

No.EXC/MTG/178

MUMBAI METROPOLITAN REGION  
DEVELOPMENT AUTHORITY,  
Bandra-Kurla Complex,  
Bandra(East), Mumbai-400051.

Date : 23rd February, 1998

The minutes of the Hundred and Seventy-Eighth Meeting of the Executive Committee of the Mumbai Metropolitan Region Development Authority, held on 12th February, 1998 are enclosed.

  
23/2/98  
(S. V. ASGAONKAR)  
Secretary  
Executive Committee

To

- |  |   |          |
|--|---|----------|
| The Chief Secretary to the Government,<br>of Maharashtra, General Administration<br>Department, Mantralaya.      | - | Chairman |
| Shri D.M. Sukthankar,<br>'Priya', Worli Sea-Face,<br>Worli, <u>Mumbai-400018.</u>                                | - | Member   |
| Shri R.Y. Tambe,<br>A/600, Shivam Apartments,<br>R.P.T.S. Road, Suredranagar,<br><u>Nagpur - 440 015.</u>        | - | Member   |
| Shri Deepak Parekh<br>Chairman, H.D.F.C. Ltd.,<br>Ramon House, Churchgate,<br><u>Mumbai - 400 020.</u>           | - | Member   |
| The Principal Secretary (I)<br>to the Government of Maharashtra,<br>Urban Development Department,<br>Mantralaya. | - | Member   |

The Secretary to the Government  
of Maharashtra, Housing & Special  
Assistance Department,  
Mantralaya. - Member

The Municipal Commissioner,  
Municipal Corporation of  
Brihan Mumbai. - Member

The Managing Director  
CIDCO. - Member

The Metropolitan Commissioner  
M.M.R.D.A. - Member

INVITEES :

The Principal Secretary to Government of Maharashtra,  
Environment Department, Mantralaya.

The Principal Secretary(II) to Government of Maharashtra,  
Urban Development Department, Mantralaya.

The Secretary to Government of Maharashtra,  
Industries Department, Mantralaya.

Copy to :-

The Legal Adviser, MMRDA

The Officers of the MMRDA.

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**MINUTES OF THE 178<sup>TH</sup> MEETING OF THE EXECUTIVE  
COMMITTEE, MMRDA.**

**DATE : 12<sup>th</sup> FEBRUARY, 1998 (THURSDAY)**  
**TIME : 4.30 P.M.**  
**PLACE : CHIEF SECRETARY'S COMMITTEE  
ROOM, 5<sup>TH</sup> FLOOR, MANTRALAYA.**

**MEMBERS PRESENT :**

Shri P. Subrahmanyam Chief Secretary to Government	:	Chairman
Shri D.M. Sukthankar	:	Member
Shri K. Nalinakshan Principal Secretary (I) to Government, Urban Development Department	:	Member
Shri V.P. Raja Secretary to the Government Housing & Special Assistance Department	:	Member
Shri Girish Gokhale Municipal Commissioner Brihanmumabi Municipal Corporation	:	Member
Shri V.S. Dhumal Managing Director CIDCO	:	Member
Shri K.C. Srivastava Metropolitan Commissioner	:	Member

**INVITEES :**

Shri Yashwant Bhave  
Secretary to Government  
Industries Department

Shri K.N. Patel  
Legal Adviser, MMRDA

Shri V.K. Phatak  
Chief, Town & Country Planning Division, MMRDA

Shri S.P. Pendharkar  
Chief, Planning Division, MMRDA

Shri S.B. Pardeshi  
Chief Accounts Officer & Financial Adviser, F. & A. Division, MMRDA

Shri A.V. Deshingkar  
Chief Engineer, Engineering Division, MMRDA

Shri A.V. Ghangurde  
Chief, Transport & Communications Division, MMRDA

Shri Dayanand Shrivardhankar  
Lands Officer, MMRDA

Shri M.R. Tidke  
Personnel Officer, MMRDA

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

Item No.1 : Confirmation of the minutes of the last (177<sup>th</sup>) Meeting of the Executive Committee held on the 26<sup>th</sup> December, 1997.

