

SUMMARY

Mumbai's 'Save Aarey Forest' movement; bringing out hidden facts and reports to save the city's last surviving green lung.

Through last year I reported on the 'Save Aarey' forest campaign, a citizens movement against the hacking of over 3000 trees in the heart of a forest in Mumbai for the construction of a car shed for the Metro project. My series of investigative reports on how the government ignored an environmental assessment report that warned that reclaiming forest land at Aarey could lead to floods at the Mumbai international airport in the event of heavy rains had the biggest impact.

But during the course of this movement, my series of reports, especially through August and September 2019 played a key role in highlighting how the then government ignored reports of the Environment Impact Technical Committee, two of the experts had said that that if the Aarey forest is concretised, excess rain water will run off into the Mithi River, leading to massive flooding in Chakala and at the international airport.

I followed up every angle and development of this movement, right from the Tree Authority which passed the proposal to hack the trees, to various objections raised by different civic departments like the Storm Water Drains (SWD) department.

Save Aarey was the biggest citizens' movement Mumbai has produced. What started with a small group of residents and environmentalists turned into a mass movement encompassing people from all parts of the city, celebrities, and even school children and put the urban jungle – one of the country's last-surviving – right up there on the new Chief Minister's Day 1 agenda. The new Chief Minister stopped the car shed work at the Aarey forest pending a review on his first day in office.

Even after that, Mumbai Mirror followed up on the issue regarding the cases against students and protestors which the government promised would be withdrawn.

The story first originated at the Brihanmumbai Municipal Corporation's (BMC) Tree Authority which cleared the proposal to cut the trees at Aarey Colony. However the 1000 page environmental impact assessment report was given to members of the tree authority only 48 hours before the meeting, giving them no time to study the report in detail. In fact no one knew that a damning report of two experts warning that cutting trees at Aarey would flood the international airport was part of the proposal.

All this was happening in the run up to the 2019 Maharashtra assembly elections and became one of the city's most important environmental issue.

1. 'Cutting Aarey trees can lead to floods at airport in heavy rain'

Publishing date: 04.09.2019

BMC's Tree Authority -- which had showed an unholy haste in clearing a proposal to axe 2,702 trees at Aarey to make way for a Metro-3 car shed -- ignored an environmental assessment report that warned that reclaiming forest land at Aarey could lead to floods at the international airport in the event of heavy rains. In a report submitted in May 2015 by a state-government appointed technical committee, two of the experts had said that that if the Aarey forest is concretised, excess rain water will run off into the Mithi River, leading to massive flooding in Chakala and at the international airport. The note prepared by Dr Rakesh Kumar, director, National Environmental Engineering Research Institute (NEERI), and Professor Shyam Asolekar, who is was a part of a dossier handed over to all 19 members of the Tree Authority 48 hours before the meeting that cleared cutting of Aarey trees without any debate.

The two experts had pointed out that the proposed site of Metro-3 car shed is right next to the Mithi River's catchment area. "If the car shed is constructed, the water retention capacity of the plot will be lost," the note said.

The two experts had noted that all of Aarey is a contiguous green area and pieces of it can't be hived off for commercial projects. "The possibility of such development is likely to break the sanctity of the place. This area will in the long term provide immense service in terms of biodiversity," their note says. Their note also spoke about Aarey's rich bio-diversity, being home to leopards and other wildlife. It points out to the discovery of a species of scorpion 'Lychas Aareyyensis' first found in Aarey and named after it.

This note was accessed by Mumbai Mirror exclusively and reported a day after the Tree Authority passed the proposal to hack over 3000 trees at Aarey Colony. This was the first time since 2015, when the note was prepared that it was brought into public domain and the real threat of flooding due to cutting of trees at Aarey Colony was reported with experts stating it clearly. The threat of flooding of the Mithi River and the international airport was now not just a fear but a real possibility.

This story became a national story and was followed by every single media outlet in Mumbai in print, online and television too. The was the biggest expose of the entire Save Aarey movement.

2. Tree Axe-perts. How those supposed to protect our trees - experts and corporators- let the city down

Publishing date: 31.08.2019

Experts who were expected to protect our fast-dwindling green cover let the city down at a crucial Tree Authority meeting where a proposal to hack 2,702 Aarey Colony trees to make way for a Metro car shed was cleared. Three of the five experts – Subhash Patne, Dr Chandrakant Salunkhe and Dr Shashirekha Sureshkumar – voted in favour of cutting the trees. The other two – Dr Deepak Apte and Dr Manohar Sawant – did not attend the meeting.

Of the three present, only Patne spoke at the meeting. His intervention – in favour of hacking the trees – lasted less than two minutes. The meeting, chaired by Municipal Commissioner Praveen Pardeshi, was over in under half-an-hour. Interestingly, the five tree experts were appointed to the Tree Authority on the orders of the Bombay High Court. Their appointment followed a PIL filed by green activist Zoru Bhathena. The court had ruled that nomination of independent experts on tree authorities is mandatory and had restrained the BMC's Tree Authority from functioning without adequate number of independent experts.

