

No. EXC/MTG/24.

229

BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
18th floor, New Administrative
Building, Madame Cama Road,
Opp. Mantralaya, Bombay-400 032.

Date : 1st April, 1978.

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


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

To:

- Shri S. V. Bhave, Chief Secretary to the Govt. of Maharashtra, General Administration Department, 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 Department, 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 & Communication Board, BMRDA,
- The Member-Secretary, Water Resources Management Board, BMRDA,
- The Legal Adviser, B.M.R.D.A.,
- The Consultants.

DMB/31.3.

MINUTES OF THE TWENTYFOURTH MEETING
OF THE EXECUTIVE COMMITTEE, BMRDA.

Date: March 27, 1978.

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

Members Present :

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

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

Shri B.N. Adarkar, Chairman, Transport & 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 Gr. Bombay - Member.

Shri G.H. Lalwani, Secretary to the Govt. of Maharashtra, Urban Development & Public Health Department, Mantralaya, Bombay - Member.

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

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

Invitees :

The Financial Adviser, BMRDA.

The Deputy Metropolitan Commissioner, BMRDA.

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

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

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

The Legal Adviser, BMRDA.

Shri N. Rovshen.

Shri D. Anand.

} Consultants.

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

The minutes were confirmed.

With reference to Resolution 87, the Committee noted the observation made by the Financial Adviser that

in matters....

in matters of negotiating financial terms of any contract, it would be desirable to authorise a committee of officers rather than any single officer to carry on negotiations. No amendment of the minutes was, however, considered necessary.

Item No. 2 : Action taken on the minutes of the last (Twentythird) meeting, held on the 27th February, 1978.

Noted.

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

The applications bearing the following registration Nos. were placed on the table :-

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|----------------|----------------|
| (1) 84/3/278 | (2) 85/3/2/78 |
| (3) 86/6/2/78 | (4) 87/6/2/78 |
| (5) 90/10/2/78 | (6) 91/10/2/8 |
| (7) 92/14/2/78 | (8) 93/21/2/78 |
| (9) 94/22/2/78 | (10) 95/3/3/78 |

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

(1) Application No. 84/3/2/78 (Mhatre Pen & Plastic Industries Pvt. Ltd.).

The Committee considered the application, and noted that the proposal had been rejected in its meeting held on the 30th December, 1977, when the proposal of the Bombay Telephones to utilize the main building for opening an Area Telephone Office of the Bombay Telephones, was approved. The proposed change of use of the second building, having a floor area of 74 sq. m. from factory to office of Mhatre Pen & Plastics Industries Pvt. Ltd., is sought to be justified on the ground that the office of the said Company should be shifted from the building proposed for housing the Telephone Office to ensure the security of the latter office. The Committee, however, noted that office user is not permissible in the area according to the Development Plan for Greater Bombay. Although permission had been granted to the Bombay Telephones for the change of user of the main building, subject to the change of user from industry to the office being permitted by Govt., the case of the Bombay Telephones, which is a the public utility, cannot be compared to the proposed change of use of the...

of the Company's office. Renting out the main building in the same plot to the Bombay Telephones is no justification for favourably considering the change of use of the second building in the same plot for the Company's office in deviation of the Development Plan. The Committee, therefore, 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.85/3/2/78 (M/s.Duphar Interfran Ltd.)

The Committee considered the application, and noted that the proposal was to provide additional area for existing office. The proposed addition (mezzanine floor) constitutes about 50% of the floor area of the existing office building. The Committee felt that the justification given for additional office space in the already congested area of 'C' Ward was not convincing, nor sufficient to merit an exception being made to the general policy of not allowing additional office area in South Bombay. Accordingly 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.86/6/2/78 (Mrs.Anwari Begum).

The Committee considered the application, and noted that the proposal was for reconstruction of building for residential purpose. The existing floor area is 1450 sq.m. (with FSI of 1.33) which at present houses 10 tenants. The proposal is to reconstruct the building to an area of 2132.90 sq.m. with an FSI of 2.00. The new building would have 24 tenements, though the additional number of tenants proposed to be accommodated is only 4. The FSI of the existing building is 1.33. The FSI permissible under the Development Control Rules is 1.66, as against the FSI of 2.00 for the proposed reconstructed building. The Committee thus noted that the proposed area, apart from being in excess of what is permissible under the D.C. Rules, was also much in excess of the area required for rehousing the existing tenants. The Committee felt that the desired permission would contravene the D.C. Rules, and also that, if the same were granted, the overall

development....