The minutes were confirmed.

Item No.2 : Action taken on the minutes of the last (177<sup>th</sup>) Meeting of the Committee held on 26<sup>th</sup> December, 1997.

The action taken report was noted by the Committee.

Item No.3: Proposal of allotment of a plot in IFBC, 'G' Block of Bandra-Kurla Complex to set up a German Centre for Industry and Trade in Mumbai.

3.1 The proposal to allot a plot of land admeasuring 5474.77 sq.m. with a permissible built up area of 10796.05 sq.m. in 'G' Block if IFBC, Bandra-Kurla

Complex to the proposed German Centre for Industry and Trade in Mumbai was considered. The Metropolitan Commissioner explained the background of this proposal and brought out the recommendations made by the Ministry of Finance in this connection.

3.2 The Chairman, Executive Committee initiated discussion about the appropriateness of making an offer of land only to a particular country as proposed. The Secretary (Industries) mentioned that amongst the Foreign Chambers of Commerce, the Indo-German Chamber of Commerce was the most active and also indicated that if a plot of land in Bandra was not offered to them, they might set up a Centre in Chennai. He also mentioned that a plot of land at Andheri was also shown to the sponsoring bank of the Centre but it preferred a plot at Bandra-Kurla Complex.

3.3 The Metropolitan Commissioner also mentioned that availability of plots for similar purposes and trade missions had also been brought to the notice of Dean of Consular Corps for receiving proposals from other countries.

3.4 The Chairman, Executive Committee then initiated the discussion about the price that could be offered for this plot. He was of the opinion that if any concession in the price was to be offered, there should be a quid-pro-quo. The sponsoring bank had requested a price of D.M.500 per sq.m. of FSI (approximately Rs.10,880 per FSI sq.m.). However, a price of Rs.30,000 per FSI sq.m. was proposed in the Agenda Note. The consensus was that when compared to the prices charged earlier and then accounting for elapsed period and also by comparing to the current market price, the proposal made in the Agenda Note of Rs.30,000 per FSI sq.m was appropriate.

3.5 In terms of the quid-pro-quo, the Chairman, Executive Committee mentioned that a study financed by the Geutsche Gesellschaft fur Technische Zusammenarbeit (GTZ) was under progress by Transport East West Expert Team Gmbh (TEWET) in association with Deutsche Eisenbahn-Consulting GmbH (DE-Consult), Tata Consultancy Services, Rhein-Main Services (RMS). The scope of the study was to prepare a feasibility study for appropriate mass transit system in CBD of Mumbai and rest of Mumbai. There had also been an indication that the KFW (the international development finance agency of the German Government) and other German financial

institutions might finance the implementation of the project recommended by the study. The Chairman, Executive Committee therefore, proposed that the offer of plot at a price of Rs.30,000 per sq.m. should be subject to the condition that the KFW assures to finance the implementation of the recommended mass transit system in the CBD of Mumbai at their normal terms and conditions viz. interest rate not exceeding 3% per annum and repayment period of 40 years including a suitable moratorium.

3.6 The Executive Committee then desired the Metropolitan Commissioner to seek such an assurance from the German Authorities and resubmit the proposal to the Executive Committee.

**Item No.4: Allotment of Plot No.C-65 for Multi-storeyed Car Park and Hotel in 'G' Block of Bandra-Kurla Complex.**

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

**RESOLUTION NO. 744:**

"RESOLVED THAT having considered the report of the Consultants, M/s.Raiji & Horwath Consultancy Services Pvt.Ltd. on the evaluation of bid received from M/s.E.L.H. Limited and M/s.Larsen & Toubro Limited, the Executive Committee hereby recommends to the Authority that the tender received from M/s.E.L.H. Limited for lease of Plot No.C-65, in 'G' Block, Bandra-Kurla Complex, for Multi-storeyed Car Park and Hotel be accepted, subject to the terms and conditions prescribed in Tender Booklet including amendments to the conditions of the Tender, for being developed as Multi-storeyed Car Park and Hotel."