Apart from the experts, even the city's political representatives – the elected corporators – on the panel, some of whom had made big noises about saving Aarey, suddenly reversed their positions at the meeting.

3. WE WERE TRICKED INTO VOTING FOR CHOPPING TREES

Publishing date: 01.09.2019

The ham-headed way in which a proposal to cut 2,702 Aarey trees was cleared blew up in Municipal Commissioner Praveen Pardeshi's face on Saturday with protests across the city and two Tree Authority experts resigning, alleging they were tricked into voting in favour of the proposal. Tree experts Dr Shashirekha Sureshkumar and Dr Chandrakant Salunkhe said that at the Tree Authority meeting they were given the impression that the voting was being conducted to seek an adjournment. But once the voting was over, it was declared that the proposal to cut Aarey trees had been cleared.

Sureshkumar's resignation letter says from the time of her nomination, the Tree Authority has never followed due process and decisions have been taken in haste. "My fellow tree experts and I are being accused of allowing trees to be cut for the Aarey Metro 3 car shed. Being a botanist by qualification and a nature lover, there could be nothing further from the truth," she said.

Salunkhe said he had, in fact, recommended how 1200 of the 2072 trees could be saved. "I had said in my report that all trees above 50 feet and those planted alongside roads should be saved. The decision [to cut 2072 trees] was taken in haste and we were not even informed that there would be voting on this crucial matter," he said. Salunkhe is a horticulturist with BARC. The copy of the resignation letters and the minutes of the Tree Authority meeting was published by Mumbai Mirror.

4. BMC cleared tree cutting despite risk of flooding

Publishing date: 08.09.2019

The BMC issued a no objection certificate to Mumbai Metro Rail Corporation (MMRCL) to cut 2,702 trees at Aarey Colony last year while at the same time noting that a "natural storm water course" runs through the site, Mirror can reveal. The municipality gave the go-ahead to the Metro III car shed project but said future responsibility for flooding in nearby areas would lie with MMRCL.

The site features an un-surveyed natural storm water course, which discharges water into the Mithi River, it admitted. "Storm water coming from the huge catchment area of Aarey Colony enters the plot [where the trees are]... Water from outside the catchment area entering the plot flows through culverts and finally discharges into the Mithi River through an un-channelised system," said the NOC issued by the BMC's Storm Water Drains (SWD) department.

The NOC said the MMRCL must realign the entire un-channelised system and construct drains to carry storm water. The MMRCL will have to construct and maintain these drains and culverts, and also carry out desilting work, it said.

A copy of the NOC was published by Mumbai Mirror.

5. Tree Authority says yes to cutting 2,702 trees in Aarey

Publishing date: 30.08.2019

Green activists, Aarey Colony residents and the Shiv Sena suffered a major setback as the BMC's Tree Authority cleared the Mumbai Metrorail Corporation Limited's (MMRCL) proposal to cut 2,702 trees to build Metro 3 car shed in Aarey Colony. While all six Sena members in the 20-member Tree Authority voted against the MMRCL proposal, the BJP and NCP members voted in favour of the car shed. Ironically, the proposal also got support from the authority's tree experts. The two Congress members, who had earlier promised support to Sena, staged a walkout. While activists plan to challenge the decision in the High Court, the BMC said 2,238 trees will be hacked and 464 will be transplanted.

This story gave a detailed break up of exactly which party voted in favour of cutting the trees and those who voted against. The final voting break up document was accessed by Mumbai Mirror.

6. 'Tree Authority's decision on Aarey trees nothing but fraud'

Publishing date: 05.09.2019

Shiv Sena corporator Yashwant Jadhav, who heads the civic standing committee and is a member of the Tree Authority, in a writ petition in the HC challenged the Tree Authority's decision to allow cutting of the trees in Aarey Colony to make way for the Metro III car shed. Jadhav alleged that Municipal Commissioner Praveen Pardeshi's move to put the Aarey proposal at last week's Tree Authority meeting to vote was "nothing but fraud".

In his petition, Jadhav alleged that statutory provisions were not followed at last week's Tree Authority meeting and that there was a deliberate and wilful breach of the orders of the HC. Jadhav said that members were not allowed to speak at the meeting. "The members wanted the meeting to be adjourned. It was held on a short notice and members could not go through the proposal in detail. The meeting ended with a farcical show of hands," he said in the petition.

Two expert members of the Tree Authority, Dr Chandrakant Salunkhe and Dr Sashirekha Sureshkumar, resigned on Saturday claiming that they were tricked into voting for the cutting of trees at Aarey. Both submitted their resignations to the BMC on Saturday saying that they were not in favour of cutting the trees for constructing the Metro III car shed. The experts also claimed that they were not told that voting would take place on the crucial Aarey trees during last Thursday's meeting.

7. Metro body's 'no wildlife in Aarey' theory falls flat

Publishing date: 09.09.2019

Even as the Mumbai Metro Rail Corporation Limited (MMRCL) says that cutting of over 2,500 trees will not hamper wildlife in Aarey Colony as there isn't any, the state's own data negates the claim.

