

MINUTES OF THE 167TH MEETING OF THE  
EXECUTIVE COMMITTEE, B.M.R.D.A

DATE : 3rd April, 1996 (Wednesday)  
TIME : 11.30 a.m.  
PLACE : Chief Secretary's Committee Room  
5th Floor, Mantralaya

MEMBERS PRESENT :

Shri Dinesh Afzulpurkar Chief Secretary to Government	-	Chairman
Shri D.M. Sukthankar	-	Member
Shri R.Y. Tambe	-	Member
Shri D.T. Joseph Secretary (TPWSS) to Government Urban Development Department	-	Member
Shri Ajit Warty Secretary to Government Housing & Special Assistance Department	-	Member
Shri J. D. Jadhav Municipal Commissioner Municipal Corporation of Greater Bombay	-	Member
Shri B.B. Sharma Managing Director CIDCO	-	Member
Shri D. Mehta Metropolitan Commissioner	-	Member

SPECIAL INVITEES :

Shri S.G. Kale  
Additional Chief Secretary to Government  
Planning Department

Shri Venkat Chary  
Principal Secretary to Government  
Finance Department

Shri N.V. Merani

Shri A.G. Borkar  
Technical Adviser to  
the Metropolitan Commissioner

Shri Krishan Lal  
Railway Adviser - MUTP II

Dr. P.S. Pasricha  
Special Inspector General of Police (Traffic)

INVITEES :

Shri Vinay Bansal  
Secretary to Government  
Industries Department

Shri K.N. Patel  
Legal Adviser, BMRDA

Shri V.K. Phatak  
Chief, Planning Division, BMRDA

Shri K.R. Shanbhogue  
Chief Accounts Officer & Financial Adviser  
Finance & Accounts Division, BMRDA

Shri P.D. Wani  
Chief, Transport & Communications Division

Shri S.P. Pendharkar  
Chief, Town & Country Planning Division  
BMRDA

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

Item No.1 : Confirmation of the minutes of the last (166th) meeting of the Committee.

The minutes were confirmed.

Item No.2 : Action taken on the minutes of the last (166th) meeting of the Committee.

2.1.1 Referring to action taken report in respect of Item No.6, viz. "Financial assistance to Thane Municipal Transport (TMT) for bus fleet augmentation", the Metropolitan Commissioner informed the meeting that as per general decision taken regarding interest rates to be charged by BMRDA for various purposes, interest rate of 15% per annum was chargeable to semi-commercial activities such as bus transport, etc. and as such the same rate of interest would have to be charged to TMT, instead of 12% as sanctioned under Executive Committee's Resolution No.652. He also informed the Committee that interest rate of 15% per annum was proposed in respect of similar financial assistance proposed to be given to the Navi Mumbai Municipal Corporation (NMMC) which Item was also placed before this (167th) Meeting of the Committee vide Item No.5.

2.1.2 The Committee agreed with the Metropolitan Commissioner's suggestion and decided that in partial modification of Committee's Resolution No.652, the

rate of interest for loan assistance of Rs.325 lakhs to TMT shall be 15% per annum.

2.2.1 Shri D.M. Sukthankar then enquired of the further action taken in respect of Item presented by CIDCO at the 164th meeting of the Executive Committee held on 30th August, 1995 regarding construction of 3 multi-purpose dams on rivers Gadhi, Kasadi and Ulwe, which are essential for controlling floods to Panvel town and surrounding areas being developed by CIDCO such as Kharghar and Kalamboli, which dams would also yield about 700 mld. of water, for urban water supply.

2.2.2 After discussion, it was decided that CIDCO should send a note to all the members of the Executive Committee, Irrigation Department and other concerned agencies and obtain their views in the matter. After the views are received, CIDCO should present a detailed Item Note to the Authority and Government.

2.3 The action taken report was then noted by the Committee.

Item No.3 : Urban Infrastructure Development  
-Need for a Financial Intermediary.

3.1 The proposal presented to the Executive Committee in terms of the revised structure of the financial intermediary and contributions of BMRDA to the Trust Fund and Asset Management Company were approved.

3.2 It was emphasised that given the size of Trust Fund of Rs.150 crores it would be important that large projects would still be eligible to directly access the World Bank Fund. The World Bank should not treat the financial intermediary as the single window through which all World Bank finances would be routed for infrastructure development in Maharashtra. It was also suggested that the World Bank assistance to the financial intermediary should be obtained as a line of credit not tied down to a particular project.

