

Item No.1 :

MINUTES OF THE 124TH MEETING OF THE EXECUTIVE COMMITTEE

B.M.R.D.A.

DATE : 8th June, 1990 (Friday)
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 Ajit M. Warty, - Member
Metropolitan Commissioner
- Shri B.K. Agarwal, - Member
Secretary to the Government
of Maharashtra,
Housing & Special
Assistance Department
- Shri K. Padmanabhaiah, - Member
Municipal Commissioner,
Bombay Municipal Corporation (BMC)

INVITEE :

- Shri D.T. Joseph, Secretary (I) to the Government of
Maharashtra, Urban Development Department, and
- 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 (123rd) Meeting
of the Committee.

The minutes were confirmed.

Item No.2 : Action taken report on the minutes
of the last (123rd) Meeting of the
Committee.

The action taken report was noted by the
Committee.

Item No.3: Industrial Location Policy in BMR Area -
A proposal for modification received
from the Industries Department.

Consideration of the Item was deferred.

Item No.4: Study of 11 Municipal Councils -
Request for an additional fee
of Rs.1.40 lakhs by Tata Consul-
tancy Services.

After noting that M/s. Tata Consultancy Services (TCS) had requested for additional fees of Rs.1.40 lakhs for an input of 5.5 man-months (Rs.25,454 per man-month) for for the development of a computer-based model, which was almost the same rate as that in the original proposal, the Committee approved the proposal in the Item Note and passed the following Resolution :

RESOLUTION NO.453 :

"Resolved that in exercise of its powers under Section 7(3)(iii) of the BMRDA Act, 1974, the Executive Committee hereby approves payment of additional fees of Rs.1.40 lakhs to the Tata Consultancy Services for the study of 11 Municipal Councils in the Bombay Metropolitan Region, as proposed."

Item No.5: Application under Section 13 of the BMRDA Act, 1974 from the Western Railway, Churchgate, Bombay 400 020. Addition to the Western Railway Parcel Office Building on Plot No.49, 'E' Road, Churchgate, in 'A' Municipal Ward.

5.1. The Committee considered the application and noted that the proposal was for addition of 480.37 square metres floor area (5th Floor) to the existing building on Plot No.49, 'E' Road, Churchgate in 'A' Municipal Ward, thereby increasing its floor area from 2146.00 sq.metres to 2626.37 sq.metres and the FSI from 1.66 to 2.03. The applicant had stated that the additional floor area would be used for providing facilities for short stay of officers of

the Konkan Railway Project (a new broadgauge railway line connecting Bombay and Mangalore via West Coast), who would be frequently visiting Bombay.

5.2. The proposed development fell in Residential Zone as per the sanctioned Development Plan as well as the Revised Draft Development Plan. As per the sanctioned Development Plan, the permissible FSI was 2.45 which has been decreased to 1.33 in the Revised Draft Development Plan. It was found that the proposed development was not entirely "operational" as claimed by the applicant.

5.3. It was recapitulated that the applicant had submitted a similar proposal as far back as on 21st May, 1980 (application No.282/21/5/80) for the same use and that the Committee in its 50th Meeting, held on 16th July, 1980 had rejected the same. The appeal filed by the applicant to the State Govt. against the decision of the Committee was also rejected.

5.4. In view of the fact that the Konkan Railway was a major project of vital significance to the development of the backward Konkan coastal region of the State, costing more than Rs.1000 crores, proposed to be executed by creating a separate Corporation/Authority, in a time frame of 5 years, and that it was necessary for officers of that organisation to have close coordination with the existing Railway organisation, the State Government and others concerned, the Committee decided to grant the permission applied for, on the condition that the proposed floor area shall be used for providing only rest house type of short-stay accommodation for the visiting Officers of the Konkan Railway Project. The Committee accordingly passed the following Resolution :

RESOLUTION NO.454 :

"Resolved that in exercise of the powers conferred on it by clause (iv) of sub-section (3) of section 73 of the BMRDA 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 the

Western Railway (application bearing registration No.540/16/4/90) for addition of 480.37 sq.metres floor area (5th Floor) to the existing building on Plot No.49, 'E' Road, Churchgate in 'A' Municipal Ward, thereby increasing its floor area from 2146.00 sq.metres to 2626.37 sq.metres and the FSI from 1.66 to 2.03, subject to the condition that the proposed floor area shall be used for only providing rest house type of short-stay accommodation for the visiting officers of the Konkan Railway Project, as mentioned in the application."

Item No.6 : Application under Section 13 of the BMRDA Act, 1974 from the Bombay Port Trust, Bombay.-Reconstruction of Transit Shed No.15 at C.S.No. 1187, Indira Dock in 'A' Municipal Ward.

