

Date: 3rd July, 1991.

The minutes of the Hundred and Thirtieth Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 30th May, 1991, are enclosed.

S. V. Wasgaonkar 3/7/91
(S. V. WASGAONKAR)
SECRETARY,
EXECUTIVE COMMITTEE.

To:

- | | | |
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| The Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. | - | Chairman |
| Shri Charles M. Correa, Correa Consultants Pvt. Ltd., 9, Mathew Road, <u>Bombay 400 004.</u> | - | Member |
| Shri Shirish B. Patel, SPA Consultants Pvt. Ltd., 41, Nagindas Master Road, <u>Bombay 400 023.</u> | - | Member |
| Dr. P.G. Patankar, Consulting Adviser, Tata Consultancy Services, 'Nirmal', 9th Floor, Nariman Point, <u>Bombay 400 021.</u> | - | Member |
| The Secretary(I) 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 |
| The Metropolitan Commissioner, B.M.R.D.A. | - | Member |

INVITEES :

- The Secretary (II) to Government of Maharashtra, Urban Development Department, Mantralaya.
The Legal Adviser, B.M.R.D.A.

Copy to :

- The Officers of the B.M.R.D.A.
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MINUTES OF THE 130TH MEETING OF THE EXECUTIVE COMMITTEE,
B.M.R.D.A.

DATE : 30TH MAY, 1991 (THURSDAY)
TIME : 11.00 A.M.
PLACE : CHIEF SECRETARY'S COMMITTEE ROOM,
5TH FLOOR, MANTRALAYA.

MEMBERS PRESENT

- Shri K.B. Srinivasan, - Chairman
Chief Secretary to Government
- Shri Shirish B. Patel - Member
- Dr. P. G. Patankar - Member
- Shri D.T. Joseph, - Member
Secretary (I) to Government,
Urban Development Department
- Shri B.K. Agarwal, - Member
Secretary to Government,
Housing & Special Assistance
Department
- Shri R.C. Sinha, - Member
Managing Director, CIDCO
- Shri R.L. Pardeep, - Member
Metropolitan Commissioner

INVITEES

- Shri P.M. Kale,
Director (Engineering Services & Projects)
Bombay Municipal Corporation
- Shri A.G. Borkar,
Chief, T. & C. Division, BMRDA
- Shri K.N. Patel,
Legal Adviser, BMRDA
- Shri S.T. Vaishampayan,
Chief Engineer, Engineering Division, BMRDA
- Shri V.K. Phatak,
Chief, Planning Division, BMRDA
- Shri K.B. Diwadkar,
Chief, T. & C. P. Division, BMRDA
- Shri K.R. Shanbhogue,
Chief Accounts Officer, BMRDA and
- Shri S.W. Sawant,
Lands Officer, BMRDA

SPECIAL INVITEE

Shri U. K. Mukhopadhyaya,
Secretary to Government,
Energy & Environment Department,
Mantralaya

Shri S.V. Asgaonkar, Secretary, Executive Committee

Item No.1 : Confirmation of the minutes of the
last (129th) Meeting of the Committee.

Referring to last sentence of paragraph 4 on page 2 of the Minutes of Item No.3 (viz. "Comprehensive Urban Transportation Plan for Bombay Metropolitan Region - A Study"), Dr. Patankar enquired as to how expatriate consulting firm could choose Indian firm outside the list when the Indian Consultants were proposed to be shortlisted. It was clarified that no shortlisting of Indian Consultants was contemplated.

Minutes were then confirmed.

Item No.2 : Action taken on the minutes of the
last (129th) Meeting of the Committee.

Referring to Minutes of Item No.3, (viz. "Comprehensive Urban Transportation Plan for B.M.R. - A Study"), Dr. Patankar observed that the Executive Committee had decided to adopt the method of direct shortlisting of the expatriate consultants on the ground of urgency. However, even after about 2 months of the Executive Committee's decision, meeting of the Committee appointed for shortlisting was not convened. It was clarified that there was some delay as the convenor of the meeting and one of the Members of the Committee were abroad. It was assured that shortlisting would be done within two weeks.

The action taken report was then noted by the Committee.

Item No.3 : Truck Terminal at Wadala -
A Status Report.

3.1 The Metropolitan Commissioner stated that the Status Report for the proposed Truck Terminal Project was submitted to Executive Committee periodically as it is an important project of BMRDA. He said that there were no issues raised for consideration of the Committee. However, he highlighted some points.

