

No. EXC/MTG/108.

75
BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
Griha Nirman Bhavan,
5th floor, Bandra(East),
BOMBAY- 400 051.

March 24, 1987

The minutes of the Hundred & Eighth Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 9th March, 1987 are enclosed.

S. V. Asgaonkar
24/3/87
(S.V. ASGAONKAR)
SECRETARY
EXECUTIVE COMMITTEE.

To

- The Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. - Chairman
- The Metropolitan Commissioner, B.M.R.D.A. - Member
- The Secretary to the Government of Maharashtra, Urban Development Department, Mantralaya. - Member
- The Secretary to the Government of Maharashtra, Housing and Special Assistance Department, Mantralaya. - Member
- The Municipal Commissioner, Bombay Municipal Corporation. - Member
- The Managing Director, C.I.D.C.O., Bombay. - Member
- Shri Charles M. Correa, Correa Consultants Pvt. Ltd., 9, Mathew Road, Bombay-400 004. - Member
- Shri Shirish B. Patel, SPA Consultants Pvt. Ltd., 41, Nagindas Master Road, Bombay- 400 023. - Member
- Dr. P.G. Patankar, Director, Central Institute of Road Transport, (Training and Research) Poona-Nasik Road, Pune-411 026. - Member

INVITEE: The Financial Adviser, BMRDA.

Copy to: The Officers of the B.M.R.D.A.
The Legal Adviser, B.M.R.D.A.

GVG:

HUNDRED & EIGHTH MEETING OF THE EXECUTIVE COMMITTEEB.M.R.D.A.DATE : 9th March, 1987 (Monday).TIME : 10.30 A.M.PLACE : Chief Secretary's Committee Room,
5th Floor, Mantralaya.MEMBERS PRESENT :

Shri K.G. Paranjpe, Chief Secretary to the Government of Maharashtra.	- Chairman
Shri S.S. Tinaikar, Municipal Commissioner, Bombay Municipal Corporation.	- Member
Shri S.R. Kakodkar, Metropolitan Commissioner.	- Member
Shri D.K. Jain, Secretary to Government of Maharashtra, Urban Development Department.	- Member
Shri D.K. Afzulpurkar, Secretary to Government of Maharashtra, Housing and Special Assistance Department.	- Member
Shri K. Nalinakshan, Managing Director, C.I.D.C.O., Bombay.	- Member
Shri Shirish B. Patel.	- Member
Dr. P.G. Patankar.	- Member

INVITEE :

The Financial Adviser, B.M.R.D.A.

Shri S.V. Asgaonkar, Secretary, Executive Committee, BMRDA.

Item No.1(a) : Confirmation of the minutes of
the last (107th) Meeting.

1(a).1. Referring to penultimate sentence in para.1.1.2 on page-2 of the minutes it was observed that the Committee had in its last Meeting desired that it was necessary to reduce depth required to be covered by the pedestrians in respect of subways by raising the level of the road, which was not properly reflected in the minutes. The Committee then decided to substitute the sentence under reference

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by the following :-

"The Committee felt that with a view to reducing the depth the pedestrians are required to cover, the road level could be raised by about 6' so that the subway level will be only about 6' below the foot-path level and not 12' as in normal cases."

1(a).2. Under its Resolution, No.356, the Committee has decided to continue guarding agency for protection of land in 'H' Block of Bandra-Kurla Complex for a further period of six months i.e. upto 31.3.1987 or till the disposal of the plot whichever is earlier. Since the plot under reference is not likely to be disposed of by end of March 1987, the Committee decided that guarding agency should be continued till the plot is disposed of. The Committee, therefore, decided to substitute the word 'earlier' appearing at the end of Resolution No.356 by the word 'later'.

1(a).3. The minutes as amended were then approved.

Item No.1(b) : Action taken on the minutes of the last (107th) Meeting - together with progressive action on the past decisions (part 'a' only).

During discussion on this item, the following points were made :-

1(b).1. Referring to information regarding subways included in BUTP-II document, the Committee desired that subways at the following Railway Stations may also be included in BUTP-II :-

- (i) Dadar (On Senapati Bapat Marg)
- (ii) Bandra (West) (Near Mosque)
- (iii) Andheri (West).

1(b).2. Referring to the information furnished in paragraph 3 on page-6 of the minutes regarding reservation of Power Receiving Station on Plot No.151-B in Block-III of Bombay BBR, the Committee desired that since Plots Nos.149 and 150 are also reserved for BEST purposes, the question whether there is need to reserve Plot No.151-B also for Power Receiving Station should be idepedently examined.