6.1. The Committee considered the application and noted that the proposal was for construction of a single storeyed shed (in lieu of 3 sheds) in Indira Dock in 'A' Municipal Ward, thereby reducing the storage space from 17351.00 sq.metres to 8318.84 sq.metres (reduction 8532.16 sq.metres).

6.2. It was noted that the proposed development was permissible as per sanctioned Development Plan as well as the Draft Revised Development Plan. It was also noted that the proposed development was for replacing the existing sheds which had become unsafe and out-moded from the point of view of the present operational needs of the Bombay Port Trust.

6.3. As the proposal contemplated reduction in storage space and was for providing better operational facilities in the Dock area, the Committee decided to grant the permission applied for and accordingly passed the following Resolution :

RESOLUTION NO.455 :

"Resolved that in exercise of the powers conferred on it by clause (iv) of sub-section (3) of section 7 of the BMRDA 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 the Bombay Port Trust (application bearing registration No.541/14/5/90) for construction of a single storeyed shed with floor area of 8818.84 square metres, in Indira Dock, in 'A' Municipal Ward, as proposed in the application."

Item No.7 : Award of contract for provision of cabins, credenzas etc. in the BMRDA Office Building at Bandra.

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

RESOLUTION NO.456 :

"Resolved that in exercise of the powers conferred by section 7(3)(iii) of the BMRDA Act, 1974, the Executive Committee hereby approves that the work of furnishing the BMRDA Building as per tender document be entrusted to M/s. Bon Decors, (the lowest quotationer on aggregate) at the rates quoted by them, as proposed."

Item No.8 : Permission to dispose of residential plot Nos. R-7 and R-8 admeasuring 1320 sq.metres each with permissible built-up area of 2140.65 sq.metres each, in 'E' Block of Bandra-Kurla Complex by inviting tenders by public advertisement.

The Committee considered the Item Note which contained a suggestion to dispose of two residential plots, viz. R-7 and R-8 in 'E' Block of Bandra-Kurla Complex, by inviting tenders by public advertisement, as permissible, under Regulation 4(ii) of the BMRDA (Disposal of Land) Regulations, 1977. The purpose was to know the current market value of a residential plot in the Block, which would facilitate the subsequent allotment of the remaining residential plots to the State and Central Government Undertakings to whom the commercial plots in the said Block had already been allotted at predetermined rates. The Committee agreed with the suggestion and decided to recommend the same for the Authority's sanction.

Item No.9 : Shifting of Wholesale Iron & Steel traders from Bombay City to Kalamboli Market Yard - Issuance of Show Cause Notice and selective prosecutions.

After discussion, the Committee approved the suggestion to issue Show Cause Notices and to launch selective prosecutions against the recalcitrant wholesale traders whose names were registered with the Market Committee and who were allotted plots in the Market Yard at Kalamboli as stated in the Item Note.

Item No.10 : Appointment of advocates to appear on behalf of the BMRDA in the City Civil Court, Bombay in Short Causes Suit No.3054 of 1990 with Notice of Motion No.2184 of 1990.

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

RESOLUTION NO.457 :

"Resolved that in exercise of the powers conferred by clause (vi) of sub-section (3) of section 7 of the BMRDA Act, 1974, and all other powers enabling it in this behalf, the Committee hereby accords post-facto sanction to the engagement of services of Shri N.G. Chhatre, Advocate, for 25.4.1990 and those of Shri Milind M. Sakhardande, till the case is finally decided by the City Civil Court Bombay, in Short Causes Suit No.3054 of 1990.

"Resolved further that the Metropolitan Commissioner be and is hereby authorised to incur expenditure on proceedings, legal fees and other incidental expenditure in connection with the aforementioned litigation, as may be necessary."

Item No.11 : Truck Terminal at Wadala - Status Report and Problems.

11.1. The current status of execution and various problems in the implementation of the project, as mentioned in the item note, were briefly explained by Shri Vaishampayan, Chief Engineer. In this

connection, follow-up actions taken on the decision taken in the meeting held by the Chief Secretary with the representatives of BGTA on 5-10-1989 and preliminary results of the recent survey of transport companies were also mentioned. It was also clarified that preliminary results of the survey prima facie indicated that requirement of space as put forward by the transport companies was unrealistic and on a very higher side. It was also stated that, in the absence of any indication by ^{the} BMRDA of the price of land/built-up space and, also, without asking the transport companies to register their demand by paying registration deposit, it would not be possible to assess the extent of genuine demand for space. However, a fresh demand registration exercise cannot be carried out in the absence of any decision about the price to be charged and the terms and conditions to be imposed by the Government for the land at Wadala. The Committee noted that the proposal for legislation on truck terminal was still awaiting the Government's approval. Proposals for constitution of a project coordination and monitoring committee, creation of post for Project Manager for truck terminal as well as setting up proper marketing cell in BMRDA, as incorporated in the agenda note, were also noted by the Committee.