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

(4) Application No.87/6/2/78 (Mindustan Spg. & Wvg. Mills Ltd.).

The Committee considered the application, and noted that the proposed addition to the floor area of the office of the Mills in the Mills' premises was marginal, adding 354.51 sq.m. to the existing area of 18,820.20 sq.m. The proposal envisages rearrangement of the Mills' offices without any additional employment. The Committee, therefore, decided that the proposed development should be permitted.

(5) Application No.90/10/2/78 (Shri Madhu Industrial Estate Ltd.).

The Committee considered the application, and noted that the proposal was to extend the existing office user in industrial estate, which had been permitted by Govt. for a period of two years only under its letter dated the 12th July, 1974. The period of two years had elapsed, and on the efflux of the said period, the pre-existing industrial use stands reinstated. The Committee noted that it had no powers to grant permission for continuing office user in contravention of the Development Control Rules. The Committee, therefore, decided that as it had no competence to grant the permission, the applicant should be informed accordingly. The applicant may approach the State Govt. for change of user of the plot, if so advised.

(6) Application No.91/10/2/78 (Shri Gajanan Oil Mills).

The Committee considered the application, and noted that the proposal was to reconstruct the oil tanks for increasing the storage capacity for the VNE Oil from 30 tons to 100 tons. The Committee felt that there was no justification for increasing the storage capacity in the area, which is already congested. Besides, the Committee noted the observation of the Bombay Municipal Corporation that the present user of industry is non-conforming according to the Principal T.P. Scheme IV (Mahim), and that it will have to be terminated from 1-9-1979 according to the said T.P. Scheme. Hence, 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.

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(7) Application No.92/14/2/78 (M/s. Bharat Petroleum Corporation.)

The Committee considered the application, and noted that the proposal was to add a floor area of 1801 sq.m. to the existing floor area of 10873 s.m. of M/s. Bharat Petroleum Corporation, raising the FSI from 5.63 to 6.56. The permissible FSI, according to the Development Control Rules, is 1.66. The Committee considered the plea of the applicant that the additional area was required not for opening a new department or sections at the head office, and that the additional staff of about 300 employees would be posted to various departments already existing in the building to cope with the increased work load. The Committee felt that the All-India Head office of the applicant had no necessary nexus with the South Bombay location, and any expansion of office space by such an organisation in the 'A' Ward, would militate against the objective of restructuring the Regional growth by locating as many tertiary sector jobs as possible outside the City of Bombay, i.e., in new business districts like New Bombay or Bandra-Kurla Complex. Public sector organizations like the applicant should give a lead in bringing about such a gradual relocation of jobs. Furthermore, the applicant had already consumed FSI (5.63), which is far in excess of the FSI prescribed under the Development Control Rules (1.66), and any further expansion of the office, which had no necessary linkages with South Bombay, would not be desirable. The Committee, therefore, 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.

(8) Application No.93/21/2/78 (Mansukhlal Kanji Shah & Partner)

The Committee noted that the proposal was for construction of oil storage tanks for storage of vegetable oil, and that it would involve movement of 5 to 10 oil tanks of approx. 10,000 litres each, moving mainly between Mazgaon Tank Bunder Estate (B.P.T.) and M/s. Hindustan Lever Ltd. at Sewree. The Committee also took into account that, as per the Development Plan of 'E' Ward, the plot is reserved for a truck terminal. The Committee

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felt that the justification given by the applicant for construction of oil tanks is not convincing. The Committee, therefore, felt that the desired permission would be in contravention of the Development Plan, and also that, if the same were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(9) Application No. 94/22/2/78 (Shri Ratansi Premji).

The Committee considered the application, and noted that the proposal was to reconstruct the existing building consisting of godowns and workshop, as a predominantly residential building, consisting of godown on ground floor and residential users on 1st, 2nd and 3rd floors. The F.S.I. consumed by the existing building is 3.82, while the F.S.I. of the proposed building would be 3.02. The F.S.I. for the area, according to the Development Control Rules, is 1.66. The present users are non-conforming, and the proposal envisages continuance of the non-conforming user on the ground floor. The Committee, therefore, felt that the desired permission would be in contravention of the D.C. Rules, and also that, if the same were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(10) Application No. 95/3/3/78 (Associated Bombay Cinemas Private Limited.