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The action taken report was then noted by the Committee.

Item No. 2 : Application for permission under Section 13 of the BMRDA Act, 1974.

The application bearing the registration No.504/30/1/87 (Hajee Cassum Agboatwala Charities) was placed on the Table.

The Committee considered the application and noted that the proposal was for reconstruction of a building with floor area of 2256.27 sq. mtrs. (1655.34 sq. mtrs. for residential + 600.93 sq. mtrs. for accommodating existing Government Offices) with F.S.I. 1.32 on C.S. No.1220(part), Girgaum Division, Muzafarabad Hall, in 'D' Municipal Ward. The Committee also noted that 4 Government/Semi Government offices viz. Rural Broadcasting, Employment Exchange, Rationing Office, and Bombay Public Health Circle are housed in the existing dilapidated structures on the land. It was also noted that Government was finding it difficult to secure alternate accommodation for these offices.

The Committee discussed the proposal at length in all its aspects. The Committee felt that those offices were functioning in the premises since over 20 years and are not new offices, and as the applicant had proposed to allow built-up area for these offices in the reconstructed building not exceeding the area already occupied by them in the old dilapidated structures, the application should be granted. The Committee, accordingly, granted the permission applied for and passed the following Resolution :

RESOLUTION NO.359 :

"Resolved that in exercise of the powers conferred on it by clause (iv) of the sub-section (3) of Section 7 of the Bombay Metropolitan Region Development Authority Act, 1974, read with sub-section (3) of Section 13 of the said Act and all other powers enabling it in this behalf, the Committee hereby grants permission to Hajee Cassum Agboatwala Charities (Application bearing Registration No.504/30/1/87) for reconstruction of building with floor area 2256.27 sq. mtrs. (1655.34 sq. mtrs. for residential + 600.93 sq. mtrs. for accommodating existing

existing Government/Semi Government Offices from the existing dilapidated buildings), on C.S.No.1220(part), Girgaum Division, Muzafarabad Hall, in 'D' Municipal Ward."

Arising out of the discussion on the above item, the following points were made/decision taken in respect of Notification, No.A/RDM/1085/910, dated 8th October, 1985, issued by BMRDA under Section 13 of the BMRDA Act, 1974 :-

- (1) Cases of development involving reconstruction as per D.C. Rules with restricted F.S.I. of 1.33 in the Island City where existing offices are to be accommodated with existing or less floor area should not be required to obtain permission of the BMRDA under Section 13. Desirability of granting such a permission by the Municipal Commissioner or by the Metropolitan Commissioner should be considered and necessary amendments be made in the Notification.
- (2) The development involving transfer of existing offices/residences within the same premises in the Island City with area not exceeding their existing area, should be allowed either by the Municipal Commissioner or by the Metropolitan Commissioner as the case may be.

Item No. 3 : List giving details of appeals under Section 13(4) of the BMRDA Act, 1974.

3.1. During the course of discussion, the following points were made :

3.1.1. In cases of extra F.S.I. granted by the State Government under Rule 10(2) of the Development Control Rules for Greater Bombay for five-star or four-star hotels in the Island City, the practice of obtaining permission of the BMRDA under Section 13 subsequently by the concerned parties was redundant and should be discontinued if necessary even by amending the Notification suitably.

3.1.2. The

3.1.2. The Secretary, Urban Development Department informed the meeting that since 1985 Government is not giving any extra F.S.I. for five-star or four-star hotels in the Island City.

3.2. The reported case was then noted by the Committee.

Item No. 4 : Architectural Controls in 'E' Block

- i) Change of user from shops to Bank on ground floor on Plot C-6 and
- ii) Change of user from shops to Motor Accidents Tribunal Courts on ground floor on Plot No.C-1.

4.1. The Committee considered the Item Note.

4.2. As regards change of user from shops to the branch of the Central Bank of India on the ground floor on Plot No.C-6 allotted to the Indian Cancer Society, the Committee considered and accorded ex-post facto approval to the change of user and also consequential increase in built-up space due to changes from store to Bank Vaults, and toilets at basement floor level on the said plot, subject to prescribing a condition with the approval of the Authority that in respect of increased built-up space admeasuring about 106 square metres approx., the Indian Cancer Society shall pay premium to the BMRDA at the present market rate of Rs.6,000/- per F.S.I. square metre.

