

No. EXC/MTG/23.

BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
18th floor, New Administrative
Building, Madame Cama Road,
Opp. Mantralaya, Bombay 4400 032.

Date : 3rd March, 1978.

The minutes of the twenty-third meeting of the
Executive Committee of the B.M.R.D.A. held on the
27th February, 1978, are enclosed.

S. D. Sule

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

To:

- Shri S.V.Bhave, Chief Secretary to the Govt. of Maharashtra, General Administration Deptt., Mantralaya, Bombay-400 032 - Chairman.
- Shri P.V.Nayak, Metropolitan Commissioner and Vice-Chairman, Executive Committee, BMRDA.
- Shri B.N.Adarkar, Chairman, Transport and Communications Board, BMRDA - Member.
- Shri C.M.Correa, Chairman, Housing, Urban Renewal and Ecology Board, BMRDA - Member.
- Shri N.G.K.Murti, Chairman, Water Resources Management Board, BMRDA - Member.
- Shri B.G.Deshmukh, Municipal Commissioner, Municipal Corporation of Greater Bombay - Member.
- Shri G.H.Lalwani, Secretary to the Govt of Maharashtra, Urban Development and Public Health Deptt., Mantralaya, Bombay-400 032 - Member.
- Shri B.S.Dhavale, 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.,
- The Consultants.

MINUTES OF THE TWENTY-THIRD MEETING
OF THE EXECUTIVE COMMITTEE, BMRDA

Date : 27th February, 1978.

Place : Special Committee Room,
5th Floor, Mantralaya.

Members Present :

Shri S.V. Bhawe, Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. - Chairman.

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

Shri B.N. Adarkar, Chairman, Transport and Communications Board, BMRDA. - Member.

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

Shri G.H. Lalwani, Secretary to the Government of Maharashtra, Urban Development and Public Health Department, Mantralaya - Member.

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

Invitees :

The Financial Adviser, BMRDA.

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

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

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

Shri R.Y. Tambe.

The Legal Adviser, BMRDA.

Item No. 1 : Confirmation of the minutes of the last
(Twenty-Second) meeting.

At the time of the confirmation of the minutes, the Metropolitan Commissioner drew attention to the letter, dated the 24th February, 1978 (copy attached as Annexure to these minutes), received by him from Shri G.H. Lalwani, Secretary, Urban Development, and Member of the Committee, suggesting some amendments to the minutes. The letter was read out to the Committee. As regards Shri Lalwani's suggestion that the discussion regarding the inadvisibility of treating the two cases referred to in his letter, viz., the applications bearing Registration No.88/7/2/78 and No.89/9/2/78, on a priority basis should be brought on record,

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the Metropolitan Commissioner observed that he had pointed out in the previous meeting that no other case pertaining to the Backbay Reclamation area was pending, and that no request, formal or informal, had been received for expediting the disposal of any other application. Shri B.N. Adarkar had also stated at that meeting that, since there was enough material on record to justify the rejection of the applications, there was nothing discriminatory in deciding the applications in question on the basis of the information, which appeared to be quite sufficient for taking a decision in that meeting itself, rather than deferring the consideration of the applications.

As regards the other point in Shri Lalwani's letter, viz., that the Government in the Department of Housing and BMRDA had a different approach in regard to the policy of discouragement of additional office or commercial accommodation in South Bombay and in regard to restrictions on tenement densities in different wards and that all applications should be considered in that context, the Chairman suggested that this question could be taken up as a substantial item for discussion in a meeting of the Executive Committee some time.

The Chairman also suggested that the policy regarding the recording of minutes should be to record not the details of the discussion prior to arriving at a decision, but to record only the decision and the reasons therefor. If, at the stage of taking a decision, any particular member wants to voice a dissenting opinion, and specifically desires that his dissent and the reasons therefor should be recorded, then this should be done. The Committee agreed that such a policy should be followed in future. It was also decided that the minutes of the meeting held on 13.2.1978 did not need any amendment. Accordingly, the minutes were confirmed.

Item No. 2 : Action taken on the minutes of the last
(Twenty-first and Twenty-Second) meetings.

Noted.

Item No. 3 : Applications for permission under
Section 13 of the BMRDA Act, 1974.

The applications bearing the following registration

Nos. were.....

Nos. were placed on the Table :

- (1) No. 79/7/1/78;
- (2) No. 82/30/1/78; and
- (3) No. 83/31/1/78.

The Committee considered each application, and decided as follows :-

- (1) Application No. 79/7/1/78 (M/s. New Great Eastern Spinning and Weaving Co. Ltd.).