The Committee considered the application, and noted that the proposal was to construct additional area of 1306.33 sq.m. for offices in addition to the existing Cinema having an area of 1861.00 sq.m. The Committee noted that the proposal was intended to consume, for commercial exploitation, the FSI permissible according to the Development Control Rules prior to the issue of the BMRDA Notification under Section 13 of the BMRDA Act, 1974. The Committee considered that the justification given was not convincing, nor sufficient, to permit additional office area in an already congested locality at the Southern tip of the island city. The Committee, therefore, 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 89 : Resolved that, in exercise of the powers

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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 -

(i) Refused 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 these minutes :-

- (1) 84/3/2/78
- (2) 85/3/2/78
- (3) 86/6/2/78
- (4) 91/10/2/78
- (5) 92/14/2/78
- (6) 93/21/2/78
- (7) 94/22/2/78
- (8) 95/3/3/78.

(ii) grants permission, on behalf of the Authority, under sub-section (3) of Section 13 of the said Act, to M/s. Hindustan Spinning and Weaving Mills Ltd. (Registration No.87/6/2/78) for addition of 354.51 sq.m. to the existing area of 18,820.20 sq.m. of the office of the Mills, (raising the FSI from 0.86 to 0.875) in the Hindustan Mills (Process House), bearing Municipal No.2666, 2667 (1-3) in plot No.1211, 1216 (PT), in Street 15-C Palkhi Galli, Dadar, in G-North Ward, Bombay.

Item No. 4 : Relaxation of FSI limit for hotel Industry in Bombay.

The Committee considered the Agenda Note. The Secretary, Urban Development Department, pointed out that the suggestion made by the Govt. of India, Tourist office, was not consistent with the communications received on the same subject from the Ministry of Works & Housing of the Govt. of India. It was decided that the relevant correspondence from the Ministry of Works & Housing should be placed before the Committee in its next meeting. The consideration of the item was deferred.

Item No. 5 : Permission for establishment of branches of banks in the residential zones of the city of Bombay.

The Committee considered the Agenda Note, and decided that it was not necessary to take any general policy decision, and that the cases relating to establishment of branches of banks in residential zones in the city

would be....

would be considered on individual merits, having regard inter alia to the views expressed by the Municipal Commissioner that under the Development Control Rules a branch of a bank is permissible in a purely residential zone, and that it is a public amenity and not a commercial user under the said Rules.

Item No. 6 : Orders of the State Government in appeals under Section 13 of the BMRDA Act, 1974.

Noted.

Item No. 7 : Scales of pay for the posts of Assistant Transportation Planner and the Data Analyst in the T. & C. Board.

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

RESOLUTION 90 :

Resolved that the Executive Committee, in exercise of its powers delegated to it under Regulation 5 of the Bombay Metropolitan Region Development Authority (Conditions of Service) Regulations, 1977, approves the scale of pay of Rs. 350-20-450-25-575-EB-25-700-30-850-50-1000 for the post of Assistant Transportation Planner and the scale of pay of Rs. 275-15-410-EB-20-590 for the post of Data Analyst.

Item No. 8 : Permissions for development under Section 13 of the BMRDA Act, 1974.

The Committee considered the Agenda Note. The Municipal Commissioner informed the Committee that the number of cases in which IOD issued under the Bombay Municipal Corporation Act was valid, but the Commencement Certificate had not been issued, as on the 10th June, 1977, were thirty. The Committee noted the information.

Item No. 9 : Delegation of powers.

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

RESOLUTION 91 : Resolved that the Executive Committee, in exercise of the powers conferred on it by Clause (vii) of sub-section (2) of Section 7 of the BMRDA Act, 1974, and all other powers enabling it in this behalf, approves the delegation of powers specified in the Appendix appended to

Resolution.....