4.3. As regards the proposal to permit change of user from shops to offices on Plot No.C-1 allotted to State Government for its offices it was decided that the sanctioned user of shops should not be changed and Government be requested to accommodate Courts of Motor Accidents Tribunal in some other convenient premises. It was also agreed that sanctioned shop users on the ground floor of other plots in 'E' Block of Bandra-Kurla Complex should not be changed.

Item No. 5 : Filling vacant posts of Land Surveyors in the Land Cell of the B.M.R.D.A.

The Committee considered the Item Note. At the suggestion of the Metropolitan Commissioner the Committee agreed to continue appointment of Shri M.G. Deshpande as Land Surveyor for a period of one year with effect from

1.3.1987.....

1.3.1987. The Committee then passed the following Resolution :

RESOLUTION NO. 360 :

"Resolved that in exercise of the powers conferred under Section 7(3)(i) of the BMRDA Act, 1974, the Executive Committee hereby - (1) continues appointment of Shri M.G. Deshpande as Land Surveyor for a period of one year with effect from 1.3.1987, and (2) appoints Shri L.R. Parkar as Land Surveyor for a period of 2 years, on the terms and conditions mentioned in the Item Note."

Item No. 6 : Proposed Long-Distance Rail Passenger Terminal(s) at Bombay.
Approval to -

6.1. The Committee considered the Item Note and concurred with the recommendations as stated in para. 6.5 of the Item Note to the effect that in keeping with the recommendations of RITES two new Long Distance Rail Terminals be allowed to be developed at Kurla on Central Railway; and Bandra-Marshalling Yard (BAMY) on Western Railway for handling additional and longer inter-city/long distance passenger trains.

6.2.1. It was pointed out that the Central Railway had already approached Bombay Municipal Corporation/ State Government to change the reservation of the land at Kurla which is owned by it and intended to be used for the terminal, from 'residential' to 'site for railway terminal' and that Railways have funds which could be utilised in executing the project during the remaining period of the current financial year, provided the change of reservation was allowed.

6.2.2. The Committee was of the view that the Urban Development Department may be requested to examine the Central Railway's proposal as regards change of reservation, in consultation with Bombay Development Plan Advisory Committee, and authorise the Bombay Municipal Corporation to sanction the proposal in advance so that project work can commence during the current financial year.

6.3. The

6.3. The Committee then authorised the Metropolitan Commissioner to convey to the Railway Authorities concerned the N.O.C. of the BMRDA to the setting up of new inter-city rail terminals at Bandra-Marshalling Yard and Kurla and also to the Urban Development Department as regards grant of permission for change of reservation.

Item No. 7 : Appointment of Lawyer to contest litigation in respect of acquisition of land for Wadala Truck Terminal Project.

The Committee considered the Item Note and passed the following Resolution :

RESOLUTION NO. 361 :

"Resolved that in exercise of the powers conferred on it under clause (vi) of sub-section (3) of Section 7 of the BMRDA Act, 1974, the Executive Committee hereby approves the appointment of Shri K.K. Singhvi, Advocate to appear and plead in the Writ Petition No.470/87 filed in the High Court of Judicature at Bombay against acquisition of land at Wadala.

"It is further resolved that the Metropolitan Commissioner be and is hereby authorised to take further action in respect of incurring expenditure, etc., pertaining to the aforesaid litigation."

Item No. 8 : Policy regarding grant of permission for extraction of minor minerals in BMR Setting up a Technical Study Group for formulation of guidelines for control quarrying.

8.1. The Committee considered the Item Note and decided that it was not necessary to set-up a Technical Group by the BMRDA for formulation of guidelines for control of quarrying in Bombay Metropolitan Region as suggested by the Revenue Secretary and that instead, the Committee already appointed by Government under the Chairmanship of Secretary, Revenue and Forests Department should complete the task entrusted to it fast and should if necessary co-opt more technical experts on it.

8.2.1. The

8.2.1. The Secretary (Housing) pointed out that due to some restrictions on quarrying in Greater Bombay already laid down by Revenue and Forests Department, the Maharashtra Housing and Area Development Authority was finding it rather difficult to get the quarry material for its construction works in connection with Bombay Urban Development Project. He, therefore, requested that in the interest of speeding up construction work undertaken by Maharashtra Housing and Area Development Authority in connection with Bombay Urban Development Project, some quarrying permissions be granted in Greater Bombay. The Committee desired that the Revenue Secretary's Committee should take into account practical difficulties found by Maharashtra Housing and Area Development Authority and come up with pragmatic recommendations which will allow development without inflicting environmental damage.

The meeting then concluded with a vote of thanks to the Chair.

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