

227
157
No. SEC/MTG/17/5753/77.

Bombay Metropolitan Region
Development Authority,
18th Floor, New Admn. Building,
Madame Cama Road,
Opp. Mantralaya, Bombay-400 021.

Dated : 1st October, 1977.

The minutes of the seventeenth meeting of the Executive Committee of the B.M.R.D.A. held on the 23rd September, 1977, are enclosed.

Issued on OCT. 1977

Sule
(S.D. Sule)
Secretary, Executive Committee.

To:

Shri S.V. Bhave, Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya, Bombay-400 032. - Chairman.

Shri B.N. Adarkar, Chairman, Transport & Communications Board, B.M.R.D.A. - Member.

Shri C.M. Correa, Chairman, Housing, Urban Renewal and Ecology Board, B.M.R.D.A. - Member.

Shri N.G.K. Murti, Chairman, Water Resources Management Board - Member.

Shri B.G. Deshmukh, Municipal Commissioner, Municipal Corporation of Greater Bombay. - Member

Shri P.V. Nayak, Metropolitan Commissioner and Vice-Chairman, Executive Committee, B.M.R.D.A.

Shri R.S. Pal, Secretary to the Government of Maharashtra, Urban Development & Public Health Deptt., Mantralaya, Bombay-32 - Member.

Shri B.S. Dhavle, Managing Director, CIDCO, Bombay. - Member.

Invitees:

The Financial Adviser, BMRDA.

The Deputy Metropolitan Commissioner, BMRDA.

The Member-Secretary, Housing, Urban Renewal & Ecology Board, BMRDA.

The Member-Secretary, Transport & Communications Board, BMRDA.

The Member-Secretary, Water Resources Management Board, BMRDA.

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

159

229

MINUTES OF THE SEVENTEENTH MEETING OF THE EXECUTIVE
COMMITTEE OF THE BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY

held on the 23rd September, 1977.

Place : Special Committee Room, Fifth Floor,
Mantralaya, Bombay - 400 032.

Members Present:

Shri S.V.Bhave, Chief Secretary to the Government
of Maharashtra, GAD, Mantralaya, Bombay-400 032
Chairman.

Shri P.V.Nayak, Metropolitan Commissioner and
Vice-Chairman, Executive Committee, BMRDA.

Shri R.S.Pal, Secretary, U.D.& P.H.D. - Member.

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Shri S.V. Desai, Municipal Commissioner,
Bombay Municipal Corporation - Member,

Shri B.S.Dhavle, Managing Director, CIDCO - Member.

Shri B.N. Adarkar, Chairman, T & C Board, - Member,

Shri C.M. Correa, Chairman, HURE Board - Member.

Shri S.D. Sule, Secretary, Executive Committee, BMRDA.

Invitees :

The Financial Adviser, BMRDA.

The Member-Secretary, HURE Board, BMRDA.

The Member-Secretary, T & C Board, BMRDA.

The Member-Secretary, W.R.M. Board, BMRDA.

Shri J.R.Patwardhan, Deputy Municipal Commissioner,
Bombay Municipal Corporation, Bombay.

Shri K.N.Patel, Legal Adviser, BMRDA.

Item No.1 : Confirmation of the minutes of the
last (Sixteenth) meeting.

Minutes of the sixteenth meeting of the Executive
Committee held on the 26th August, 1977, were confirmed.

Item No.2 : Action taken on the minutes of the
last (Sixteenth) meeting.

Action taken on the minutes of the sixteenth meeting
of the Executive Committee held on the 26th August, 1977,
was noted.

Item No.3 : Applications for permission under Section
13 of the B.M.R.D.A. Act, 1974.

The applications, bearing the following Registration
Numbers, were placed on the table.

