

No. EXC/MTG/122

BOMBAY METROPOLITAN REGION  
DEVELOPMENT AUTHORITY,  
Plot Nos. C-14 & C-15,  
Bandra-Kurla Complex,  
'E' Block, Bandra (East),  
Bombay - 400 051.

Date: 9th February, 1990.

The minutes of the Hundred and Twenty Second Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 10th January, 1990, are enclosed.

*S. V. Asgaonkar*  
9/2/90  
(S.V. ASGAONKAR)  
SECRETARY  
EXECUTIVE COMMITTEE

- To
- The Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. - Chairman
- The Metropolitan Commissioner, BMRDA - Member
- The Secretary to the Government of Maharashtra, Urban Development Department, Mantralaya - Member
- The Secretary to the Government of Maharashtra, Housing & 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, Consulting Advisor, Tata Consultancy Services, 'Nirmal', 9th Floor, Nariman Point, Bombay-400 021 - Member

INVITEE :

The Legal Adviser, BMRDA

- - - - -

MINUTES OF THE 122ND MEETING OF THE EXECUTIVE COMMITTEEB.M.R.D.A.

DATE : 10th January, 1990 (Wednesday)  
TIME : 11.00 A.M.  
PLACE : Chief Secretary's Committee Room,  
 5th Floor, Mantralaya.

MEMBERS PRESENT:

Shri D.M. Sukthankar, - Chairman  
 Chief Secretary to the  
 Government of Maharashtra

Shri S.R. Kakodkar, - Member  
 Metropolitan Commissioner

Shri Satish Tripathi, - Member  
 Secretary to the Government  
 of Maharashtra,  
 Urban Development Department

Shri B.K. Agarwal, - Member  
 Secretary to the Government  
 of Maharashtra,  
 Housing & Special  
 Assistance Department

Shri S.S. Tinaikar, - Member  
 Municipal Commissioner,  
 Bombay Municipal Corporation (BMC)

Shri K. Nalinakshan, - Member  
 Managing Director,  
 CIDCO, Bombay

Shri Charles M. Correa - Member

Shri Shirish B. Patel - Member

Dr. P.G. Patankar - Member

INVITEE:

Shri K.N. Patel, Legal Adviser, BMRDA

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

Item No.1 : Confirmation of the minutes of the  
last (121st) Meeting of the Committee.

After discussion, the minutes were  
 confirmed.

Item...2/-

Item No.2 : Development of Mahim Nature Park -  
Status Report and Management of Park.

-----

Smt. S.I. Chatterjee, Project Coordinator, World Wild Life Fund - India, who has been associated with the Mahim Nature Park Project right from its very inception, attended the meeting and presented a short documentary film on the development of Mahim Nature Park.

She explained that the Mahim Nature Park was developed around the central concept viz, :

"There is a web of life  
You are part of the Web"

The objective was to develop a nature park which could also serve as a prestigious educational centre. Keeping this objective in mind, the park was developed with two main sections viz. (i) a thickly wooded area -- to provide the citizens of Bombay a quick change from the crowded and polluted urban setting to thick lush greenery, and (ii) an education centre - for educating the urban inhabitants, particularly school children, in ecology and nature conservation. She highlighted the various facilities being provided in the nature park and the education centre for equipping the latter to conduct various activities such as environment education programmes, preliminary as well as advanced courses in understanding nature, seminars/workshops for the personnel of various public and private organisations, camping programmes etc. Mrs. Chatterjee pointed out that the education centre needs to be properly furnished and equipped in order to enable it to play a really effective role in nature conservation education etc. The plantation programme in the park as well as in the creek area also needs to be augmented by planting various types of trees, creepers and thousands of mangroves, to transform the entire area into a green lung of Bombay. For this purpose, necessary funds need to be provided, not only for executing capital investment items for creating the necessary facilities but also for meeting recurrent

expenditure..3/-

-: 3 :-

expenditure on management and maintenance of the Mahim Nature Park, including the education centre, on a continuing basis.