3.3 Subject to the above suggestions, the Metropolitan Commissioner was authorised to request the Government of Maharashtra to formally submit the proposal to the Department of Economic Affairs, Ministry of Finance, Government of India through Ministry of Urban Affairs & Employment with a view to obtaining World Bank concurrence to the proposed structure of the financial intermediary and an assurance in principle to support the infrastructure loans portfolio of the proposed financial intermediary.

It was also decided that the legal formalities should be studied by the Legal Adviser, BMRDA in consultation with legal departments of financial institutions and suitable documents got prepared for approval of the Government.

Item No.4 : Grant of loan to Public Works Department for construction of Second Thane Creek Bridge and ongoing three flyover works.

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

RESOLUTION NO. 657 :

"RESOLVED THAT in exercise of the powers conferred under Regulation No. 7.1 of the BMRDA (Grant of loan from Reserve Fund) Regulations, 1992 the Executive Committee hereby accords post-facto sanction for release of further loan of Rs.5.00 crores at 14% interest for the construction of Second Thane Creek Bridge and release of Rs.3.774 crores for ongoing works of three flyovers which is interest free to Public Works Department as proposed."

Item No.5: Grant of loan to Navi Mumbai Municipal Corporation for purchase of buses.

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

RESOLUTION NO. 658 :

"RESOLVED that in exercise of the powers conferred under Regulation No.7.1 of the BMRDA (Grant of loan from Reserve Fund) Regulations, 1992, the Executive Committee hereby accords its approval to grant to the Navi Mumbai Municipal Transport Undertaking (NMMTU) of the Navi Mumbai Municipal Corporation (NMMC) a loan of Rs.10 crores for purchase of buses, subject to the following conditions :-

- i) The loan will carry interest of 15% per annum to be repaid within 5 years;
- ii) Prior approval of General Body of NMMC be obtained and produced to BMRDA;
- iii) Government in Urban Development's sanction to borrow loan from BMRDA be obtained and produced to BMRDA;
- iv) Executing a suitable agreement with BMRDA; and
- v) The buses purchased out of the loan be hypothecated to BMRDA as security.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further necessary action including release of loan in suitable instalments, taking into account the requirements of funds of NMMC as well as availability of funds in the Reserve Fund to implement the Resolution."

Item No.6 : Improving Infrastructure -Making funds available to Public Works Department (PWD) from BMRD Fund -Recommendation to the Authority.

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6.1 During the course of discussion it was emphasised that most of the works for which the Public Works Department (PWD) had requested loan were outside the projects identified by W.S. Atkins in Comprehensive Transport Study for Bombay Metropolitan Region (BMR) and that BMRDA should channelise the investment as per priorities set out in the said study.

It was clarified in respect of the above, that the W.S. Atkins Study had recommended improvement of Western/Eastern Express Highways and Sion-Panvel Road including improvement of junctions.

6.2 After discussion, it was decided that the PWD proposal might be reexamined in the context of recommendations of Atkins Study and resubmitted in the next Executive Committee meeting.



Item No.7 : Financing MCGB's III-A Bombay Water Supply Project by BMRDA.

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

RESOLUTION NO. 659 :

"RESOLVED THAT in modification of its Resolution No. 643, dated the 30th August, 1995, the Executive Committee hereby approves, in principle, the proposal to finance 60% of the cost of III-A Bombay Water Supply Project of Municipal Corporation of Greater Bombay (MCGB) at an estimated cost of Rs. 666.62 crores on the terms and conditions described in para.6 of the Item Note, subject to examination of detailed project report including economic analysis of the project and recommends it to the Authority.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be authorised to advise the Municipal Corporation of Greater Bombay regarding preparation and submission of detailed project report including economic analysis for appraisal by BMRDA."

Item No. 8 : Organisation Study of BMRDA.

8.1.1 The Metropolitan Commissioner explained that initially the Metropolitan Authority comprised three Committees, viz. the Authority, the Standing Committee and the Executive Committee. The Authority had 46 members. The office of the Metropolitan Commissioner was organised in three Functional Boards dealing with Housing, Urban Renewal & Ecology; Transport & Communications and Water Resources Management. In 1983, the Functional Boards and the Standing Committee were disbanded and Authority with limited membership and Executive Committee with three non-official experts were reconstituted by amending the BMRDA Act. Since 1983 considerable changes occurred in the functions of BMRDA. For example, the infrastructure financing role is acquiring increasing importance. Similarly, the 74th Constitutional Amendment had redefined the respective roles of local authorities and the metropolitan authorities. Participation of NGOs in the planning process is also acquiring increasing importance.