According to data obtained by an NGO from the state forest department through an RTI application, the forest is home to a thriving variety of flora and fauna; at least seven leopards have also been rescued from the area in the last three years. In fact, last year alone there were three incidents where leopards were spotted in the forest abutting Sanjay Gandhi National Park (SGNP).

In December 2019, the new Chief Minister of Maharashtra Uddhav Thackeray issued a stay on the construct of the Metro 3 car shed at Aarey Colony and currently a new location for shifting the car shed is being explored.

Additional information related to the challenge

Exhibit 1.

Technical Committee experts note.

The BMC's Tree Authority ignored an environmental assessment report that warned that reclaiming forest land at Aarey could lead to floods at the international airport in the event of heavy rains. In a report submitted in May 2015 by a state-government appointed technical committee, two of the experts had said that that if the Aarey forest is concretised, excess rain water will run off into the Mithi River, leading to massive flooding in Chakala and at the international airport.

The note prepared by Dr Rakesh Kumar, director, National Environmental Engineering Research Institute (NEERI), and Professor Shyam Asolekar, who is was a part of a dossier handed over to all 19 members of the Tree Authority 48 hours before the meeting that cleared cutting of Aarey trees without any debate. The two experts had pointed out that the proposed site of Metro-3 car shed is right next to the Mithi River's catchment area. "If the car shed is constructed, the water retention capacity of the plot will be lost," the note said. No one had access to the note and this note was crucial to expose the serious environmental damage the cutting trees at Aarey could cause.

Exhibit 2.

NCP Corporator and Tree Authority Kaptan Malik's letter.

Apart from the experts, even the city's political representatives - the elected corporators - on the panel, some of whom had made big noises about saving Aarey, suddenly reversed their positions at the meeting. NCP corporator Kaptan Malik, who had written a letter to the municipal commissioner on August 13 objecting to the plan to cut Aarey trees, made a volte-face and voted in favour of the proposal.

Exhibit 3.

Tree Authority meeting minutes.

The decision to hack 2,702 trees at Aarey Colony for a Metro-3 car shed was rushed through the Tree Authority's last meeting on August 29 to pre-empt the model code of conduct.

The minutes of that meeting reveal that BMC Commissioner Praveen Pardeshi put the proposal to cut the trees to vote, saying that it had to be done urgently as the code of conduct was to come into effect on September 10. While the poll code stays in effect, a state government can neither take any policy decision nor make any announcement. But Pardeshi's claim was odd—the assembly election is expected to be conducted in October but the Election Commission had not announced the date when the meeting was held.

Exhibit 4.

Tree Authority Experts letter.

Experts who were expected to protect our fast-dwindling green cover let the city down on at a crucial Tree Authority meeting where a proposal to hack 2,702 Aarey Colony trees to make way for a Metro car shed was cleared.

Three of the five experts - Subhash Patne, Dr Chandrakant Salunkhe and Dr Shashirekha Sureshkumar - voted in favour of cutting the trees. The other two - Dr Deepak Apte and Dr Manohar Sawant - did not attend the meeting. Of the three present, only Patne spoke at the meeting. His intervention - in favour of hacking the trees - lasted less than two minutes. The meeting, chaired by Municipal Commissioner Praveen Pardeshi, was over in under half-an-hour.

In its rush to clear cutting of Aarey trees, the Tree Authority ignored a damning environment assessment report

Cutting Aarey trees can lead to floods at airport in heavy rain



Protests against the cutting of Aarey trees; (extreme right) Mumbai Mirror's coverage of the Tree Authority's decision

"If the Aarey is concretised, excess rain water will run off into Mithi, leading to flooding at airport," said a report that was part of the dossier given to all Tree Authority members before last week's meeting. Nobody even mentioned this report

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BMC's Tree Authority -- which last week showed an unholy haste in clearing a proposal to axe 2,702 trees at Aarey to make way for a Metro-3 car shed -- ignored an environmental assessment report that warned that reclaiming forest land at Aarey could lead to floods at the international airport in the event of heavy rains.

In a report submitted in May 2015 by a state-government appointed technical committee, two of the experts had said that if the Aarey forest is concretised, excess rain water will run off into the Mithi River, leading to massive flooding in Chakala and at the international airport.

The note prepared by Dr Rakesh Kumar, director, National Environmental Engineering Research Institute (NEERI), and Professor Shyam Asolekar, who is



attached to IIT-Bombay's Centre for Environmental Science and Engineering,

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Experts had told BMC of Aarey's biodiversity

They said trees taller than 50 ft should be transplanted, not cut

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Accused of letting down the city by consenting to hacking trees in Aarey Colony for the Metro 3 car shed, three expert members of BMC's Tree Authority had written to the BMC, detailing the area's rich bio-diversity and asking for more time to examine the proposal. Dr Sashirekha Sureshkumar and Dr Chnadrakant Salunkhe have already resigned, saying they were tricked into believing that the voting was for adjournment and not the proposal. The third expert member, Dr Deepak Apte, was absent on August 29, the day of voting. The 20-member Tree Authority has five expert members; of the remaining two, Subhash Patne voted in favour of cutting, while Dr Manohar Sawant did not attend the meeting.