**Item No.5: Amendment to Section 16A of the MMRDA Act, 1974 for allowing contribution to the corpus of Trusts and Societies by the Authority.**

The Committee approved the proposal contained in the Item Note and passed

the following Resolution :-

RESOLUTION NO. 745 :

"RESOLVED THAT the Executive Committee hereby recommends to the Authority to accord approval to the proposal to amend Section 16A of the Mumbai Metropolitan Region Development Authority Act, 1974, as specified in Appendix-I to the Item Note, as proposed and the Metropolitan Commissioner be authorised to forward it to the State Government with a request to take necessary action for amendment of the Act."

Item No.6 : Redevelopment of Bandra and Kurla Stations and the adjacent areas -selection of consultants for the study.

6.1 The Executive Committee noted that the Evaluation Committee had recommended selection of consortium laid by RITES to undertake the study at a total estimated cost of Rs.6,05,18,529 inclusive of taxes. While the Executive Committee recognised the need for the study taking into consideration the MUTP-II, proposal of Bandra-Kurla Rail Link, complexity of tracks and junctions arrangement, commercial exploitation of vacant available land of Railways and air rights, redevelopment of adjoining blighted area; the Committee enquired whether the Railways had agreed to implement the recommendations of the study. It was clarified that even though, the Terms of Reference (TOR) had been drawn up with their approval, the latter had not committed to implement the recommendations of the study.

6.2 After further discussion, it was decided to approach Chairman, Railway Board, afresh to obtain Railway's commitment in some form and to request the concerned short-listed firms to extend the validity of their offers upto the end of May, 1998.

Item No.7: Requirement of funds of the State Public Works Department from Reserve Fund for flyovers and road widening.

7.1 After discussion, the Committee approved the proposal of sanctioning Rs.41

crores for four works contained in the Item Note, subject to the following modifications :-

- (1) The disbursement of loan shall be in the form of initial release of 10% of the loan amount on entering into an agreement with the Public Works Department (P.W.D.), and the remaining shall be released as replenishment of the initial amount based on the quarterly expenditure.
- (2) It shall be incumbent on the P.W.D. to complete the works within the scheduled time which may be mentioned in the deed of loan. On the loan amount drawn after the scheduled time, an interest of 11% per annum will be charged.
- (3) The eligible expenditure will not include compensation claimed by contractors on account of directives and decisions of the P.W.D.

7.2 The Committee accordingly, passed the following Resolution :-

RESOLUTION NO. 746:

"RESOLVED THAT in exercise of the powers conferred under Regulation 7.1 of the MMRDA (Grant of Loan from Reserve Fund) Regulations, 1992, the Executive Committee accords its approval in principle for grant of loan not exceeding Rs.41 crores from Reserve Fund to the Public Works Department (PWD) of the State Government for the works of (a) Cheddanagar flyover, Eastern Express Highway (EEH); (b) Konkan Bhavan flyover (Sion-Panvel Rd.); (c) Chembur ROB widening (EEH) and (d) Widening of Western Express Highway (WEH) from Jogeshwari Vikhroli Link Road (JVLR) junction to Dahisar Checknaka, subject to the following conditions :-

- (1) The P.W.D. shall complete all requirements of MMRDA (Grant of Loan from Reserve Fund) Regulations, 1992;
- (2) The loan will be granted subject to the availability of funds;
- (3) Prior to grant of loan, the P.W.D. shall enter into a loan agreement which shall contain all relevant terms and conditions as per earlier loan agreement and also

the following additional conditions :-

- (i) The disbursement of loan shall be in the form of initial release of 10% of the loan amount on entering into an agreement with the Public Works Department, and the remaining shall be released as replenishment of the initial amount based on the quarterly expenditure.
- (ii) It shall be incumbent on the P.W.D. to complete the works within the scheduled time which may be mentioned in the deed of loan. On the loan amount drawn after the scheduled time, an interest of 11% per annum will be charged.
- (iii) The eligible expenditure will not include compensation claimed by contractors on account of directives and decisions of the P.W.D.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further necessary action including signing of contract and release of loan in suitable installment as also additional conditions necessary in the interest of execution of work in time and in proper manner.