Metropolitan Commissioner pointed out that the Government had entrusted the development of the Mahim Nature Park including the Education Centre Building to BMRDA in 1984 at an estimated cost of Rs.3 crores. By now, the park and the education centre building are nearing completion on which an expenditure of Rs.3.12 crores has been incurred. An additional amount of Rs.12 to 13 lakhs will be required for completing all the remaining works included in the original block estimate made in 1984. As per details furnished by the WWFI now, an additional amount of Rs.1.86 crores will be required for fully furnishing and equipping the educational centre building and Rs.68 lakhs will be required for executing various additional items of work which were not included in the original estimate but are considered necessary. Apart from this, on day-to-day maintenance and management of the park, a recurrent expenditure ranging from Rs.60 to 95 lakhs per annum will be required as estimated by WWFI. According to WWFI, the park and the education centre could also undertake various income generating activities such as horticultural consultancy, sale of products and publications, hiring of theatre, auditorium etc., which could generate income ranging from Rs.28 lakhs in the 3rd year to Rs.86 lakhs in the 5th year of operation. Metropolitan Commissioner stated that these were at best guesstimates and appeared very much on the optimistic side. He stated that the Mahim Nature Park was basically promotional and educational in nature and it may not be realistic to assume that it will yield significant revenues. Anyway, if WWFI's estimates were to be accepted, a huge additional amount of Rs.2.54 crores will have to be spent on capital investment and Rs.60 to 90 lakhs per year as recurrent expenditure on management and maintenance of the park. These estimates will need to be very carefully and critically examined to see to what extent the expenditure could be cut down while at the same time providing the minimum essential facilities and staff required to complete and manage the park and the education centre.

Metropolitan Commissioner further mentioned that for the management of the park, Shri V.G. Rajadhyaksha,

..4/-

former member of the Planning Commission and presently a trustee of WWFI, had suggested the establishment of a 9-member Trust headed by the Chief Secretary and an Advisory Committee comprising experts in different aspects of horticulture, marine biology, etc., with Mrs. S. Chatterjee as the Convenor. WWFI had proposed that the project should have a full time Project Director (Park Superintendent) alongwith an Education Officer, Horticulturist etc. and other supporting staff.

Members of the Executive Committee felt that huge additional expenditure on capital investment as well as management and maintenance of the park should be avoided. While plantation programme must be stepped up and completed and the plants maintained in healthy and vigorous condition, additional expenditure on the education centre building should be restricted to the barest minimum.

Shri Satish Tripathi, Secretary (UD) mentioned that his Department has some funds which are earmarked for social forestry schemes, a portion of which could be given to BMRDA for continuing the plantation programme in the MNP. It was decided that BMRDA should prepare and submit details of the plantation programme to be undertaken at MNP to Shri Tripathi for securing funds under the Social Forestry Scheme.

Shri Shirish Patel felt that the park should first appoint a Project Director together with skeleton staff of two or three persons to assist him and the Director in turn should work out the detailed staffing proposal for the MNP, considering the various activities that are likely to be taken up in the park. He was not in favour of incurring large additional capital expenditure on the project as it would put considerable financial burden on the Authority/Government.

Shri Charles Correa stated that if a lot of stagnant water accumulates in the park it would become a breeding ground for mosquitoes. It was clarified that

due to systematic channelisation work being done in the Mahim Creek the mosquito menace has been considerably controlled in the area. Shri Correa also expressed doubt whether with the improvement in the quality of water in the creek, migratory birds would visit the creek in future in large numbers. It was clarified by Mrs. Chatterjee that the birds would still continue to visit the Mahim Creek as it is rich in marsh and mangroves which attract certain species of birds.

Legal Adviser, Shri K.N. Patel, expressed the view that instead of establishing a Trust to manage the park as proposed, it would be more advantageous to form a limited company under the Company's Act and then have it registered under the Bombay Public Trusts Act.