In the letter to the BMC, written three days after visiting the car shed site on August 10 and now accessed by Mirror, Sureshkumar, Salunkhe and Apte elucidated their observations and insights about Aarey's green cover. They said "very old trees" should be retained as they found orchids growing on them.

"Terminalia bellirica, also known as bahera trees, seem to be very old and need to be retained as unique/heritage trees as they have orchids attached to their barks. Adansonia digitata (baobab) is recommended for cutting in the inventory but it's a long-living tree and responds well to transplanting," the letter reads. In this letter, the experts also suggested that all trees taller than 50 feet must also be retained. In her resignation tendered after accusations of siding with MMRCL, Sureshkumar stated that none of their (experts) recommendations were considered by the Tree Authority before hurriedly passing the proposal to cut the trees.

Shiv Sena corporator and Tree Authority member Yashwant Jadhav confirmed that none of the expert recommendations were considered because there was no discussion. "The Municipal Commissioner announced he would postpone the proposal but then called for voting the next moment," Jadhav said, adding that the absent members should ask for reopening the proposal so it could be rejected.

MumbaiMirror

METRO CAR SHED AT AAREY HOW THOSE SUPPOSED TO PROTECT OUR TREES – EXPERTS AND CORPORATORS – LET THE CITY DOWN

TREE AXEPERTS

TREE EXPERTS



Subhash Patne
Voted for cutting trees



Dr Chandrakant Salunkhe
Voted for cutting trees



Dr Shashirekha Sureshkumar
Voted for cutting trees, but claims she thought she was voting for an adjournment

CORPORATORS



Jagdish Amin
Cong corporator



Sushma Rai
Cong corporator

NCP corporator Kaptan Malik
Opposed plan to cut Aarey trees, but reversed his position at the meeting

Walked out of the meeting, making it easier for the proposal to be passed

Three of the five experts – appointed to the BMC's Tree Authority following an HC order – voted for cutting the trees. Two did not attend the meeting

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Experts who were expected to protect our fast-dwindling green cover let the city down on Thursday at a crucial Tree Authority meeting where a proposal to hack 2,702 Aarey Colony trees to make way for a Metro car shed was cleared.

Three of the five experts – Subhash Patne, Dr Chandrakant Salunkhe and Dr Shashirekha Sureshkumar – voted in favour of cutting the trees. The other two – Dr Deepak Apte and Dr Manohar Sawant – did not attend the meeting.

Of the three present, only Patne spoke at the meeting. His intervention – in favour of hacking the trees – lasted less

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Tree experts, corporators let the city down...

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than two minutes. The meeting, chaired by Municipal Commissioner Praveen Pardeshi, was over in under half-an-hour.

Interestingly, the five tree experts were appointed to the Tree Authority on the orders of the Bombay High Court. Their appointment followed a PIL filed by green activist Zoru Bhathena. The court had ruled that nomination of independent experts on tree authorities is mandatory and had restrained the BMC's Tree Authority from functioning without adequate number of independent experts.

Apart from the experts, even the city's political representatives – the elected corporators – on the panel, some of whom had made big noises about saving Aarey, suddenly reversed their positions at the meeting.

NCP corporator Kaptan Malik, who had written a letter to the municipal commissioner on August 13 objecting to the plan to cut Aarey trees, made a volte-face and voted in favour of the proposal.

Two Congress corporators – Jagdish Amin and Sushma Rai – who had joined hands with the Shiv Sena

at last week's Tree Authority meeting to defer the proposal to cut the trees and asked why the car shed could not be moved to Kanjurmarg, the alternate site selected, very conveniently walked out of the meeting, leaving the ground open for those in favour of cutting the trees.

Apart from the three trees experts, the lone NCP member, four BJP corporators voted for cutting the trees.

Trees expert Dr Shashirekha Sureshkumar on Friday blamed the chaos at the meeting for the proposal to hack the trees getting cleared. "We

The five experts were appointed to the Tree Authority by the Bombay High Court

thought the vote was called to adjourn the meeting. I raised my hand. But later we found out that the voting was for passing the proposal [to cut the trees]," she said.

Fellow tree expert Subhash Patne, however, did not cite any disturbance at the meeting for his vote in favour of the trees going and said he voted for development. "We have voted for development. The city needs the

Metro. The MMRCCL has said that they will plant six trees for each tree that will be cut. There was no point in opposing a development project that will benefit so many people," Patne said.

Dr Chandrakant Salunkhe remained unavailable for a comment despite repeated attempts by this newspaper to reach him on his mobile phone. Text messages left on his phone remained unanswered.

Both Dr Sureshkumar and Patne denied Shiv Sena's allegations that they accepted bribes from Metro contractors for voting in favour of cutting trees. "People know about my reputation. The Shiv Sena can make any allegations they want. If I have taken so much money, they can conduct any inquiry they want," he said.

Dr Sureshkumar said she will sue the Sena for defaming her.

