

No.EXC/MTG/190

**MUMBAI METROPOLITAN REGION  
DEVELOPMENT AUTHORITY,**  
Bandra-Kurla Complex,  
Bandra (East),  
Mumbai - 400 051.

Date : 15<sup>th</sup> December, 2000.

The minutes of the Hundred and Ninetieth Meeting of the Executive Committee of the Mumbai Metropolitan Region Development Authority, held on 21<sup>st</sup> November, 2000 are enclosed.

  
**Secretary,  
Executive Committee**

To :

- |      |                                                                                                 |   |          |
|------|-------------------------------------------------------------------------------------------------|---|----------|
| The  | Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya | - | Chairman |
| Shri | D.M.Sukthankar<br>'Priya', Worli Sea-Face,<br>Worli, <u>Mumbai-400 018</u>                      | - | Member   |
| Shri | R.Y.Tambe<br>A/600, Shivam Apartments,<br>R.P.T.S.Road, Surendranagar,<br><u>NAGPUR-440 015</u> | - | Member   |
| Shri | Deepak Parekh<br>Chairman,<br>H.D.F.C.Ltd., Churchgate,<br><u>Mumbai-400 020.</u>               | - | Member   |

The	Principal Secretary (I) to the Government of Maharashtra, Urban Development Department, Mantralaya.	-	Member
The	Municipal Commissioner Municipal Corporation of Brihanmumbai.	-	Member
The	Secretary to the Government of Maharashtra Housing & Special Assistance Department, Mantralaya.	-	Member
The	Managing Director, C.I.D.C.O., Mumbai.	-	Member
The	Metropolitan Commissioner M.M.R.D.A.	-	Member

**INVITEES :**

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

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

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

**Copy to :-**

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

The Officers of the M.M.R.D.A

\*\*\*\*\*

**MINUTES OF THE 190<sup>TH</sup> MEETING OF THE  
EXECUTIVE COMMITTEE, MMRDA.**

**DATE : 21<sup>ST</sup> NOVEMBER, 2000 (TUESDAY)**

**TIME : 6.00 P.M.**

**PLACE : CHIEF SECRETARY'S  
COMMITTEE ROOM,  
5<sup>TH</sup> FLOOR, MANTRALAYA.**

**MEMBERS PRESENT:**

Shri Arun Bongirwar Chief Secretary to Government	:	Chairman
Shri R. Y. Tambe	:	Member
Shri Ravi Budhiraja Principal Secretary to the Government Housing & Special Assistance Department	:	Member
Shri A.K.Lakhina Managing Director CIDCO	:	Member
Shri U.P.S.Madan Project Director and Metropolitan Commissioner	:	Member

**INVITEES:**

Shri Ramanand Tiwari  
Principal Secretary (II) to the Government  
Urban Development Department

Shri K.N. Patel  
Legal Adviser, MMRDA

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

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

Shri S. B. Pardeshi  
Chief Accounts Officer & Financial Adviser, MMRDA  
Secretary, Executive Committee, MMRDA (Addl. Charge)

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

Shri J.T. Nashikkar  
Chief Engineer, Engineering Division, MMRDA

**Item No.1:**            **Confirmation of the Minutes of (a) the 188<sup>TH</sup>**  
**& (b) the 189<sup>TH</sup> Meetings of the Executive**  
**Committee held respectively on 3<sup>rd</sup> October, 2000**  
**& 20<sup>th</sup> October, 2000.**

The minutes were confirmed.

**Item No.2:**            **Action taken on the Minutes of (a) the 188<sup>TH</sup>**  
**& (b) the 189<sup>TH</sup> Meetings of the Executive**  
**Committee held respectively on 3<sup>rd</sup> October, 2000**  
**& 20<sup>th</sup> October, 2000**

The action taken report was noted by the Committee.

The Chairman, Executive Committee and Chief Secretary to Government of Maharashtra directed to release balance term deposit amount of Rs.150 crores to the Cotton Federation Ltd.