8.1.2 In this context the Metropolitan Commissioner stressed the need of undertaking an exhaustive organisation study to redefine the mission of BMRDA and accordingly strengthen its organisation and establish improved administrative and procedural practices.

8.2 The need for carrying out the study and the Terms of Reference presented to the Executive Committee were generally approved, subject to the condition that the duration of the study should be limited to 16 to 20 weeks.

8.3 The shortlist of the Consultants was also approved subject to replacement of Administrative Staff College, Hyderabad by Arthur Anderson, Mumbai.

8.4 As regards suggestion made by Shri Shirish Patel of setting up of Technical Appraisal Committee to assist the Executive Committee, it was decided that this suggestion could be considered as a part of the organisation study and decision made only after the report of the Consultant is available.

8.5. The Executive Committee, thereafter, passed the following Resolution :-

RESOLUTION NO. 660 :

"RESOLVED THAT in exercise of the powers conferred under clause (iii) of sub-section (3) of Section 7 of the BMRDA Act, 1974, the Executive Committee hereby approves the Terms of Reference of the proposed study of the BMRDA as per Annexure I attached to the Item Note with the modification that the duration of the study shall be limited to 16 to 20 weeks.

"RESOLVED FURTHER THAT the Executive Committee hereby approves the shortlist of Consultants as per Annexure II attached to the Item Note with the modification that the Administrative Staff College, Hyderabad be replaced by Arthur Anderson, Mumbai."

Item No.9 : Appointment of Additional Metropolitan Commissioner.

The Committee considered the proposal contained in the Item Note and agreed to recommend appointment of Additional Metropolitan Commissioner in BMRDA in the proposed pay scale. The Committee also approved the draft Recruitment Rules for the post of Additional Metropolitan Commissioner subject to the modification that appointment to the post of Additional Metropolitan Commissioner be made by promotion of a suitable person on the basis of selection from amongst the Chiefs of Technical Division with 10 years experience as Chief in BMRDA and if the candidate by promotion was not available, by transfer of a suitable person from Government or Local Authority or Statutory Body as proposed in the draft Recruitment Rules attached as Annexure to the Item Note. The Committee accordingly passed the following Resolution :-

RESOLUTION NO. 661 :

"RESOLVED THAT the Executive Committee hereby requests the State Government under Section 11(1B) of the BMRDA Act, 1974 to appoint Additional

Metropolitan Commissioner in the pay scale of Rs.5900 - 6700 with admissible allowances and recommends that the following Recruitment Rules be prescribed for the said post :-

"In exercise of the powers conferred under sub-section (1B) of Section 11 of the Bombay Metropolitan Region Development Authority Act, 1974 (Maharashtra Act No.1V of 1975), the Government of Maharashtra is pleased to make the following Rules regarding recruitment to the post of Additional Metropolitan Commissioner in the Bombay Metropolitan Region Development Authority, viz. -

(i) These Rules may be called the Additional Metropolitan Commissioner (Recruitment) Rules, 1996;

(ii) They shall come into force w.e.f....

2. In these Rules unless the context requires otherwise, -

(a) "Degree" means a Degree of a statutory University;

(b) "Diploma" means a Diploma of a recognised Institution;

- (c) "Government" means Central or any State Government;
- (d) "Institution" means the Institution recognised by Government;
- (e) "Urban Development Department" means the Urban Development Department of Government of Maharashtra;
- (f) "Bombay Metropolitan Region Development Authority" means the authority established under sub-section (1) of Section 3 of the Bombay Metropolitan Region Development Authority Act, 1974;
- (g) "Local Authority" means Local Authority constituted under the Central or State Act;
- (h) "Statutory Body" means Statutory Body constituted under the Central or State Act.

3. Appointment to the post of Additional Metropolitan Commissioner shall be made by -

- (a) promotion of a suitable person on the basis of selection from amongst the Chiefs of Technical Divisions, with 10 years experience

as Chiefs in BMRDA,

or

- (b) if candidate by promotion is not available, by transfer of a suitable person from Government or Local Authority or Statutory Body who -
- (1) possesses a Degree in Architecture or Civil Engineering and Post Graduate Degree/Diploma in Town Planning or Urban and Regional Planning or Urban Design of a recognised University/institution,

and

- (2) has an experience of 10 years on a post equivalent to the post of Chief of Technical Division in BMRDA."

Item No. 10 : Disciplinary action against an employee of BMRDA.