(1) 28/3/8/77	(6) 33/18/8/77
(2) 29/6/8/77	(7) 34/23/8/77
(3) 30/6/8/77	(8) 35/23/8/77
(4) 31/8/8/77	(9) 36/25/8/77
(5) 32/8/8/77	(10) 37/3/9/77

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The Committee considered each application and decided as follows:-

(1) Application No.28/3/8/77(Yusuf Noman Loynmoon)

The Committee found no merit in the justification given by the applicant for reconstruction of a building for residential, office and wholesale trade purposes with 4.245 F.S.I. The Committee considered the plea of the applicant that the original building was in good condition and had collapsed due to no fault on their part, and that what is intended is the reconstruction of the building for the pre-existing purposes and to the pre-existing extent of 4.245 F.S.I. The Committee found the plea untenable, observing that the Notification of the Authority applies with equal force to both the construction and reconstruction of a building. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(2) Application No.29/6/8/77(M/s Mazgaon Properties)

The Committee found no merit in the justification given by the applicant for reconstruction of the building for shops and residential tenements, increasing the floor area of the building from 1780 Sq.Ft. to 5386.66 Sq.Ft. The Committee noted that the proposal was to accommodate 5 new residential tenants in addition to the existing tenants. The contention of the applicant that, unless the F.S.I. of 1.66 is allowed, it would not be possible to make the scheme viable, was not considered relevant. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(3) Application No.30/6/8/77(Co-owners Construction and Finance Corporation)

The Committee found no merit in the justification given by the applicant for reconstruction of the building for residential tenements, and did not consider the application fit for grant of permission. The Committee noted that the proposal was to accommodate 6 new residential tenements in addition to the existing tenements. The contention of the applicant that, unless the F.S.I. of 1.66 is allowed, it would not be possible to make

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the scheme viable, was not considered relevant. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected,

(4) Application No.31/8/8/77(Divisional Engineer Phones (B), Khar Telephone Exchange.

The Committee decided that the permission applied for, viz, addition to the existing building of the Khar Telephone Exchange at Linking Road, in Municipal ward 'H', to the extent of additional floor area of 1914.80 Sq.Metres with the proposed F.S.I. of 1.65 for use as telephone exchange, including offices of the essential maintenance staff, should be granted, subject to obtaining the approval of the Government required under the Development Control Rules for Greater Bombay.

(5) Application No.32/8/8/77(Divisional Engineer Phones, (B), Worli.)

The Committee decided that the permission applied for, viz, construction of a building to the extent and for the purposes mentioned below, with the proposed F.S.I. of 1.78, in plot No.131 A - Scheme No.2 on Pandurang Bodhrar Marg in Municipal Ward 'E', should be granted, subject to obtaining the approval of Government required under the Development Control Rules for Greater Bombay :-

Telephone Exchange - 6739.895
Mail Motor Service - 4117.328

Total 10857.223

(6) Application No.33/18/8/77(M/s.Unique Enterprises (India)).

The Committee found no merit in the justification given by the applicant for change of use of the premises from residential to Bank and other Offices, and did not consider his application fit for grant of permission. The Committee observed that the plea of the applicant that the existing location is ideal for commercial offices was contrary to the letter and the spirit of the Authority notification, which is intended to prevent further growth of office premises in the City of Bombay. The Committee felt that, if the desired permission were granted, the

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the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(7) Application No.34/23/8/77(M/s Shah Construction Co.Ltd.)

The Committee found no merit in the justification given by the applicant for construction of a building for warehouse and office, and did not consider the application fit for grant of permission. The Committee felt that the construction of a warehouse would increase congestion and truck transport in South Bombay. The Committee considered the plea of the applicant that the proposed warehouse would be used by M/s Colgate Palmolive (India) Pvt.Ltd. for the purpose of their factory situated on the adjacent plot, but it was not considered sufficient to justify the increase in the number of warehouses in South Bombay. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region was likely to be affected adversely. Having regard to the aforesaid, the Committee rejected the application.

(8) Application No.35/23/8/77(Smt.Indravati Ratanchand)

The Committee did not find sufficient merit in the justification given for the addition to the existing building for office purposes with the proposed increase in the F.S.I. from 1.66 to 2.81, and did not consider the application fit for grant of permission. The Committee considered that the plea of the applicant that the proposal was to reinstate the previous tenant was not acceptable. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region was likely to be affected adversely. The application was, therefore, rejected.