**Item No.3:**            **Appointment of SPARC on Sole Source basis for the Consultancy Services for undertaking Baseline Socio-economic Surveys (BSES), Resettlement Implementation Plan (RIP) and Implementation Support on account of R & R due to MUTP proposal.**

During the discussion it was submitted that the NGO, SPARC has adequate capacity to undertake this consultancy involving a large number of Project Affected Persons (PAP). There is no other NGO capable of undertaking this consultancy. Secondly, SPARC has also associated with National Slum Dwellers Federation, Mumbai. The World Bank has agreed to the appointment of SPARC on single source basis as well as the consultancy charges. The Committee approved the proposal of appointment of SPARC on Sole Source basis and passed the following Resolution :-

**RESOLUTION NO. 809 :**

"**RESOLVED THAT** in exercise of the powers conferred under Section 7(3)(ii) of the MMRDA Act, 1974 the Executive Committee hereby accords its approval for appointing SPARC as consultant on sole source basis for Baseline Socio-Economic Surveys, Resettlement Implementation Plan/Community Environmental Management Plan and Implementation Support for balance sub-projects and further approves the expenditure of Rs.4.21 crores towards this consultancy fee.

"RESOLVED FURTHER THAT the Metropolitan Commissioner, MMRDA be and is hereby authorised to take all necessary steps for appointment/ completing the consultancy."

**Item No.4:**            **Taking over of tenements given to the Project Affected Persons of MUTP for breach of conditions of agreement.**

The Item was deferred.

**Item No.5:**            **MUTP – Consultancy Services for Feasibility – Cum– detailed engineering of Santacruz-Chembur Link Road (SCLR).**

The Project Director, MUTP submitted that the Consulting Engineering Services (India) Pvt. Ltd., (CES) is recommended for selection since they have offered the lowest price proposal and were second highest in the technical evaluation. On specific enquiry from the Chairman regarding the experience of CES, it was submitted that CES has worked with MMRDA/CIDCO for a number of consultancies and have been found capable for undertaking the consultancy.

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

**RESOLUTION NO. 810 :**

"RESOLVED THAT in exercise of powers conferred under Section 7(3)(iii) of the MMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee hereby accords its approval to the award of consultancy

to Consulting Engineering Services (India) Pvt. Ltd. for preparing feasibility cum final engineering design of Santacruz-Chembur Link Road.

**"RESOLVED FURTHER THAT** the Executive Committee also accords its approval for incurring initially the expenditure by MMRDA of Rs.42.00 lakhs (approx.) towards the cost of consultancy including taxes subject to subsequent reimbursement of expenditure by Government in Public Works Department, as proposed in the Item Note.

**"RESOLVED FURTHER THAT** the Metropolitan Commissioner be and is hereby authorised to take all necessary action for successful completion of consultancy services for Santacruz-Chembur Link Road."

**Item No.6: Purchase of additional readymade tenements from MHADA for the purpose of Rehabilitation and Resettlement (R&R) of MUTP –**

The Project Director, MUTP, submitted that as per earlier decision of the Executive Committee, MMRDA has purchased 2000 number of tenements from MHADA. The World Bank has allowed purchase of upto 4500 number of readymade tenements from MHADA till end of December, 2000 as one time exception. MHADA has now agreed to transfer the tenements at a cost of Rs.1.80 lakhs per tenement. The Principal Secretary (Housing) confirmed that MHADA has the required number of readymade tenements available at Wadala and Dharavi. The Legal Adviser pointed out that under Section 12(k) of the MMRDA Act, the powers to prepare and implement schemes for providing alternative accommodation and for rehabilitation of persons rest with the Authority. The Chairman, Executive Committee directed that a note should be submitted to the Hon. Chief Minister through the Principal Secretary, Urban Development Department for his approval

and post-facto approval may be obtained in the ensuing Authority Meeting. After approval of the Hon'ble Chief Minister and Chairman, MMRDA tenements may be purchased from MHADA.