3.2 The Metropolitan Commissioner stated that the project was proposed to be taken up in three phases and the land for two phases was already in possession of BMRDA. Part of the land for phase-3 was with BMRDA and the remaining land was being acquired. The land development for phase-1 and most of the infrastructure had also been completed. On the northern side, the connector road to the Eastern Express Highway had been completed and another connector - Sion - Koliwada Road was also being developed. This road could not be developed because of the hutments which were being removed and relocated with the help of MHADA and most of the difficulties in the relocation had then sorted out with various agencies. He also stated that meetings were held with truck operators and the help of Dr. Pasricha, Additional Commissioner of Police was also taken. The issues regarding pricing of land, infrastructure and construction were discussed in these meetings. The Executive Committee would be approached at appropriate time for guidance or decisions on these issues.

3.3 Shri Agarwal, Secretary, Housing and Special Assistance Department, stated that the operators had been pointing out that the then Chief Secretary had offered

a much lower price for land in the past. He wanted to know whether the said statement was correct. It was clarified that there was no record to show that the then CS had committed a lower price.

3.4 Shri Joseph, Secretary, UD, observed that the most important instrument for expediting the project was the Truck Terminal Bill which was examined by the L&JD and cleared by the cabinet. The Bill would be sent to the President of India for his assent and would be introduced in the Legislative Assembly very soon.

3.5 The Metropolitan Commissioner stated that on the basis of the demand registration exercise done in the past, the BMRDA had taken up four buildings for construction. He said that foundations of these buildings were completed and for superstructure tenders had been invited which was a separate item on the agenda. He also informed that the demand registered so far being too small i.e. only 25% of the built-up space being created - most of the space in the four buildings under construction would be required to be marketed.

3.6 Continuing, the Metropolitan Commissioner stated that Government was pressing for early completion of the flyover at Everard Nagar at the junction of Eastern Express Highway for which additional funds were sought from Government. The Metropolitan Commissioner stressed the need for additional staff for Truck Terminal project which was of gigantic proportions. He said that BMRDA had already approved the proposal for creation of a small unit consisting of a Project manager and Assistant Project Officer for this project. The proposal had been sent to Government for its approval. Shri Joseph,

Secretary (I), U.D. replied that the proposal was being processed to F.D. It was clarified that the proposed unit would ultimately be a part of the Truck Terminal Authority as soon as the Truck Terminal Bill was enacted and put into operation.

The Status Report was then noted by the Committee.

Item No.4 : Tender for construction of superstructure for A1, B1, B2 & D2 (balance work) type buildings at Truck Terminal, Wadala including water supply and sanitary installation and electrification.

4.1 On enquiry from the Members as regards inability to hold a meeting of the Executive Committee before the expiry of the validity period of the lowest tender received on 15th June, 1990 for superstructure of A1 & B1 buildings, it was clarified that after the item note was finalised on 22.8.1990 it was felt that the meeting of Executive Committee was not likely to be held before 12.9.1990, hence attempt was made to get the validity period extended by one month as a normal course. However, the contractor did not communicate his willingness to extend the validity period before the expiry of the tender. As a result the tender became invalid. Because it was an invalid offer, Executive Committee was not approached for sanction in the matter.

4.2 There was also some discussion on the point whether work of superstructure be undertaken before legislation empowering establishment of Truck Terminal Authority was enacted. In view of the fact that necessary infrastructure, especially for 1st phase of the project, such as roads and storm water drains, was already provided and the amount asked for by the Municipal Corporation of Greater Bombay for provision of water supply

was already deposited long back as also some demands for allotment of space was registered, it was decided to commence superstructure work of 4 buildings as per tender document. Similarly factors regarding interest and rate of inflation were examined and issue of postponing execution of work was closed. Current offer was considered reasonable in terms of construction cost per sq.m.

4.3 Accordingly, the Committee approved the proposal contained in the Agenda Note and passed the following Resolution :-

RESOLUTION NO. 479 :

"RESOLVED THAT the Executive Committee hereby accords Revised Administrative Approval amounting to Rs.1314 lakhs for the work in Stage-I, Phase-I of Truck Terminal, Madala in supersession of Administrative Approval of Rs.736.15 lakhs accorded in its 99th meeting held on 29.8.1985.