The Chairman stated that it should be examined whether donations, contributions could be raised from private industrial/commercial houses to fund the project and its day-to-day maintenance. Mrs. Chatterjee, however, felt that if contributions are taken from private industrial houses etc. it may hamper the freedom of the management to conduct conservation/ecology oriented programmes which may be critical of environmentally damaging projects and schemes which some private companies are interested in undertaking. She, therefore, felt that funds for MNP and the education centre should come through Government only. Chairman felt that large funds from Govt. sources are unlikely to be forthcoming and hence the MNP and the education centre will have to plan its expenditure and activities on a modest scale, keeping in mind the severe constraint of resources. Metropolitan Commissioner pointed out that in order to complete the remaining essential items of work as well as carry on the plantation programme which is in full swing, providing basic furnishings and for looking after the upkeep and maintenance of the park, a minimum expenditure of Rs.30 lakhs during 1990-91 will be required and should be sanctioned. In the meanwhile, a thorough review of MNP will be carried out with a view to drastically cutting down additional items requiring capital expenditure and maintenance expenditure which also needs to be cut down to the barest minimum. The revised estimate of Rs.3.25 crores

was..6/-

was accordingly approved and an expenditure of Rs.30 lakhs approved for the financial year 1990-91.

The Chairman finally stated that certain knowledgeable persons such as Shri V.A. Rode, Head of the Landscape & Cosmetic Maintenance Section, Bhabha Atomic Research Centre (BARC), Dr. Prof. V.G. Kulkarni, Director, Homi Bhabha Centre, Tata Institute of Fundamental Research (TIFR), Dr. Prof. S.M. Chitre, Astro-Physics Group, TIFR, should be consulted on how the MNP including the education centre building should be equipped and put to the best possible use without becoming a financial burden to the BMRDA/Government.

Item No.3 : Application for Development Permission  
(No.DP/263 by M/s. Neptune Builders)  
in 'G' Zone in Vasai-Virar Notified Area.

The Committee considered the Item and noted that original N.A. permission and approval to the Sub-Division Plan under Section 44 of the Maharashtra Land Revenue Code, 1966, and Section 18 of the MR&TP Act, 1966 in respect of 7.82 ha. of land in S.No.316 B of Bolinj village in the Vasai-Virar Notified Area (VAVINA), was granted by the Additional Collector, Thane, on 10.5.1983 without obtaining technical remarks of the Asstt. Director of Town Planning (ADTP), Thane, but relying on the applicant's statement that the land under reference was within 1 furlong from the existing gaathan and 1.5 kilometres from the nearest railway station and on the remark of ADTP, Thane in another case relating to N.A. permission for the land adjacent to the owner's land. The Committee further noted that subsequently on 4.12.1987, the owners approached the Collector, Thane, for amalgamation of sub-divided plots into a single plot and for building permission and revised N.A. permission, which were granted by the Collector, Thane, on 28.12.1988 after the BMRDA was appointed as the Special Planning Authority and the Collector's power to grant Development Permission stood abolished.

The Committee was of the opinion that the

original..7/-

original permission granted in 1983 by the Additional Collector as well as the revised permission granted on 28.12.1988 ought not to have been granted, as the land in question was situated neither within 1.5 km. from Virar railway station, nor along the existing road. Similarly, the proposed development was not really intended for the local residents of the village. Thus, the proposal did not satisfy the conditions applicable to excepted developments permissible in 'G' Zone under the provisions of D.C.Rule 6.6.1(2), read with para. 5.2.62 of the Final Regional Plan. The Committee also noted that the applicant intended to construct the proposed buildings with an FSI of 1.00, whereas the Rule M-7.1 of the draft Building Bye-Laws and D.C.Rules for Vasai-Virar Sub Region, published by the State Government, provided for FSI of only 0.33 for certain exceptional developments permissible in the coastal areas of the 'G' Zone.

The Committee also noted that the proposed development which involved massive construction of as many 44 residential buildings and one commercial building in an area which falls in 'G' Zone as per the Sanctioned Regional Plan, without the necessary supporting infrastructure such as drinking water, drainage, etc., will put unbearable strain on the existing infrastructure in the area. In view of the above considerations, the Committee decided to reject the applicant's request and authorised the Metropolitan Commissioner to refuse the permission applied for.