The Committee approved the proposal of purchase of additional ready made tenements from MHADA as contained in the item note and passed the following Resolution :-

**RESOLUTION NO. 811 :**

**"RESOLVED THAT** the Executive Committee hereby recommends to the Authority to approve to incur an expenditure of Rs.45.00crores towards the purchase of additional 2400 (or such number as would be allowed by the World Bank) readymade tenements at the payment of Rs.1.80 lakhs per tenement from MHADA for the R & R of Mumbai Urban Transport Project, Phase-I."

**Item No.7:            Proposal to use Central Public Works  
**Department (CPWD) land out of C.S.No.7 at**  
**Wadala for providing transit tenements.****

The Project Director, MUTP explained that Government of Maharashtra has approved in principle the use of land out of C.S.No.7 at Wadala for providing transit tenements. The Project Monitoring Unit (PMU), MMRDA has thereafter commenced the filling of the site. The bids have been invited from the contractors for construction of transit tenements and the work of construction of tenements may commence from 1<sup>st</sup> December, 2000. The Executive Committee noted the proposal in the agenda note.



**Item No.8: Securing Land and permanent tenements in lieu of TDR.**

The Project Director, MUTP appraised the Committee that in response to the invitation, 17 bids were received. Out of these, 4 bids from MHADA and 2 bids from SPPL were not considered eligible by the World Bank. The remaining 11 bids were examined by the Evaluation Committee. The Committee has recommended to reject all the bids since all of them are found technically invalid and non responsive on the grounds of title clearance to the land, zoning and reservation as per sanctioned Development Plan, additional conditions put up by the bidders and non submission of original bid documents. Similarly, the bidders have also quoted cash payment in the range of Rs.2.60 lakhs to Rs.3.00 lakhs per tenement in addition to TDR which is considered very high. The Project Director further informed that the World Bank has agreed in principle to the proposal of rejecting the bids received. It is proposed to re-invite the bids for limited number of tenements say about 4000 at a time which is expected to get adequate response and reasonable cash payment.

The Executive Committee thereafter approved the proposal contained in the item note and passed the following Resolution :-

**RESOLUTION NO. 812 :**

**"RESOLVED THAT** in exercise of the powers conferred under Section 7(3)(ii) of the MMRDA Act, 1974, the Executive Committee accords its approval to the proposal of rejecting the bids received in response to the offer as contained in the item note.

**"RESOLVED FURTHER THAT** the Executive Committee accords its approval to re-invite the bids in phases, as proposed."

**Item No.9: Construction of Transit Tenements at Wadala.**

The Project Director informed the Committee that the MMRDA has invited bids to construct 3600 units of temporary transit tenements each admeasuring 120 sq.ft. at C.S.No.7 (Part) of Wadala. Only 8 valid bids were received. The Evaluation Committee was set up and has submitted their report. The Committee observed that the first lowest offer from M/s. Unique Construction was found non responsive on the grounds of non submission of bid security, less solvency value and inadequate financial capacity as per the World Bank norms given in the bid documents. The second lowest offer was from M/s. Advance Construction. Their offer was also found non responsive on the ground of financial capacity criteria. The Evaluation Committee has therefore recommended the selection of the third lowest offer submitted by M/s. B.G.Shirke Construction Technology Ltd., which has quoted the bid price of Rs.14.14 crores for conventional method.