"RESOLVED THAT in exercise of the powers conferred under Clause (iii) of sub-section (3) of section 7 of BMRDA Act 1974 and all other powers enabling it in this behalf, the Executive Committee hereby approves the lowest tender (7/6) with three conditions of M/s. Reliance Construction Co. at the rate quoted by them, at a total amount of Rs. 5,89,71,496.40 (Rupees five crore eighty nine lakh seventy one thousand four hundred ninety six and paise forty only) which is 30% above the amount put to the tender viz. Rs.4,53,62,689.54 (Rupees four crore fifty three lakhs sixty two thousand six hundred eighty nine and paise fifty four only), as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to finalise the terms and conditions for granting mobilisation advance of 10 per cent. in respect of rate of interest, mode of repayment and Bank Guarantee.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to decide the methodology of payment of excess over or rebate below star price of cement and steel used in this work and payment of excess taxes, if any."

Item No.5 : BUDP - Revolving Fund -
Grant of loan to Virar Municipal Council.

while considering the proposed loan assistance to the Virar Municipal Council, it was noted that the municipal accounts do not clearly show the capital expenditure. It was considered necessary that requisite reforms should be introduced in municipal accounting so that such information is obtained. It was clarified that as a condition of Loan Agreement, the respective Councils are required to maintain separate accounts for the works carried out under the loan assistance. The proposed loan assistance of Rs.50.79 lakhs to the Virar Municipal Council was approved subject to the suggestion that BMRDA makes necessary efforts to bring about the changes in municipal accounting practices to identify the capital expenditure. For grant of future loans to Municipal Councils, we should request the municipal Councils to give such break-up. The following Resolution was then passed :

RESOLUTION NO. 480 :

"RESOLVED THAT in exercise of the powers under

Section 21A of the BMRDA Act, 1974 delegated to the Executive Committee by the Authority vide its Resolution No.422, the Executive Committee, hereby, sanctions a loan of Rs.50.79 lakhs to the Virar Municipal Council from the BUDP - Revolving Fund, as proposed.

"FURTHER RESOLVED THAT the Metropolitan Commissioner be and is hereby authorised to advance the loan amount to the Virar Municipal Council by executing a suitable agreement."

Item No.6 : BUDP - Revolving Fund -
Grant of loan to Ulhasnagar Municipal Council.

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

RESOLUTION NO. 481 :

"RESOLVED THAT in exercise of the powers under Section 21A of the BMRDA Act, 1974, delegated to the Executive Committee by the Authority vide Resolution No. 422, the Executive Committee hereby sanctions a loan of Rs.104.81 lakhs to the Ulhasnagar Municipal Council from the BUDP Revolving Fund, as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to advance the loan amount to the Ulhasnagar Municipal Council by executing a suitable agreement."

Item No.7 : Revision of Regional Plan for Bombay Metropolitan Region - Water Resources Planning in Bombay Metropolitan Region upto 2011.

7.1 The proposal to constitute an inter-Departmental Committee under Section 9 of the BMRDA Act as indicated in para. 6 of the Agenda Note, was approved subject to

the modification that the members at Sr.Nos. 12 and 13 may be called as "two Experts having special knowledge and expertise in water-resource development." Apart from setting-up of such a Committee, it was considered necessary that the possibility of establishing an independent Authority for developing and managing water resources for the BMR as a whole, should be explored. In that context, the members felt that the background note needs to be taken a step further by outlining the proposal for establishing such an Authority.

7.2 It was decided that above mentioned aspect should also be brought under the purview of the Committee proposed to be established under Section 9 of the BMRDA Act. In that context, the scope of the work of the Committee mentioned in para.13 of the working Paper, be enlarged by including "consider the feasibility of establishing an independent Authority for developing and managing the water resources of BMR, and if found feasible, suggest appropriate legal and organisational structure for constituting such an Authority."

7.3 Though a Committee was proposed to be constituted under the Authority, it was decided that the Executive Committee should continue to consider this aspect, and send its recommendation to the Committee for its consideration.

Item No.8 : Report of the Study on quarrying for construction materials in BMR.

The proposal to designate Quarrying Zones in the revised Regional Plan according to the study carried out by M/s. Kirloskar Consultants was approved subject to the condition that these may be modified in the light of the recent Notification of the Ministry of Environment and Forests regarding coastal-zones.