Dr Deepak Apte, one of the two expert members who did not attend the meeting, was abroad and had informed the Tree Authority about his inability to attend. Dr Manohar Sawant, the fifth expert on the panel, also could not be contacted by this newspaper. A person responding to a call made on Sawant's mobile phone said he was travelling.

Sena late-comers queer the pitch

● Four of the six Shiv Sena members in the BMC Tree Authority turned up nearly an hour late for the meeting convened on Thursday to decide the fate of the 2,702 trees at Aarey Colony. Had they been present when the meeting began at noon, the Sena-dominated panel could have easily rejected the proposal to cut trees. The Sena sources said a furious Uddhav Thackeray has demanded a written explanation from the four, identified as Preeti Patankar, Suvarna Karanje, Umesh Mane and Riddhi Khursunge.

● Kaptan Malik, the lone NCP member in the Tree Authority, was among those who voted for the Aarey trees to be cut. Interestingly, just a fortnight

ago, Malik had projected himself as a champion of the environment by vehemently opposing the proposal to cut the trees. He had sent a letter to BMC chief Praveen Pardeshi as recently as August 13, demanding that not a single tree at Aarey be touched.

Defending his U-turn, Malik told Mumbai Mirror, "We conducted a site visit and even the experts supported the move to cut the trees. The site visit happened after I wrote to the BMC chief. If the experts suggested that the trees should be cut and that six trees will be planted for each tree cut, then I thought it will be right to cut the trees to facilitate the Metro construction. I just went with the experts' opinion."

Let the court decide

The Shiv Sena and the Congress have decided to move the high court against the BMC Tree Authority's decision to cut 2,702 trees at Aarey Colony for the Metro car shed. "We are talking to legal experts and will file an appeal in the high court. The court must know that the proposal

was cleared in haste," Sena corporator Yashwant Jadhav said.

The Congress, whose two members in the Tree Authority had walked out during Thursday's meeting, will file an affidavit in the court opposing the decision, tweeted Mumbai Congress chief Milind Deora.

Two tree experts resign from Tree Authority, call Thursday's meeting that cleared felling of 2702 Aarey trees a sham

WE WERE TRICKED INTO VOTING FOR CHOPPING TREES

Tree experts say they were told the voting was for adjourning the meeting; green activists prepare to mount legal challenge

Protest at CST on Saturday against felling Aarey trees

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The ham-headed way in which a proposal to cut 2,702 Aarey trees was cleared blew up in Municipal Commissioner Praveen Pardeshi's face on Saturday with protests across the city and two Tree Authority experts resigning, alleging they were tricked into voting in favour of the proposal.

Tree experts Dr Shashirekha Sureshkumar and Dr Chandrakant Salunkhe said that at Thursday's Tree Authority meeting they were given

the impression that the voting was being conducted to seek an adjournment. But once the voting was over, it was declared that the proposal to cut Aarey trees had been cleared.

A proposed Metro car shed at Aarey has become a bone of contention between green activists and the Mumbai Metro Rail Corporation Limited (MMRCL).

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We were tricked into voting for the cutting of trees



Citizens protesting against decision to cut Aarey Colony trees

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While the government seems hell bent on constructing the car shed at Aarey, the green activists have questioned why an alternate site at Kanjurmarg, which will lead to a lot less damage to the environment, is not being considered. At the center of this saw battle is the 2072 trees that will have to be chopped to make away for the car shed at Aarey.

Sureshkumar's resignation letter says from the time of her nomination, the Tree Authority has never followed due process and decisions have been taken in haste. "My fellow tree experts and I are being accused of allowing trees to be cut for the Aarey Metro 3 car shed. Being a botanist by qualification and a nature lover, there could be nothing further from the truth,"

she said. Salunkhe said he had, in fact, recommended how 1200 of the 2072 trees could be saved. "I had said in my report that all trees above 50 feet and those planted alongside roads should be saved. The decision [to cut 2072 trees] was taken in haste and we were not even informed that there would be voting on this crucial matter," he said. Salunkhe is a horticulturist with BARC. As protests broke out at Aarey Colony, and Churchgate and CSMT stations, one of the two members of Tree Authority not present at the voting on Thursday said he would consider reopening the proposal for voting. Dr Deepak Apte, who works for Bombay Natural History Society and is currently abroad, said he would look at the reports from the controversial meeting and decide whether there is merit in seeking a fresh discussion on the proposal.

AXE ON AAREY

BMC cleared tree cutting despite risk of flooding

It noted that a 'storm water course' runs through site, but said MMRCL would be responsible for any future floods

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The BMC issued a no objection certificate to Mumbai Metro Rail Corporation (MMRCL) to cut 2,702 trees at Aarey Colony last year while at the same time noting that a "natural storm water course" runs through the site, Mirror can reveal. The municipality gave the go-ahead to the Metro III car shed project but said future responsibility for flooding in nearby areas would lie with MMRCL.

The site features an un-surveyed natural storm water course, which discharges water into the Mithi River, it admitted. "Storm water coming from the huge catchment area of Aarey Colony enters the plot [where the trees are]... Water from outside the catchment area entering the plot flows through culverts and finally discharges into the Mithi River through an un-channelised system," said the NOC issued by the BMC's Storm Water Drains (SWD) department.