(9) Application No.36/25/8/77(Premji Pragii)

The additional details furnished by the applicant under his letter, dated the 22nd September, 1977, were placed on the Table. The Committee found no merit in the justification given by the applicant for reconstruction of building for office purpose with an

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increase of F.S.I. from 1.62 to 4.43, and did not consider the application fit for grant of permission. The plea of the applicant that he had already incurred expenses and made commitments for development of property on the basis of plans approved under the Town Planning Scheme (Mandvi) was not considered acceptable. The Committee noted the report of the BMC that the Town Planning Regulations had been suspended since 1973, and the Development Control Rules were applicable. The construction of a building for office purposes and that, too, involving F.S.I. of 4.43 would militate against the spirit of the BMRDA notification. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(10) Application No.37/3/9/77(Free Press Journal Estate Ltd.)

The Committee found no merit in the justification given by the applicant for the construction of a building for Printing Press, News Paper Offices and other offices with the proposed F.S.I. of 3.49, and did not consider the application fit for grant of permission. The Committee noted that the proposed building would accommodate over 5000 employees, and observed that this would lead to additional burden on the transport and other civic services in the Southern tip of the City. The plea of the applicant that the allotment of the plot in the Backbay Reclamation was made by Government and accepted by the applicant on the understanding that the F.S.I. would be 3.5 was not considered to be acceptable. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region was likely to be affected adversely. The application was, therefore, rejected.

The Committee then passed the following Resolution:-
Resolution No.63

Resolved that, in exercise of the powers conferred on it by clause (v) of sub-section (2) of Section 7 of the BMRDA Act, 1974, read with sub-section (1) of Section 13 of the said Act, and all other powers enabling it

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in this behalf, the Committee hereby -

(i) refuses permission on behalf of the Authority under sub-section (3) of Section 13 of the said Act, to persons or authorities, who have presented applications, bearing the following Registration Nos., for the reasons recorded in the minutes :-

- (i) 28/3/8/77;
- (ii) 29/6/8/77;
- (iii) 30/6/8/77;
- (iv) 33/18/8/77;
- (v) 34/23/8/77;
- (vi) 35/23/8/77;
- (vii) 36/25/8/77;
- (viii) 37/3/9/77;

and

(ii) grants permission on behalf of the Authority under sub-section (3) of Section 13 of the said Act to persons or authorities, who have presented applications, bearing the following Registration Nos., to undertake the development to the extent applied for by them respectively :-

- (i) 31/8/8/77;
- (ii) 32/8/8/77.

Item No.4:- Reporting exercise of powers delegated by the Executive Committee.

The Committee considered the agenda note, and passed the following Resolution.

Resolution No.64.

Resolved that the cases of exercise of powers delegated by the Executive Committee, which are reported in the statement in the Agenda Note, are noted.

Item No.5:- Application from U.S.S.R.Consulate Registration No.06/1/7/77.

The Committee noted that this was an application intended in effect for reconsideration of its earlier refusal to grant permission to reconstruct a building containing office premises as recorded under Resolution No.60, dated the 26th August, 1977. Having so noted, the Committee felt it was incompetent to consider such an application for the reason that the Committee had exhausted its power to grant or refuse permission and.

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had been added the an appeal (4) of S Developm if such Item No.

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had become functus officio. The Committee, however, added that it was open to the applicant to prefer an appeal to the State Government under sub-section (4) of Section 13 of the Bombay Metropolitan Region Development Authority Act, 1974, against its decision, if such an appeal were otherwise permissible.

Item No.6:- Bombay Urban Transport Project- Consultancy in organisation, staffing, administration, and Project Monitoring Systems and Finance and Accounts.

In the course of the discussion on the item, the Committee noted the fact reported by the representative of the Consultants, M/s A.F.Ferguson & Co., that the standard professional fees charged by the Faculty members of the Indian Institute of Management, Calcutta, for their services as Consultants are Rs.600 per day, of which Rs.200 is passed on to the Institute and Rs. 400 retained by the Faculty member concerned. The Committee then passed the following Resolution:-

Resolution No.65:-

In exercise of the powers conferred by clause (vi) of sub-section (2) of Section 7 of the BMRDA Act, and all other powers enabling it in this behalf, the Executive Committee approves the proposal to engage the Consultancy services of Prof.Dr.Satyesh Chakraborty & Prof.C.C. Benninger at an estimated total cost of Rs.60,000/- to assist A.F.Ferguson & Co. in their Consultancy assignment on Organisation, Staffing, Administration and Project Monitoring Systems, subject to obtaining the concurrence of the World Bank to the proposal.

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