Resolution No.14, dated the 5th January, 1977, to one officer (not below the rank of Staff Officer) in each Functional Board, to be nominated by the respective Member-Secretary, subject to the following conditions :-

- (1) The powers shall be exercised, subject to obtaining the approval of the Member-Secretary of the Functional Board to the need for the purchase in each case;
- (2) The delegation shall be subject to the overall limit already specified in the case of Member-Secretary under Resolution 14, dated the 5th January, 1977, or the budget provision available to meet the connected expenditure, whichever is less; and
- (3) The delegation of powers involving an outlay of Rs.25,000/- and above per case, shall be exercised with the concurrence of the Financial Adviser.

Item No. 10: Organisation of the Central Planning Cell & arrangements for sharing the services of CIDCO's staff on time and cost sharing basis.

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

RESOLUTION 92 : Resolved that the Executive Committee, in exercise of the powers conferred by Section 7 of the BMRDA Act and Regulation 5 of the BMRDA (Conditions of Service) Regulations, 1977 -

- (I) approves with retrospective effect from April, 1976 -
 - (a) the organisation of the Central Planning Cell in the BMRDA for assisting the Authority in the formulation of regional policies and overview planning, preparation of Regional Investment Plan and undertaking urban studies and surveys, etc.; and
 - (b) the following arrangements entered into with CIDCO for sharing the services of the following officers and staff, viz. -
 - 1) Shri K.P.K. Bhattathiripad, Operations Research Specialist.
 - 2) Shri A. Bhattacharya, Economist.
 - 3) Shri V.K. Phatak, Urban Planner.
 - 4) Smt. J.S. Raje, Statistician.
 - 5) Shri P.V. Vaidya, Statistical Assistant.
 - 6) Shri V.V. Mistry, Statistical Assistant.

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- 7) Shri G. Fernandes, Computer Assistant, upto 17-7-77.
- 8) Shri J.M. Gamare, Clerk (Punch Operator) from 13-7-1977.
- 9) Kum. M.K. Desai, Clerk-Typist.

The services of the officers (except Shri Phatak, Urban Planner) shall be shared on time and cost sharing basis in the ratio of 1:1. In the case of Shri Phatak, whose services are available to the BMRDA on the full time basis, the cost shall be reimbursed to the CIDCO in full.

The BMRDA shall also share the cost of special pay of 20%, sanctioned by the Board of Directors of CIDCO to the above officers and staff, on 50:50 basis with effect from 1-4-1977.

(II) approves the proposal to share with CIDCO the services of Shri R.K. Jha, Transportation Planner, to work as the Liaison Officer of the Transport & Communications Board for the CRRI studies, and Shri S.R.S. Pal, Development Officer (Engineering), on time and cost sharing basis (including the special pay of 20%) in the ratio of 1:1, with effect from 1-2-1978.

Item No. 11: Approval of pay-scales of certain posts on the establishment of the BMRDA.

The Committee considered the Agenda Note. The Metropolitan Commissioner informed that the post of Part-time Librarian was not proposed to be advertised, and the intention was to identify a suitable person, who would work until regular arrangements were made after the receipt of the advice of the Consultants. The Committee then passed the following Resolution :-

RESOLUTION 93 : Resolved that, in exercise of the powers conferred on it by Regulation 5 of the BMRDA (Conditions of Service) Regulations, 1977, the Executive Committee approves the following scales of pay for the posts mentioned against them :-

<u>Post</u>	<u>Scales of pay</u>
1. Part-time Librarian	Consolidated salary of Rs.400/- per month.
2. Attendant.	Rs.85-2-105-EB-3-120.
3. Marathi Translator.	Rs.190-10-290-EB-15-410-20-450-25-550.

Item No.12:.....

Item No. 12: Core Staff Requirements for Investment Programming, project formulation, etc.

The Committee considered the Agenda Note, and decided that the proposal should be recommended to the Standing Committee, subject to any changes of details relating to qualifications, etc., as may be considered necessary. The Metropolitan Commissioner clarified that the pay-scale ranges suggested had generally taken into account market conditions, and there was no intention to revise the pay-scales as a sequel to the recommendations of Bhole Commission. The Committee then passed the following Resolution :-

RESOLUTION 94:-Resolved that the Executive Committee recommends to the Standing Committee the creation of the posts mentioned in Annexure 2 of the Appendix attached to Agenda Note generally in the pay ranges indicated therein.

tms/30.3.78