The NOC said the MMRCL must realign the entire un-channelised system and construct drains to carry storm water. The MMRCL will have to construct and maintain these drains and culverts, and also carry out desilting work, it said.

Mumbai Mirror had on Wednesday reported that, in a report submitted in May 2015 by a state-appointed technical committee, two experts had warned that if the Aarey forest is concretised, excess rain water will run off into the Mithi River, leading to massive flooding in Chakala and at the international airport.



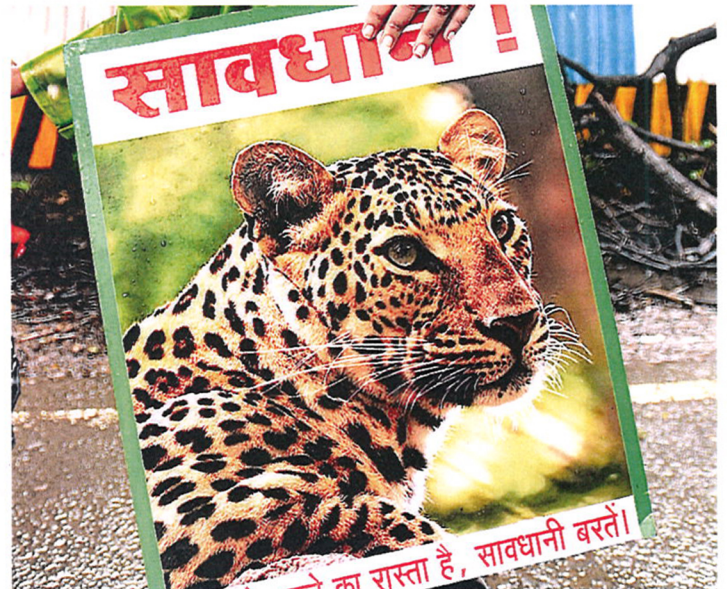
PIGS: NILESH WAIRKAR

The note, prepared by Dr Rakesh Kumar, director, National Environmental Engineering Research Institute, and Professor Shyam Asolekar, who is attached to IIT-Bombay's Centre for Environmental Science and Engineering, was part of a dossier given to all 19 members of the Tree Authority 48 hours before last Thursday's meeting that cleared cutting of Aarey trees without any debate.

The two experts had pointed out that the proposed site of Metro-3 car shed is right next to the Mithi River's catchment area. "If the car shed is constructed, the water retention capacity of the plot will be lost," the note said.

The experts had noted that all of Aarey is a contiguous green area and pieces of it can't be hived off for commercial projects. "The possibility of such development is likely to break the sanctity of the place. This area will in the long term provide immense service in terms of biodiversity," the note said.

(Above and below) Residents of Aarey Colony protest against plans to cut trees on September 1



Tree Authority says yes to cutting 2,702 trees in Aarey

BJP and NCP vote for Metro 3 car shed, Cong stages walkout; activists and Sena members left shocked over development

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TWEETS @chaiMIRROR

Green activists, Aarey Colony residents and the Shiv Sena suffered a major setback on Thursday as the BMC's Tree Authority cleared the Mumbai Metrorail Corporation Limited's (MMRCL) proposal to cut 2,702 trees to build Metro 3 car shed in Aarey Colony. While all six Sena members in the 20-member Tree Authority voted against the MMRCL proposal, the BJP and NCP members voted in favour of the car shed. Ironically, the proposal also got support from the authority's tree experts. The two Congress members, who had earlier promised support to Sena, staged a walkout. While activists plan to challenge the decision in the High Court, the BMC said 2,238 trees will be hacked and 464 will be transplanted.

In the past few months, the BMC has received around 82,000 objections to uprooting the trees in Aarey. On August 21, after a joint visit to the car shed site in Aarey Colony, Tree Authority's Sena and Congress members and tree experts had vehemently opposed the proposal and referred it back to the MMRCL for a revised draft. In a tweet, city Congress chief Milind Deora had extended support to Sena in its crusade to save the environment. However, when MMRCL tabled a revised draft on Thursday, it was cleared with an astonishing speed. Accord-



NILESH WAIRKAR

Aarey is a major green lung for the city

ing to the MMRCL, objections to the car shed are unfounded and metro lines in the city will reduce carbon-dioxide emissions more efficiently than the 2,702 trees in Aarey.

Yuva Sena chief Aaditya Thackeray has also been betting for saving Aarey from the axe and had demanded that the car shed be moved to Kanjurmarg. "In the case of Aarey... the results of the vote in the tree committee as I hear are as follows: BJP, NCP and the court-appointed members voted for deforestation in the proposed area of the car shed. Congress happily walked out. Only the Shiv Sena has stuck to our stand of standing for environment when the metro authority has an option to shift the car shed. We voted against the proposal to hack trees in Aarey and fought to find an alternative which is available," Aaditya tweeted after the Thursday meeting.