11.2. After brief discussion, it was decided to expedite the finalisation of land price and other issues, including creation of posts, separately by convening meetings with the concerned officers. The Chief Secretary was requested to Chair such meetings.

Item No.12 : Request of Tata Housing Development Corporation Ltd. for modification in architectural control drawing in respect of commercial plot Nos.C-26 and C-27 in 'E' Block of the Bandra-Kurla Complex.

12.1. Shri F.A. Poncha, Managing Director, Tata Housing Development Corporation Ltd. (THDCL) explained the building plans which they had finally submitted to the BMRDA for approval. The model of the proposed building was also displayed at the meeting. Shri Poncha pointed out that on

account of the high cost (amounting to about Rs.1½ crores) of construction of basement and also about 6 months' time estimated for construction of such basement, the THDCL had requested the BMRDA to allow them to provide part of the car parking on the rear side of the first floor of the building, by projecting that portion of the first floor outside the building line prescribed as per the architectural control drawings. The twin plots allotted to them were not of a rectangular size, which necessitated the ramp linking the car park on the first floor being taken outside the prescribed building line. While explaining the financial side of the proposal, Shri Poncha stated that the THDCL had paid about Rs.11 crores to the BMRDA as land cost in January, 1989 and the burden of interest on that amount was about Rs.13 lakhs per month. If the THDCL was required to provide car parking in the basement, according to Shri Poncha, the project was likely to be delayed by atleast further 6 months, which would also add to the cost of the project. Shri Poncha, therefore, requested the Committee to approve the building proposal as submitted by the THDCL, by making modifications in architectural control drawings, as the proposal was otherwise permissible under the Development Control Rules in force.

12.2. After Shri Poncha and other officers of the THDCL had left the meeting, the Committee considered the proposal in detail. Eventhough the estimate of the likely additional cost of construction of basement mentioned by the THDCL appeared to be on a higher side, and alternative ways and means of reduction in cost of construction of basement were available, the Committee found that there was some substance in the submissions made by the THDCL.

12.3. The Committee considered the fact that it was not feasible to accommodate the ramp within the building line and that the another floor for accommodating the parking lots could not have been incorporated in view of the height restrictions. After

further discussion, the Committee, having taken note of the Legal Adviser's opinion that the architectural drawings had no legal validity [vide minutes of the last (123rd) meeting] decided that the architectural control drawings be modified so as to allow the ramp and part of the first floor projection outside the building line for car parking purpose, subject to the following conditions :-

- (1) that the part of the first floor projection beyond the building line shall not be covered at any time and shall only be used for car parking purpose;
- (2) that the ramp portion and extension of first floor beyond the building line be restricted only to the rear side of the building and that the extension of first floor shall not be visible from the road side; and
- (3) that the ramp shall be properly treated with landscape treatment, etc.

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

Table Item : Application under Section 13 of the BMRDA Act, 1974 from the Executive Engineer, Presidency Division, PWD, Bombay.
Reconstruction of building for Government Offices and Rest House on Survey No.756, Plot No.1/8463, Murzban Stores in 'A' Municipal Ward.

The Committee considered the application and noted that the proposal was for reconstruction of a building on plot bearing Survey No.756, Plot No.1/8463 at 25, Murzban Street, in 'A' Municipal Ward by demolishing some of the barracks, thereby increasing the floor area from 2422.44 square metres to 3766.47 square metres and the FSI from 0.64 to 1.326. The offices in the barracks proposed for demolition, occupying 1072.25 sq.metres floor area, were proposed to

be rehoused in the new building and the remaining area (1344.03 sq.metres) to be additionally created was proposed to be used for providing the badly needed rest house accommodation (suits) for touring Government employees.

2. The plot under reference fell in Commercial Zone as per the sanctioned Development Plan and in C-1 Zone as per the Revised Draft Development Plan.

3. As there was to be no increase in the office area, the Committee decided to grant the permission applied for and passed the following Resolution :

RESOLUTION NO.458 :

"Resolved that in exercise of the powers conferred on it by clause (iv) of sub-section (3) of section 7 of the BMRDA 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 the State Public Works Department (application bearing registration No.542/4/6/90) for reconstruction of the building on plot bearing Survey No.756, Plot No.1/8463, 25, Murzban Street, in 'A' Municipal Ward with floor area 2416.28 sq.metres (1072.25 sq.metres for rehousing existing offices + 1344.03 sq.metres for guest house), as detailed in the application."

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