Item No.8: Quarterly Accounts of the MMRDA for the quarter ending 31.12.1998.

Accounts for the quarter ending 31st December, 1997 were noted by the Committee.

Item No.9: MUDP-REVOLVING FUND  
-QUARTERLY MANAGEMENT REPORT  
from 1st October, 1997 to 31st December, 1997.

While noting the Quarterly Management Report for the quarter ending 31st December, 1997, the Executive Committee suggested that MMRDA shall selectively inspect and supervise various works, for which loans are granted.

Item No.10: Grant of study leave of Shri R.M.Gotaphode, Assistant Chief Accounts Officer, Finance & Accounts Division.

The Committee noted that Shri R.M.Gotaphode, Assistant Chief Accounts Officer belonged to the Scheduled Tribe and he had requested study leave as a special

case for acquiring MBA qualification. As Shri Gotaphode belonged to the Scheduled Tribe, the Committee approved the proposal contained in the Item Note by relaxing the condition of five years' service under the MMRDA and passed the following Resolution :-

RESOLUTION NO. 747:

"RESOLVED THAT as authorised by the Authority at its meeting held on the 23rd January, 1998, the Executive Committee hereby in relaxation of the condition of five years' service accords approval to grant Study Leave to Shri R.M.Gotaphode, Assistant Chief Accounts Officer of three months each in the Academic Years 1997-98 and 1998-99, as proposed in the Annexure to the Item Note including a bond to serve MMRDA for at least 5 years after completion of study."

Item No.11: Bridge across Mithi River on Bandra-Kurla Link Road -Construction of Kurla side approach -proposal to take over land required for approach construction through negotiations.

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

RESOLUTION NO. 748:

"RESOLVED THAT the Executive Committee hereby recommends to the Authority that in exercise of the powers conferred under sub-section (2) of Section 3 of the MMRDA Act, 1974 and all other powers enabling it in this behalf, the Authority do accord approval to acquire by negotiations an area of 819.3 sq.mtr. land required for Kurla side approach to Mithi Bridge for connecting it to Lal Bahadur Shastri Marg (LBS) from Shri Abdul Hafiz Khairuvha Quershi (Patrawala) by offering him equal area of land in Bandra-Kurla Complex or at Chitalsar-Manpada, Thane, and also by paying him compensation for his structure as proposed in the item note and to authorise the Metropolitan Commissioner to take all necessary actions to implement the Resolution that would be passed by the Authority."

**Item No. 12 : Funds required for maintenance and development of Mahim Nature Park in 'H' Block of Bandra-Kurla Complex --Proposal to establish a Corpus Fund for the Maharashtra Nature Park Society (MNPS) as a permanent arrangement of funding.**

The Committee approved the proposal contained in the Item Note with the modification that in case, the Government of Maharashtra takes over the Mahim Nature Park, the Corpus Fund of Rs.5 crores would revert to the MMRDA and accordingly, passed the following Resolution :-

**RESOLUTION NO. 749:**

"RESOLVED THAT the Executive Committee hereby recommends to the Authority (1) to accord ex-post facto sanction to the amounts as detailed in para.6 of the Item Note, made available/to be made available to the Maharashtra Nature Park Society for management and maintenance of the Mahim Nature Park during the year 1994-95 till the end of 1997-98; (2) accords sanction to Corpus Fund of Rs.5 crores (Rupees Five Crores only) being created for management and maintenance of the Mahim Nature Park as stated in para.7 of the Item Note with a condition that in case, Government of Maharashtra takes over the Mahim Nature Park, the said Corpus Fund would revert to MMRDA and (3) till the Corpus Fund materialises, the Metropolitan Commissioner be authorised to make available required funds for upkeep and maintenance of the Mahim Nature Park."