After the above decision was taken on the application of M/s. Neptune Builders, there was general discussion on disposal of large number of applications which had been received by the BMRDA. Metropolitan Commissioner pointed out that despite best efforts by BMRDA officers, the pace of disposal could not be expedited as neither the BMRDA's staff proposal was sanctioned nor was any staff made available so far on deputation from the Directorate of Town Planning. On the other hand, Government was actively thinking of transferring the work relating to Vasai-Virar Area to CIDCO because they already had large engineering and planning staff and long experience of developing new towns. Till this was actually done, it was necessary to find a way to dispose of pending applications as quickly as possible in order to ensure

that..8/-

that parties do not claim deemed permission later. After further discussion, it was decided as follows :

(i) As regards the pending applications for development permissions in 'G' Zone, such cases should be rejected unless they strictly satisfy the criteria spelt out in para. 5.2.62 of the Final Regional Plan Report for allowing certain exceptional categories of developments in 'G' Zone;

(ii) In order to avoid claims of deemed permissions by the applicants, those applications which cannot be disposed of within the statutory time limit should be rejected unless, in the meanwhile, additional information/clarification is called from such applicants or requisition is served on them which results in the statutory time limit getting extended.

Item No.4 : Occupancy Certificate to buildings permitted prior to BMRDA's appointment as the Special Planning Authority for Vasai-Virar Notified Area.

-----  
Consideration of this item was deferred.

Item No.5 : Proposed Minor Modifications to the sanctioned planning proposals of 'G' Block (G-North) Bandra-Kurla Complex - Change of use from residential to commercial.

-----  
During the course of discussion on this item, the Committee expressed the opinion that it would not be desirable to convert residential land to commercial in G/N Block of Bandra-Kurla Complex in order to accommodate persistent demand from organisations such as Maharashtra State Cooperative Bank, Maharashtra Pollution Control Board and other organisations for commercial plots to construct their office buildings in Bandra-Kurla Complex. Firstly, it would go contrary to the idea of ensuring that the area does not become deserted after office hours like Ballard Estate. Secondly, it may affect office development in New Bombay. The Committee, therefore, decided to reject the proposal and advise organisations like Maharashtra State Co-op. Bank and Maharashtra Pollution Control Board to approach

CIDCO for land in New Bombay for locating their offices. Managing Director, CIDCO, confirmed that it would be possible for CIDCO to offer them suitable plots of land in New Bombay.

Item No.6 : Grant of short-term loan of Rs.10 lakhs to the Bombay Metropolitan Region Iron & Steel Market Committee, Kalamboli.

The Committee approved the proposal contained in the Agenda Note and passed the following Resolution :

RESOLUTION NO.442 :

"Resolved that in exercise of the powers delegated under Authority's Resolution No.395, dated 12.4.1989, read with clause (g) of sub-section (1) of Section 12 of the BMRDA Act, 1974, and all other powers enabling it in this behalf, the Executive Committee hereby approves the proposal to grant a short term loan of Rs.10 lakhs to the Bombay Metropolitan Region Iron & Steel Market Committee, Kalamboli, on the terms and conditions mentioned in para.4 of the Item Note, as proposed.

"Resolved further that the Metropolitan Commissioner be and is hereby authorised to execute a suitable Agreement with the Bombay Metropolitan Region Iron & Steel Market Committee, Kalamboli, in respect of short term loan of Rs.10 lakhs.

"Resolved further that copy of this Resolution be forwarded to the Authority for information."

Item No.7 : Hedging US \$ payables in respect of Bombay Urban Transport Project Loan.

The Chairman, Executive Committee, did not participate in the discussion on this item.

During the course of discussion on this item, Shri Shirish Patel, suggested that it would be useful to make inquiries with HDFC as to what mechanism they have adopted for hedging foreign currency loans against declining value of the Indian Rupee, since HDFC have raised sizeable

loans..10/-

loans on the US money market. It was decided to come up to the Executive Committee again after securing the necessary information from HDFC.

Item No.8 : Furnishing new BMRDA Building in 'E' Block, Bandra-Kurla Complex.