In his defence, Congress member Jagdish Kutty told Mirror, "We walked out because they didn't allow us to speak. We didn't know that there would be voting on the issue. If they were not going to hear us at all, there was no point of us staying." The Sena, however, saw this walkout as helping the BJP in clearing the proposal. Sena corporator Yashwant Jadhav said there was a possibility to save Aarey with support from Congress members. "A tie with non-supporters would have forced the Municipal Commissioner to vote," he said.

In his tweet, Aaditya Thackeray also expressed surprise that even the expert members voted to cut the trees. Activist Zoru Bhathena said that it is a sad day. "We are very disappointed that our corporators have voted against the interest of the city. We have a chance to challenge the Tree Authority's decision and will challenge it in the High Court. We will raise questions on legal and environmental aspects and ask what they did with our objections. Were they overruled or ignored?" Bhathena said.

Those who voted in favour of cutting trees

- ▶ **BJP: 4 members**
 - Abhijit Samant
 - Alka Kerkar
 - Harish Bandirge
 - Aakash Purohit
- ▶ **NCP: 1 member**
 - Kaptan Malik
- ▶ **Expert members: 3**
 - Subhash Patne
 - Dr Chandrakant Salunkhe
 - Dr Shashikala Sureshkumar
- ▶ **Congress: 2 members walked out and did not vote**
 - Jagdish Kutty
 - Sushma Rai

'Tree Authority's decision on Aarey trees nothing but fraud'

Says Sena corporator in his plea challenging the move in HC

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The Shiv Sena on Wednesday took its battle to save the 2,702 trees in Aarey Colony to the Bombay High Court.

Shiv Sena corporator Yashwant Jadhav, who heads the civic standing committee and is a member of the Tree Authority, in a writ petition in the HC challenged the Tree Authority's decision to allow cutting of the trees in Aarey Colony to make way for the Metro III car shed. Jadhav alleged that Municipal Commissioner Praveen Pardeshi's move to put the Aarey proposal at last week's Tree Authority meeting to vote was "nothing but fraud".

In his petition, Jadhav alleged that statutory provisions were not followed at last week's Tree Authority meeting and that there was a deliberate and wilful breach of the orders of the HC. Jadhav said that members were not allowed to speak at the meeting. "The members wanted the meeting to be adjourned. It was held on a short notice and members could not go through the proposal in detail. The meeting ended with a farcical show of hands," he said in

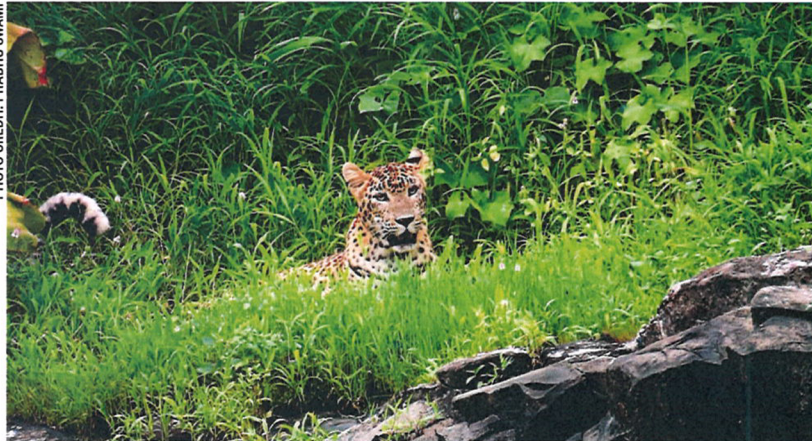
the petition. Two expert members of the Tree Authority, Dr Chandrakant Salunkhe and Dr Sashirekha Sureshkumar, resigned on Saturday claiming that they were tricked into voting for the cutting of trees at Aarey. Both submitted their resignations to the BMC on Saturday saying that they were not in favour of cutting the trees for constructing the Metro III car shed. The experts also claimed that they were not told that voting would take place on the crucial Aarey trees during last Thursday's meeting.

Jadhav has urged the HC to quash the Tree Authority's decision to cut 2,702 trees at Aarey Colony. "The Shiv Sena's stand is very clear, we are not against the Metro project but we can't allow cutting of trees and destruction of the city's green lung. The car shed must be moved to Kanjur Marg where there is a lot of space and no ecological damage will be caused," Jadhav said. Apart from Dr Salunkhe and Sureshkumar, another expert member Subash Patne voted in favour of cutting of trees. The other two—Dr Deepak Apte and Dr Manohar Sawant did not attend the meeting. While Patne has openly backed the cutting of trees, Sawant could not be contacted despite repeated attempts since last week.

Metro body's 'no wildlife in Aarey' theory falls flat

State forest records show that at least 7 leopards have been sighted at the forest area; NGO implores central ministry, international conservation body to intervene

PHOTO CREDIT: PRABHU SWAMI



The Wildlife Protection Act grants leopards the highest level of protection

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Even as the Mumbai Metro Rail Corporation Limited (MMRCL) says that cutting of over 2,500 trees will not hamper wildlife in Aarey Colony as there isn't any, the state's own data negates the claim.

