number of stakeholders including politicians from local to state capital level, media persons, social workers, bureaucracy and a core group of activists including the researcher. The activists had done their preparatory study well which included the municipal act, the roles and jurisdictions of various government authorities and the importance of media (both local and national level) in shaping public opinion to fight against injustice and corruption. They were used effectively.
- 4) A large number of intermeshed issues engulfed the whole span of events. They include the question of democratic values as felt by various members in the society, moral integrity, the role of government officials in implementing policies to address civic issues, the compulsions on politicians while using or misusing powers vested in them and the role of media in mass education about democratic polity.
- 5) It is interesting to watch how the political class saves its followers by just moulding the situation slightly to avoid severe impact on their future careers. Had the municipal council been dissolved under section 313(1), for irregularities and corruption, the concerned politicians would have received a fatal blow to their political future. But the situation was so handled by the veteran Congress leader and Ex-President of the LMC Dr. Sushila Agashe that the council was dissolved under a different sub-section 313(2) for want of quorum of representatives. She had advised the councillors to resign. This was done at a time when the health of the activists on fast had started deteriorating increasing the risk of failure of the agitation. Thus it was a win-win situation either way.
- 6) An independent person observes a clash of personalities over leadership in an organization like NKS. Two prominent members (Dr. Mrs. Agashe and Mr. Jagannath Naidu who had stand-alone political images in Lonavla) left NKS for good.

- 7) Policy and administrative decisions together form a socio-economic environment and the process is therefore influenced by politics. The question that arises is how does one ensure transparency, efficiency and accountability when it is so?
- 8) Today, an organization of citizens called Lonavla-Khandala Citizens forum is functional. The researcher Mrs.Geeta soon after the agitation (2002) left Lonavla and settled in Pune for better education to her children. Residents of Lonavla feel that she could not create a successor to her ideology of apolitical struggle, cleverly played the religious card (by adhering to Jain tradition of fast) and even her fellow activists on the historic fast contested elections later.

IV. CONCLUSION

Mrs. Geeta feels content to have been a key figure in the apolitical struggle against a local government although she never had any political inclination and has been practicing idealist tendencies typical of an academic person. Perhaps it was her massive socialization and consistent approach that guided her to success, albeit with strong disputes over certain actions during the agitation rooted in a personally faced water shortage issue.

She is thankful to everyone in Lonavla,Pune,Mumbai and elsewhere who helped her during the struggle to uphold the basic tenets of democracy. She also places her profound gratitude on record towards Late Prof.Nalini Paranjape of Pune University who has submitted an extensive case study to the Indian Institute of Management (IIM),Bangalore; which forms the basis of this presented document.

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