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

RESOLUTION NO. 662 :

"RESOLVED THAT the Executive Committee has carefully considered the facts of the case contained in the agenda note and the records of evidence. The Executive Committee hereby approves that a penalty of withholding increment for one year without cumulative effect be imposed upon Shri P.M. Kolte, Assistant Chief Accounts Officer.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be authorised to take necessary action for implementation of this resolution."



Item No.11 : Delegation of powers to the Metropolitan Commissioner regarding powers to take disciplinary action and/or to institute Departmental Enquiry against an Employee of BMRDA.

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

RESOLUTION NO. 663 :

"RESOLVED THAT in continuation of its Resolution No.642, dated 30th August, 1995, the Executive Committee in exercise of the powers conferred under sub-section (5) of Section 7 of the BMRDA Act, 1974 hereby delegates its powers of taking disciplinary action against the staff by virtue of Section 16 of the Bombay General Clauses Act, 1904 to the Metropolitan Commissioner in respect of all employees of the BMRDA, except the Chiefs of Divisions, as proposed."

Item No.12 : Tender for the work of widening and deepening of part confluence between H-Block scrapping and channelised Mithi flow.

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

RESOLUTION NO. 664 :

"RESOLVED THAT in exercise of the powers conferred by Section 7(3)(iii) of BMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee hereby approves that the work of widening and deepening of part confluence between 'H' Block, scrapping and channelised Mithi flow from ch.2214 m. to ch.2650 m. be entrusted to M/s.Satyam Construction Co., at a cost of Rs. 1,13,37,250/- (Rupees One crore thirteen lakhs thirty seven thousand two hundred fifty only) as proposed in the agenda note."

Item No.13 : Price escalation payment -M/s.Sanjay Builders -Construction of Education Centre Building in Mahim Nature Park.

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

RESOLUTION NO. 665 :

"RESOLVED THAT the Executive Committee hereby approves the proposal to ratify the action viz. payment of Rs.1.03 lakhs to M/s.Sanjay Builders for the work of Construction of Education Centre Building towards the price escalation, as a special case, as proposed in the Item Note."

Item No.14 : Appointment of a Consultant for architectural design & supervision of Cultural Centre and Commercial Complex in I.F.B.C. of 'G' Block of Bandra-Kurla Complex.

14.1 The Committee considered the proposal contained in the Item Note and approved the same with the following modifications :-

- (1) That the Consultant shall prepare 2/3 conceptual designs with reference to the requirements given; and
- (2) That the fees of the Consultant shall not be more than 3.5% of the actual cost of construction of the work.

14.2 The Committee accordingly passed the following Resolution :-

RESOLUTION NO.666 :

"RESOLVED THAT in exercise of the powers conferred under Section 7(3)(iii) of the BMRDA Act, 1974 the Executive Committee hereby approves the proposal to appoint Shri Charles Correa, Architect as a Consultant for architectural design and supervision of Cultural Centre & Commercial Complex in I.F.B.C. of 'G' Block of Bandra-Kurla Complex at a fees not exceeding of 3.5% of the actual cost of construction of the work and on the terms and conditions mentioned in the agenda note, subject to the modification that the Consultant shall prepare 2/3 conceptual designs with reference to the requirements given.

"RESOLVED FURTHER THAT the Executive Committee authorises the Metropolitan Commissioner to make necessary

modifications in the agreement and to take all further necessary actions in respect of the appointment of Shri Charles Correa as Consultant for the Cultural Centre and Commercial Complex."

Item No.15(a) : Accounts of the B.M.R.D.A. for the quarter ending 30.09.1995.

Item No.15(b) : Accounts of the B.M.R.D.A. for the quarter ending 31.12.1995.

The Accounts of the BMRDA for two quarters ending 30th September, 1995 and 31st December, 1995 were noted by the Committee.

Item No.16 : BUDP - Revolving Fund  
- Quarterly Management Report  
from 1st October, 1995 to  
31st December, 1995.

Management Report of the BUDP-Revolving Fund Accounts for the quarter ending 31st December, 1995 was noted by the Committee.

Item No.17 : Study for Development of Comprehensive Transportation Plan for Bombay Metropolitan Region (BMR) by M/s. W.S. Atkins.

17.1 While placing the Item before the Meeting the Metropolitan Commissioner stated that the recommendations of W.S. Atkins were presented to the Executive Committee in the past. Thereafter BMRDA had arranged 3 seminars to know the views of officials, NGOs, environmentalists and interest groups such as WIAA, industries, etc. The Metropolitan Commissioner requested the Executive Committee to discuss the subject and approve the investment proposals.