**Item No.13: Providing and laying 1200 m.m. diameter Water main for IFBC, Bandra-Kurla Complex -Sanction to Revised cost of deposit work with Brihanmumabi Municipal Corporation.**

After discussion, the Committee approved the proposal contained in the Item

Note and passed the following Resolution :-

RESOLUTION NO. 750:

"RESOLVED THAT in exercise of the powers conferred under sub-section(3)(ii) and (iii) of Section 7 of the MMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee hereby accords approval (i) to the revised estimates amounting to Rs.9.60 crores for the work of laying additional 1200 m.m.diameter mild steel feeder water main for 'G' and 'GN' Blocks of the Bandra-Kurla Complex and (ii) to the work being executed by the Brihanmumabi Municipal Corporation as a deposit contribution work of MMRDA, as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take all further necessary steps and make required payments in connection with the above work."

Item No.14: Loan facility for purchase of personal computer to MMRDA officers.

While approving the proposal contained in the Item Note, the Executive Committee suggested that proposal seeking modifications to the recruitment qualifications for various posts in MMRDA be immediately submitted for the sanction of the competent authority to insert a condition therein on the lines of condition prescribed by the State Government for its employees so that candidate should possess minimum qualification for being able to use and operate computers.

The Committee then passed the following Resolution :-

RESOLUTION NO. 751:

"RESOLVED THAT the Executive Committee hereby recommends to the Authority to approve the proposal to grant interest free advance upto Rs.45,000/- to MMRDA employees who have completed one year of service and drawing basic pay of Rs.2,000/- and above, as proposed in the Item Note."

**Item No.15: Dispute with M/s.Choudhury & Choudhury, Contractors, for construction of pile foundations for Textile Market in Bandra-Kurla Complex -Proposal for resolving the dispute.**

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

**RESOLUTION NO. 752:**

"RESOLVED THAT in exercise of the powers conferred under Section 7(3)(iii) of the MMRDA Act, 1974, the Executive Committee hereby accords approval (i) the proposal of making general price escalation payment as per the P.W.D.formula as prevailing at the time of execution of work, after one year from the date of work order; (ii) payment of service charges for the renewal of Bank Guarantees, during extended period and (iii) increased chiseling hours; to M/s.Choudhury & Choudhury in respect of construction of Pile foundations of Textile Market in Bandra-Kurla Complex entrusted to them as per work order, dated 5th May, 1987, for the reasons stated in the Item Note, as proposed subject to the following conditions :-

The payment on account of the above mentioned items will be released after M/s.Choudhury & Choudhury comply with the following :-

- (i) They shall withdraw the Writ Petition filed by them in the Mumbai High Court and produce copy of the order to that effect;
- (ii) They should give a written undertaking stating that they are accepting the above payments in full and final settlement of all their claims; and
- (iii) They shall give a written assent to recover any adhoc payment made to them and outstanding dues from them."

**Item No.16: Dispute with Choudhury & Choudhury, contractors for the construction of Pile foundations for 4 godowns at Wadala Truck Terminal for MMRDA -Proposal for resolving the dispute.**

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

**RESOLUTION NO. 753:**

"RESOLVED THAT in exercise of the powers conferred under Section 7(3)(iii) of the MMRDA Act, 1974, the Executive Committee hereby accords approval to (i) the proposal of making general price escalation as per Public Works Department formula, after 12 months from the date of work order and (ii) the claims for Bank service charges for extending Bank Guarantees during extended period to M/s.Choudhury & Choudhury who were entrusted construction of Pile foundations for four godowns at Truck Terminal as per Work Order, dated the 14th May, 1987 (total Rs.9.38 lakhs) as proposed in the Item Note, subject to the following conditions:-

The payment on account of the above mentioned items will be released after M/s.Choudhury & Choudhury comply with the following :-

- (i) They shall withdraw the Writ Petition filed by them in the Mumbai High Court and produce copy of the order to that effect;
- (ii) They should give a written undertaking stating that they are accepting the above payments in full and final settlement of all their claims; and
- (iii) They shall give a written assent to recover any adhoc payment made to them and outstanding dues from them."

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

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