The Executive Committee approved the proposals contained in the item note and passed the following Resolution :

RESOLUTION NO.443 :

"Resolved that in exercise of the powers conferred by clauses (ii) and (iii) of sub-section (3) of Section 7 of the BMRDA Act, 1974, read with sub-section (5) thereof, the Executive Committee hereby approves that an amount upto Rs.20 lakhs be incurred for providing cabins for officers, ladies common room, side units (credenzas) and sun control measures, in BMRDA's new building, as mentioned in paras. 6 to 9 of the Item Note and authorises the Metropolitan Commissioner to take all necessary steps to get the work executed by calling tenders from the shortlisted contractors mentioned in Annexure II to the Item Note, as proposed."

Item No.9 : Installation and commissioning of MELTEL 128P EPABX System at New BMRDA Building.

The Committee approved the proposal contained in the agenda note and passed the following Resolution :

RESOLUTION NO.444 :

"Resolved that in exercise of the powers vested in it under Section 7(3)(iii) of the BMRDA Act, 1974, and all other powers enabling it in this behalf, the Executive Committee hereby accords its approval for the purchase and installation of EPABX System of MELTRON in the new office building of BMRDA in Bandra-Kurla Complex by incurring the expenditure of about Rs.8,78,992.00 as detailed in the Item Note.

"Resolved further that the Metropolitan Commissioner

be and is hereby authorised to sanction and pay the amount of increase, if any, on account of Item No.9 i.e. "Line Side Network" after actual measurement, as proposed."

Item No.10 : Procurement of SPSS/PC + Software and Apple Macintosh Computer System for BMRDA.  
-----

The Committee approved the proposal contained in the agenda note and passed the following Resolution :

RESOLUTION NO.445 :

"Resolved that the Executive Committee hereby accords post facto sanction to the action taken by the Metropolitan Commissioner for purchase of the SPSS/PC+ Software package and the Apple Macintosh Computer alongwith the softwares specified in Annexure-I to the Item Note for the BMRDA, at a total cost of Rs.8,67,668/- under the Technical Assistance, Training and Equipment Component of the World Bank assisted Bombay Urban Development Project."

Item No.11 : Quarterly accounts of the BMRDA for quarter ending 30th June 1989.  
-----

The accounts for the quarter ended 30th June 1989 were approved by the Committee.

Item No.12 : Quarterly accounts of the BMRDA for quarter ending 30th September 1989.

The accounts for the quarter ended 30th September 1989 were approved by the Committee.

Item No.13 : Termination of services of Shri R.A. Kamble, Watchman, Lands Cell of BMRDA.  
-----

After discussion, the Committee approved the action taken in terminating services of Shri R.A. Kamble, Watchman from Lands Cell of BMRDA.

Item No.14 : Appointments/Promotions made under the powers delegated by the Executive Committee.  
-----

Sanction to the -

The Committee approved the proposal contained

in the Agenda Note and passed the following Resolution :

RESOLUTION NO.446 :

"Resolved that the Executive Committee hereby accords its sanction to the appointment/promotion made by the Metropolitan Commissioner as detailed in Annexure to the Item Note in accordance with the proviso to Guideline No.5 of the Staff Appointment Guidelines, 1984, during the period ended on 31st December, 1989, as proposed."

The following item was then placed before the Committee as a Table Item, with the permission of the Chair. :

Table Item : Grant of loan to the Panvel Municipal Council (PMC) from the Bombay Urban Development Project - Revolving Fund (BUDP - RF)

The Committee approved the proposal contained in the Agenda Note and passed the following Resolution :

RESOLUTION NO.447 :

"Resolved that the Metropolitan Commissioner be and is hereby authorised to advance a loan of Rs.48.66 lakhs to the Panvel Municipal Council from the Bombay Urban Development Project - Revolving Fund by executing a suitable Agreement, for distribution of water supply and improvement of roads.

"Resolved further that the Metropolitan Commissioner be and is hereby authorised to extend financial assistance to the Panvel Municipal Council for carrying out a study of Storm-Water Drainage, as grant-in-aid, from the Bombay Urban Development Project - Revolving Fund on receipt of a specific request from the Panvel Municipal Council."

The Meeting then terminated with a vote of thanks to the Chair.