According to data obtained by an NGO from the state forest department through an RTI application, the forest is home to a thriving variety of flora and fauna; at least seven leopards have also been rescued from the area in the last three years.

In fact, last year alone there were three incidents where leopards were spotted in the forest abutting Sanjay Gandhi National Park (SGNP).

The MMRCL's proposal to cut 2,702 trees for the Metro-3 car shed has met with stiff resistance from environmentalists and political parties including the Shiv Sena.

Days after it was tabled before the Tree Authority, the proposal was cleared last week.

On Sunday, NCP MP Supriya Sule and Shiv Sena MP Gajanan Kiritkar led a massive 'Save Aarey' protest at the proposed site. They were joined by several green activists, NGOs and citizens.

Additionally, the Empower Foundation (EF), an NGO that works in the field of wildlife conservation, has written to Switzerland-based International Union for the Conservation of Nature (IUCN) imploring it to intervene in the matter. A request has also been sent to Union Environment Minister Prakash Javdekar for help in saving the city's shrinking green lungs.

The EF has also listed various other mammals, birds, reptiles and butterflies that the forest is home to, in its letter.

"These are records given by the state forest department. Unless leopards lived in Aarey, they couldn't have been trapped or rescued from there," wrote Sheetal Mehta, Secretary, EF, in her letters to IUCN's president Zhang Xinsheng and Javdekar.

"The agency executing the project has intentions to harm and endanger the leopards of Aarey and destroy their natural habitat besides



FLASHBACK



Sule at the 'Save Aarey' protest; Mirror's sustained coverage of the issue

endangering various other wildlife in Aarey forest for creation of commercial maintenance car shed for Metro 3, despite there being various other options (sic)," the letter states further.

Under the Wildlife Protection Act (1972), leopards have been granted the highest level of protection. They also reportedly fall under the IUCN's red-list under the vulnerable category.

The NGO further pointed out that without the approval of the Standing Committee of the National Board of Wildlife, no commercial activity that involved destruction of habitats of any endangered species can be carried out at Aarey especially because it is located within a 10-km radius of SGNP.

Aarey tree hacking proposal

BMC chief rushed through vote to bypass poll code

Said it will come into effect on Sept 10, but Election Commission yet to announce the date

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The decision to hack 2,702 trees at Aarey Colony for a Metro-3 carshed was rushed through the Tree Authority's last meeting on August 29 to pre-empt the model code of conduct.

The minutes of that meeting reveal that BMC Commissioner Praveen Pardeshi put the proposal to cut the trees to vote, saying that it had to be done urgently as the code of conduct was to come into effect on September 10. While the poll code stays in effect, a state government can neither take any policy decision nor make any announcement. But Pardeshi's claim was odd—the assembly election is expected to be conducted in October but the Election Commission hasn't announced the date as yet.

The BMC chief's assertion came soon after Shiv Sena corporator Yashwant Jadhav, who had tabled a proposal in the BMC to reject the tree-cutting plan, offered an olive branch. He asked Tree Authority members not to take a decision in haste and offered to take back his proposal in exchange. "You (Pardeshi) call for a meeting in your chamber and have a discussion. Everyone must be taken into confidence... Let's defer the proposal for the next meeting," Jadhav said.

At the end of the meeting, Pardeshi even told Tree Authority members that if they agreed to pass the tree cutting proposal at the next meeting, he would defer the plan. But immedi-

FLASHBACK



Mirror's reports on how those supposed to protect our trees had let the city down

Case pending in HC, but BMC sanctions tree felling

The BMC on Friday sanctioned the cutting of trees in Aarey, despite the matter being subjudice. However, it told the MMRC that no tree can be cut over the next 15 days. "We have followed the due procedure. Since the proposal [to cut trees] has been passed by the Tree Authority, we have issued a sanction letter to the MMRC," said an official from the gardens department. "MMRC cannot cut trees for 15 days to allow for objections to the plan to be heard and also because there are petitions pending before the Bombay High Court."

ately after that, he did a volte face and put the proposal to vote. "We have had three meetings on this before. Because of the HC's orders, the Metro-3 project has seen a number of delays. Citizens must not suffer... The election code of conduct will come into force on September 10. So this proposal has to be passed as early as possible," he said.

Next, the proposal to defer the tree felling plan was rejected and then the plan to cut 2,702 trees was approved.

Pardeshi was unavailable for comment on Friday.

The vote sparked protests across the city and two Tree Authority experts—Dr Shashirekha Sureshkumar

and Dr Chandrakant Salunkhe—resigned, saying they were tricked. They claimed that they were led to believe that they were voting in favour of an adjournment and learned about the truth only after the vote concluded.

The hasty approval has been contested by environmental activist Zoru Bathena in the HC, who claimed that procedures weren't followed at the August 29 meeting. Jadhav, too, has filed a writ petition in the HC, saying Pardeshi's action was tantamount to fraud.

MMRC wants Metro-3 to be fully operational by December 2021. It will start receiving rakes in 2020, and needs a car depot ready by then.