The Project Director further informed that the recommendations of the Evaluation Committee was discussed with the World Bank office which has given their in principle approval to the recommendations. The Executive Committee observed that since the project will be posed for World Bank financing, the terms and conditions and norms of the World Bank will have to be strictly followed. After discussion the Executive Committee approved the proposal of appointing M/s. B.G.Shirke Construction Technology Ltd. as agency to construct 3600 units of transit tenements at Wadala. Therafter, the Project Director, MUTP, informed the Executive Committee that M/s. B.G.Shirke Construction has proposed two alternative methods of prefab panels for a lumpsum cost of Rs.12.75 crores and Rs.12.69 crores. As per the World Bank norms, alternative proposal from the lowest selected bid is permitted. The Executive Committee observed that the alternative method be got technically examined internally by MMRDA as well as external consultants and from the World Bank. It was further decided that the

alternate offer from the selected consultant be adopted, if found acceptable as above. Shri R.Y. Tambe desired that a statement indicating the programme of acquiring/constructing both transit tenements and permanent tenements be circulated to all members to apprise the Rehabilitation and Resettlement component in totality. Thereafter the Executive Committee approved the proposal contained in the item note and passed the following Resolution :-

**RESOLUTION NO. 813 :**

**"RESOLVED THAT** in exercise of the powers conferred under Section 7(3)(ii) of the MMRDA Act, 1974, the Executive Committee accords its approval to the acceptance of the offer of M/s. B.G.Shirke Construction Technology Ltd., Pune, for Rs.14.14 crores for the construction of 3600 units of transit tenements at Wadala and award the contract to them, in case the alternative proposal submitted by M/s. B.G. Shirke Construction Technology Ltd., Pune is not found technically suitable.

**"RESOLVED FURTHER THAT** the Executive Committee hereby accords its approval for adopting either of the alternative proposals submitted by the recommended agency at a cost of Rs.12.75 crores or Rs.12.69 crores as the case may be subject to examining the technical soundness from an independent consultant and the World Bank.

**"RESOLVED FURTHER THAT** the Metropolitan Commissioner, MMRDA, be and is hereby authorised to take further necessary action for construction of the transit tenements at Wadala."

**Item No.10:            Replacement of Existing Road Bridge (Pipe Culvert) with high level bridge across Vakola Nalla at Bharat Nagar.**

It was submitted by the Chief Engineer that the short list proposed in the items may be modified by adding the names of some more Consultants having experience of similar works and working for MMRDA or similar organisation. It was also suggested to take assistance of Transport & Communications Division and traffic police for diverting the traffic at the time of taking the construction of bridge.

The Executive Committee approved the Item submitted subject to above modifications and passed the following Resolution :-

**RESOLUTION NO. 814 :**

**"RESOLVED THAT** in exercise of the powers conferred under the clause (ii) sub-section (3) of Section 7 of the MMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee, hereby accords its approval to (i) block estimate amounting to Rs.4,62,58,000/- for Replacement of Existing Road Bridge (Pipe Culvert) with high level bridge across Vakola nalla at Bharat Nagar Bandra and to carry out the work by MMRDA,(ii) the short list of consultants and to modify the short list by adding some more suitable consultancy firms and to invite offers from them as proposed.

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

**Item No.11:            Additional deposit of Rs.27,17,400 with the Government of Maharashtra for conversion of INS Vikrant into Maritime Museum.**

The Chairman, Executive Committee again enquired whether Chief Minister's approval for refund of MMRDA's deposit from the promoter is obtained by the Principal Secretary (I), Urban Development Department, if not, matter may be pursued immediately. It was submitted that term deposit amount alongwith outstanding interest was not paid on due date.

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

**RESOLUTION NO. 815 :**

**“RESOLVED THAT** the Executive Committee in exercise of its powers under Section 7(3) (v) of the MMRDA Act, 1974 and all other powers enabling it in this behalf, hereby accords sanction to the payment of Rs.1,32,37,200/- directly to the Tata Consultancy Engineering Services Ltd. as per G.R. dated 4.10.1999 on behalf of Government of Maharashtra which is to be shown as deposit with Government of Maharashtra in the books of accounts of the MMRDA.

**“RESOLVED FURTHER THAT** earlier term deposit of Rs.5,17,62,800/- crores with Government of Maharashtra is renewed for further period of one year at the interest rate of 12%.