17.2 Shri N.V. Merani observed that in the past cabinet had already approved the recommendations of the Paranjape Committee about prioritisation of projects of Traffic & Transport improvements in BMR. He also suggested that the constructive suggestions made in the seminars, particularly about outer areas of BMR and Island City areas, should also be circulated along with the report to the concerned authorities, etc.

17.3 The Special Inspector General of Police (Traffic) emphasised the need to take up short term projects on priority irrespective of World Bank's loan and also suggested that the major recommendations about demand management need to be endorsed by the cabinet. He further expressed the need to strengthen the Traffic Department of Municipal Corporation of Greater Bombay (MCGB) or make alternate interim arrangement for implementation of the recommendations.

17.4 The Managing Director, CIDCO and Shri R.Y. Pande felt that the priorities of investment proposals given in the report should be finalised in consultation with implementing agencies in Bombay Metropolitan Region and it should be further ensured that investment decisions are made according to the agreed priorities.

17.5 The Secretary (TPWSS) to Government, Urban Development Department pointed out that due to change in Rules of Business in the Government of India, even at State level Urban Development Department is expected to handle urban transport issues for which it was not adequately staffed and therefore there was a need for a Transport Policy at Government of Maharashtra level for all urban areas in Maharashtra. He further stressed the importance of demand management measures such as staggering of office hours; development of off street parking lots, etc.

17.6 The Railway Adviser, BMRDA pointed out that some sort of commitment from Railway Board/Ministry was necessary otherwise Railways were announcing schemes/studies notwithstanding MUTP-II.

17.7 Summarising the discussion the Chairman, Executive Committee observed that though officers from different agencies were consulted and were aware of the Atkins recommendations, it was necessary to obtain the agencies/department's formal views/comments on the recommendations before obtaining policy directives from the Government.

17.8 It was accordingly, decided that views/comments might be obtained in 2 months' time and comprehensive proposals <sup>may</sup> be put up for the consideration of the Government.

Item No.18 : Sponsoring a project for improving safety on National/State Highways in Bombay Metropolitan Region (BMR) area.

After discussion, the Committee approved the proposal contained in the Item Note and passed the following Resolution :-

RESOLUTION NO. 667 :

"RESOLVED THAT the Executive Committee hereby accords its approval to sponsor the project for improving safety on the National/State Highways in Bombay Metropolitan Region (BMR) as detailed in the Item Note by providing Rs. 6.07 lakhs for the same.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further necessary action in this regard."

Item No.19 : Feasibility study for Mumbai Trans Harbour Link (MTHL) -Shift in emphasis of the scope.

After discussion, the Committee approved the Letter of Invitation, Terms of Reference and short list of consultants subject to inclusion therein, comments if any, from Shri N.V. Merani, Shri A.G. Borkar and

Shri R.Y. Tambe. The Committee also approved Option No.1 i.e. cancellation of earlier offers from the shortlisted consultants and calling of fresh offers from the list of consultants attached to the Item Note with revised Terms of Reference as proposed. The Committee also directed that the Authority should be informed of the Committee's decision of approving the revised Terms of Reference, etc. of the study. The Committee accordingly, passed the following Resolution:-

RESOLUTION NO. 66B :

"RESOLVED THAT the Executive Committee hereby decides to take up the feasibility study of Northern Link to Mumbai (Sewree - Nhava) on priority at this stage, and that the feasibility study of Southern Link (Colaba - Uran) be taken up subsequently in due course. Consequently, the Executive Committee hereby decides to cancel carrying out feasibility study on earlier terms of reference as it includes both the links.

"RESOLVED FURTHER THAT the Executive Committee approves the modified Terms of Reference, Letter of Invitation and shortlist of the consultants as per Annexures I, II & III attached to the Item Note subject to inclusion therein, comments if any, from the members and invitees to the Executive Committee meeting.



"RESOLVED FURTHER THAT the Expert Committee be and is hereby set up under the Chairmanship of the Metropolitan Commissioner, BMRDA with (i) Technical Adviser to the Metropolitan Commissioner, (ii) Chief, Transport & Communications Division, (iii) Chief, Planning Division, (iv) Shri R.K. Jha, Chief Transport & Communications Planner, CIDCO, (v) Secretary (Roads), Public Works Department, (vi) Director, Engineering Services & Projects, Municipal Corporation of Greater Bombay, (vii) Shri N.V. Merani, (viii) Railway Adviser, MUTP-II, BMRDA and (ix) Shri Mulik, MTPR as members to finalise evaluation of the offers and recommend selection of consultants, carry out negotiations and monitor the study."

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

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