The Committee considered the application, and noted that the proposal is for addition of 3 floors over the existing godown building in the Mill premises for storing cloth and cotton bales. In addition to the godown facilities in the Mill's premises, the applicants were also using rented godowns in the B.P.T. area at Cotton Green since 1976. The construction of additional floors over the existing godown was proposed in order to enable the applicant to stock the goods in their own Mill premises. The Committee took note that the applicant desired to have the additional godown space for stocking the raw materials to be processed by the Mills and for storing the cloth produced. The Committee, however, felt that the application had to be considered against the background inter alia of the need to remove the present congestion in the island City. In that connection, the Committee noted the efforts being made to shift the cloth market godowns to the Bandra-Kurla area by establishing a new cloth market there. It follows that any addition to godown space in the island City should be allowed only in very exceptional circumstances, and the policy should be to encourage the construction of fresh godown space outside the island. In the instant case, the applicant already has substantial godown space on the Mills premises for the day to day requirements of the Mills, and it should be possible to meet the additional requirements, if any, by hiring existing godowns in the city or acquiring new ones outside the city area. For these reasons, 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)....

(2) Application No. 82/30/1/78 (M/s. Maharashtra State Road Transport Corporation).-----

The Committee considered the application, and noted that the application is for construction of an additional floor for the Head Office of the Maharashtra State Road Transport Corporation, a public Undertaking. The Committee considered the plea of the applicant that the additional area was required not for expansion of the present office, but for providing more area for the existing officers and staff and the amenities for the existing staff in accordance with the normally accepted standards. The Committee, however, noted that the building had been designed for seven upper floors in all, and that, though the present application purported to be for providing more accommodation for the existing staff only, the future increase in the strength of the staff could not be ruled out. The Committee felt that the Head Office of the applicant State level undertaking had no necessary nexus with a South Bombay location, and any expansion of office space for such an organisation in the island City would go counter to the regional objective of urgently locating as many tertiary sector jobs as possible in New Bombay. In this matter, the Government Departments and public undertakings should, the Committee felt, give a lead in bringing about a gradual relocation of jobs. The Bombay Municipal Corporation was already taking concrete steps to decentralise its offices in pursuance of such a policy. Apart from this, the Committee noted that the plot, where the proposed work is to be carried out, is located at a very busy junction of Lamington Road and Belassis Road in the Bombay Central area. The other major traffic generators in the close vicinity of the plot are the Bombay Central railway Station, the BEST Bus Depot and the cinemas. The area is extremely congested, and it would not be advisable to intensify the use of the plot by augmenting office space. At present the headquarters of the MSRTC, the Bus Station, the Bus Depot and the office of the bus depot are located in the plot. As the proposal relates to an activity connected with the MSRTC headquarters, the Committee felt that the State Level activity of the MSRTC, which does not have any strong linkages with the other activities in the Bombay Central area, should not be encouraged to expand in the island City. The Committee, therefore, felt that,

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if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(Shri B.N. Adarkar, Chairman, Transport & Communications Board, did not participate in the discussion on the application).

(3) Application No. 83/31/1/78 (The Central Bank Executor and Trustee Co. Ltd.).

The Committee considered the application, and noted that the proposal was to convert one tenement of 180 Sq.ft. from residential use to office of wholesale trade. The Committee considered the plea of the applicant that this was a solitary residential tenement in the midst of other commercial users in an area, which falls in the commercial zone, and that the residential tenant found it embarrassing to live in the said tenement. The Committee noted that the residential user was there since a long time, and that the justification given for change of user was not convincing nor sufficient to merit favourable consideration. The Committee also noted that the area concerned is a highly congested one, and 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.

The Committee then passed the following Resolution :-

RESOLUTION 86 :- 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 in this behalf, the Committee hereby refuses permission, on behalf of the Authority, under sub-section (3) of Section 13 of the said Act, to persons and authorities, who have presented applications, bearing the following registration numbers, for the reasons recorded in the minute :-

- (1) No. 79/7/1/78;
- (2) No. 82/30/1/78; and
- (3) No. 83/31/1/78.

Item No. 4 : Bombay Urban Transport Project (BUTP) - Periodical Progress Report.

The Committee noted the progress report.

Item No. 5 : Appointment of consultant for a Traffic Study and Benefit-cost Analysis for the proposed Pilot Project for Construction of an Inland Water Transport Cargo Terminal at Vashi, New Bombay, Thane Dist.