**“RESOLVED FURTHER THAT** the earlier decision taken by the Executive Committee not to renew or give additional deposits to the defaulting organisations is relaxed to the above extent in the case of Government of Maharashtra.

**“RESOLVED FURTHER THAT** the entire term deposits will be for the period of one year and will carry 12% interest p.a. along with the other terms and conditions of the MMRDA. The Government of Maharashtra be requested to refund the money along with the interest after a period of one year.”

**Item No.12 :        Recovery of Fluctuation charges on repayment of loan and interest thereof on account of loan agreement executed between the M.M.R.D.A. and BMC/BEST for Bombay Urban Transport Project-I (BUTP-I)**

The Chief Accounts Officer & Financial Adviser explained that the dispute between BEST and MMRDA is in respect of recovery of fluctuation charges on account of relative value of currencies in the context of loan received from the World Bank for implementing BUTP-I is going on for the last few years. In spite of repeated requests/discussions with the representatives of BMC, BEST and MMRDA the issue could not be settled amicably. He further submitted that the separate proposal was moved to Chief Secretary, Government of Maharashtra for obtaining the approval to place Item Note before the Executive Committee for arbitration in accordance with article 8.04 of the subsidiary loan agreement.

The Executive Committee noted the proposal as explained in the Item Note and passed the following Resolution :-

**RESOLUTION NO. 816 :**

**“RESOLVED THAT** in exercise of the powers conferred under the Section 7(3)(iv) of the MMRDA Act, 1974 the Executive Committee hereby approves the proposal to institute Arbitration proceedings, in the matter of demand /

claim of Authority, against BMC/BEST and authorises the Metropolitan Commissioner to do and perform every act or deed thus necessary for or incidental to such institution of arbitration proceedings."

**Item No.13: Appointment of Security Agencies at various sites of MMRDA.**

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

**RESOLUTION NO.817 :**

"**RESOLVED THAT** in exercise of the powers conferred under clause (iii) of sub section (3) of section 7 of the MMRDA Act, 1974, the Executive Committee hereby accords its approval to the proposal to engage the services of (1) M/s. Bombay Intelligence Security (I) Ltd. (2) M/s. Modern V.R.Security Force (I) Ltd. (3) M/s. Vishal Protection Force for supplying armed guards for the protection of various sites of MMRDA, at the rate of Rs.4350/- per armed guard per month inclusive of cost of Jeep, Walkie-Talkie and service tax.

"**RESOLVED FURTHER THAT** the Metropolitan Commissioner is hereby authorised to make offers in terms of above resolution to respective Security Agencies and after their acceptance deploy the services of their armed guards at various project sites of MMRDA as per requirement from time to time and to grant suitable increase in the rate per armed guard in future, if necessary and give effect to this resolution."

**Item No.14 :      Appointments/Promotions made under powers delegated by the Executive Committee, M.M.R.D.A.**

The Executive Committee noted the appointment of Shri J.T.Nashikkar as Chief Engineer on deputation from the State Public Works Department and passed the following Resolution :-

**RESOLUTION NO. 818 :**

“RESOLVED THAT in exercise of the powers conferred under the Section 7(3)(i) of the MMRDA Act, 1974, the Executive Committee hereby accords sanction to the appointment of Shri J.T.Nashikkar as Chief Engineer on deputation from the State Public Works Department with effect from 16<sup>th</sup> November, 2000 till the time Government in P.W.D. continues his deputation as proposed.”

**Item No.15:      Quarterly Accounts of the Authority for quarter ending 30.09.2000.**

Quarterly Accounts of the Authority for the quarter ending 30<sup>th</sup> September, 2000 was noted by the Committee.

The Chairman, Executive Committee and Chief Secretary to Government of Maharashtra directed to release Rs.100 crores (Rs.50 crores each for Mumbai-Pune Express Way and fly-overs) to MSRDC on account of loan of Rs.548 crores sanctioned by the Authority. MSRDC should give Government Guarantee and execute the Loan Agreement immediately.

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

\*\*\*\*\*