Regarding other aspects of the study dealing with legal and regulatory mechanism, environmental impact assessment and other procedures for controlling quarrying operations, the Metropolitan Commissioner was authorised to approach the concerned Government Departments.

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

RESOLUTION NO.482 :

"RESOLVED THAT having considered the report of the study on quarrying in BMR carried out by M/s. Kirloskar Consultants Ltd., the Executive Committee do hereby approves the proposal to incorporate in the revised Regional Plan for BMR, as one of the landuse zones, the quarry zone identified in the study, duly modified in the light of the recent notification of the Ministry of Environment & Forests regarding coastal zones.

"RESOLVED FURTHER THAT the Executive Committee hereby authorises the Metropolitan Commissioner to forward Report to the State Government for further necessary action."

Item No.9 : Metropolitan Environmental Improvement Programme in Bombay Metropolitan Region.

The proposal to participate in the Metropolitan Environmental Improvement Programme (MEIP) sponsored by UNDP and the World Bank was approved and the following specific decisions were taken :

- (i) It was decided that the Executive Committee of the BMRDA would act as MEIP Policy Committee and the following shall be the permanent Invitees to the Executive Committee whenever the Executive Committee would be considering the subject :

1. The Secretary to the Govt. of Maharashtra, Environment Department,
2. The Secretary to the Govt. of Maharashtra, Industries Department,
3. The Chief Executive Officer, Maharashtra Industries Development Corporation,
4. The Member Secretary, Maharashtra Pollution Control Board,
5. The Municipal Commissioner, Thane Municipal Corporation,
6. The Municipal Commissioner, Kalyan Municipal Corporation,
7. A representative of Chamber of Industries,
8. A representative of Academic Institutions,
9. A representative of concerned non-government organizations
10. Local Programme Coordinator.

(ii) It was also decided to constitute a Technical Committee as proposed in para 3(b) of the Item Note.

(iii) The proposal to approach the Ministry on Urban Development, Department of Economic Affairs and the World Bank for use of BUDP Funds to carry out the studies identified under MEIP was approved.

(iv) The Technical Committee was authorised to appoint working group for each studies and finalise the terms of reference and the request for proposals. The Technical Committee was also authorised to identify the Local Programme Coordinator to be contracted by the World Bank and paid through MEIP/UNDP fund.

Item No.10 : Appointment/Promotions made under 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.483 :

"RESOLVED THAT the Executive Committee hereby accords sanction to the appointments/promotions detailed in Annexure to the item note made by the Metropolitan Commissioner in accordance with the proviso to the guideline No.5 of the Staff Appointment Guidelines, 1984 during the period ended on 31st March, 1991 as proposed."

Item No.11 : Recruitment of staff on Work Charged and Daily Rated Establishment.

11.1 During the course of discussion on this Item, the following suggestions were made which were agreed to :

- (i) Since about 39 persons are likely to come over to regular establishment of the BMRDA in due course as per Appendices A&B to the Item Note, it was suggested that further recruitment should be restricted to the bare minimum, taking into consideration the potentiality of BMRDA to provide work for these people after the present projects of the BMRDA were completed.
- (ii) Future employment should also be made after following the usual procedure, i.e. notifying the vacancies to the Employment Exchange, etc.
- (iii) Executive Engineers should not make long term appointment (i.e. more than 90 days) hereafter.
- (iv) Legal Adviser's advice should be sought before final orders are issued by sub-committee in terms of resolution.

14.2 Subject to the foregoing, the Committee approved the proposal contained in the Agenda Note and passed the following Resolution :-

RESOLUTION NO.484 :

"RESOLVED THAT the Executive Committee hereby authorises the Metropolitan Commissioner to allow Engineering Division to appoint persons on Work Charged/Daily Rated Establishment according to the need of the works subject to limit of expenditure prescribed for.

"RESOLVED FURTHER THAT the Executive Committee authorises Metropolitan Commissioner to appoint a sub-committee to regulate such appointments on the respective temporary/permanent establishment and to frame suitable rules for extending benefits such as Leave, Contribution to C.P.F. and holidays etc. similar to those available in Government Department like P.W.D./Irrigation Department etc., as proposed, and further to authorise the Sub-Committee to condone deviations at the time of initial recruitment and to observe administrative rules to suit BMRDA's requirements like 5 days week or requirements of actual work."

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

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