The Metropolitan Commissioner stated, at the outset, that the evaluation of the proposals had been proposed by Shri R.Y. Tambe, though he was better acquainted with the subject and because the officiating Member-Secretary, T. & C. Board, was suddenly taken ill. The Committee then considered the Agenda Note and also the Supplementary Note, giving the views of the Financial Adviser, and agreed to the proposal that M/s. Tata Economic Consultancy Services (TECS) should be selected as the consultants for carrying out the studies. The Committee also agreed with the Financial Adviser that, having regard to the proportion of the consultancy fees quoted by TECS to the total estimated cost of the pilot project, negotiations should be held with TECS to explore the possibility of reduction of the fees without affecting the quality of performance. The following Resolution was then passed.

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RESOLUTION 87 :- Resolved that the Committee approves the proposal to engage consultancy services for a traffic study and benefit-cost analysis for the proposed pilot project for construction of an inland water transport cargo terminal at Vashi, New Bombay, Thane District.

Resolved further that the action taken for inviting proposals for the traffic and cost-benefit study from the following firms is approved :-

- (1) M/s. Dalal Consultants and Engineers Pvt. Ltd. (DCEP).
- (2) M/s. Tata Economic Consultancy Services (TECS).
- (3) M/s. IBCON Private Ltd. (IBCON).
- (4) M/s. Kirloskar Consultants Ltd. (KICONS).
- (5) Operation Research Group, Baroda (ORG).
- (6) Jammalal Bajaj Institute of Management (JBIM); and
- (7) National Council for Applied Economic Research (NCAER) New Delhi.

Resolved further that the Committee approves the proposal to select M/s. Tata Economic Consultancy Services to be the consultants for carrying out the study.

Resolved....

Resolved further that the Metropolitan Commissioner be and is hereby authorised to negotiate the financial and other terms and conditions of the proposed contract with M/s. Tata Economic Consultancy Services. The Metropolitan Commissioner may constitute a negotiating team for conducting such negotiations, if he considers it necessary.

Resolved further that the Metropolitan Commissioner be and is hereby authorised to execute a contract on behalf of the Authority in terms of the proposals received from M/s. Tata Economic Consultancy Services, subject to such modifications as may be made during the negotiations.

Item No. 6 : Reporting cases of delegation of powers.

The Committee considered the Agenda Note, and passed the following Resolution :-

RESOLUTION 88 :- Resolved that the case of exercise of powers delegated by the Executive Committee reported in the Agenda Note, is noted.

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It would appear in the context of the order passed under Section 13 of the Act, that the Board has a different approach towards the policy of discouragement of additional office space in the Island or the Suburbs. All the restrictions on tenement densities in this regard with the BMDA should be considered in order to be consistent with the policy of the Board. The Executive Committee on that date should be advised that the application of the general question of the policy of the Board with regard to the restrictions imposed under Section 13 should be considered later.

Yours faithfully,
(G. S. (Administrative))

Shri G.H.Lalvani,
Secretary, (U.D.).

ANNEXURE

D.O.No.2378/UD-24,
Urban Development and Public
Health Department, Mantralaya,
Bombay-400 032, dated 24.2.1978.

Sub : Agenda for the 23rd Meeting of the
Executive Committee of the BMRDA.

Dear Shri Nayak,

Please refer to your letter No.EXC/23, dated 22nd February 1978 enclosing the Agenda of the 23rd meeting of the Executive Committee of BMRDA.

2. You will recall that during the discussion of the item pertaining to the applications of Maharashtra Sahakari Rajya Sahakari Sakhar Sangh Ltd. and Hotel Oberoi Sheraton, some members pointed out to the Committee that the information regarding these two cases was not adequate to justify taking any decision on these cases during that meeting. Shri Adarkar said that giving high priority to these two cases for consideration in that meeting would be discriminatory against other similar applications still pending with the BMRDA. Apart from this, I also pointed out that a number of decisions of the BMRDA under Section 13 of the Act had been reversed in appeal by the Govt. and that the Executive Committee, would be well advised to obtain a clear policy direction from Govt. in the matter of application of the Notification dated 10.6.77 under Section 13 of the Act. It would appear in the context of the orders passed in appeals under Section 13 of the Act, that Govt. in the Deptt. of Housing and BMRDA has a different approach with regard to the policy of discouragement of additional office or commercial accommodation in South Bombay and with regard to restrictions on tenement densities in different Wards in the Island or the Suburbs. All the applications pending with the BMRDA should be considered in that context. The Chairman, however, advised that the applications before the Executive Committee on that date should be decided and the general question of the policy of the Govt. with regard to the restrictions imposed under Section 13 could be considered later.

3. I would suggest that this discussion regarding the inadvisability of treating these two particular cases on a priority basis in the last meeting should be brought on record in the Minutes that have been put up at the 23rd meeting for confirmation.

With best regards,

Yours sincerely,
Sd/-
(G.H.Lalvani).

Shri P.V.Nayak,
MC & Vice-Chairman, Executive Committee, BMRDA.