

No. EXC/MTG/27.

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

Date : 3rd July, 1978.

The minutes of the twenty-seventh meeting of the
Executive Committee of the B.M.R.D.A. held on the
23rd June, 1978, are enclosed.

Issued 4 JUL 1978..

Sule
(S. D. Sule)
o/c Secretary,
Executive Committee.

To:

- The Chief Secretary to the Govt. of Maharashtra,
General Administration Deptt., Mantralaya - Chairman.
- The Metropolitan Commissioner & Vice-Chairman,
Executive Committee, B.M.R.D.A.
- The Chairman, T. & C. Board, BMRDA - Member.
- The Chairman, W.R.M. Board, BMRDA - Member.
- The Chairman, HURE Board, BMRDA - Member.
- The Municipal Commissioner, BMC - Member.
- The Secretary to the Govt. of Maharashtra,
UD&PHD, Mantralaya, Bombay-400 032 - Member.
- The Managing Director, CIDCO, Bombay - Member.

INVITEES.:

- The Financial Adviser, BMRDA.
- The Dy. Metropolitan Commissioner, BMRDA.
- The Member-Secretary, HURE Board, BMRDA.
- The Member-Secretary, T. & C. Board, BMRDA.
- The Member-Secretary, WRM Board, BMRDA.
- The Legal Adviser, BMRDA.
- The Consultants.

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MINUTES OF THE TWENTYSEVENTH MEETING OF
THE EXECUTIVE COMMITTEE, B.M.R.D.A.

Date : 23rd June, 1978.

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

Members Present :

Shri L.S. Lulla, Chief Secretary to the Government of Maharashtra - Chairman.

Shri M.S. Palnitkar, Metropolitan Commissioner, BMRDA - Vice-Chairman.

Shri N.G.K. Murti, Chairman, WRM Board - Member.

Shri G.H. Lalwani, Secretary to the Govt. of Maharashtra, UD&PHD - Member.

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

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

Invitees :

The Financial Adviser, BMRDA.

The Dy. Metropolitan Commissioner, BMRDA.

Shri N.V. Merani, Member-Secretary, HURE Board.

Shri R.Y. Tambe, Member-Secretary, T. & C. Board.

Shri W.D. Bhide, Member-Secretary, WRM Board.

The Legal Adviser, BMRDA.

The Dy. Municipal Commissioner (Engg.) BMC.

Shri D.M. Lam, Additional General Manager, Bombay Telephones and Shri J.M. Paranjape, Dy. General Manager, Bombay Telephones, were present as special invitees during the discussion of the application from the Bombay Telephones, under Section 13.

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

The minutes were confirmed.

Item No. 2 : Action taken on the minutes of the last (Twentysixth) meeting, held on the 26th May, 1978.

Noted.

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

The applications bearing the following registration

numbers.....

numbers were placed on the Table :-

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| (1) 113/10/5/78 | (2) 114/12/5/78 |
| (3) 115/16/5/78 | (4) 116/17/5/78 |
| (5) 117/18/5/78 | (6) 118/29/5/78 |
| (7) 119/30/5/78 | (8) 120/30/5/78 |
| (9) 121/30/5/78 | (10) 122/30/5/78 |
| (11) 123/2/6/78. | |

(1) Application No. 113/10/5/78 (The Standard Mills Co.Ltd. (Sewree Unit)).

The Committee considered the application, and noted that the proposal envisaged adding 284.64 sq.m. to the existing floor area of 32919.86 sq.m., increasing the FSI from 1.099 to 1.109 and that the additional area was intended for storing filament yarn and spare parts and other stores materials for consumption directly for the production of cloth and maintenance of machinery and not for sale. The Committee decided that permission should be granted for the proposed development on the condition that the additional area will be used only for storing filament yarn, spare parts and machinery and other stores, which are required for consumption in the manufacturing process and maintenance of machinery and not for storage of goods for sale.

(2) Application No.114/12/5/78 (Maharashtra State Kha-di and Village Industries Board).

The Committee considered the application, and noted that the proposal was to construct a building for administrative offices of the Maharashtra State Khadi and Village Industries Board, having a floor area of 2191.87 sq.m. and FSI of 1.33 at Worli. The new premises would accommodate the 137 existing employees now located in rented premises in the Fort area and 303 additional employees. The Committee felt that the offices of the Board had no necessary nexus with the South Bombay location and that construction of a building for accommodating an expanded office of the Board at the proposed location would militate against the objective of restructuring the regional growth by locating as many new tertiary sector jobs as possible outside the Bombay city. The Committee also noted that in accordance with the sanctioned Development Plan of the area, the proposed building falls in a purely residential zone and the activities proposed would not be permitted by the Bombay Municipal Corporation as per the Development Plan of 'G/South' Ward. The Committee,

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therefore, felt that if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The Chairman mentioned that he had also spoken to Shri Page, who is agreeable to locate the offices in question elsewhere but desires recoupment of an amount of Rs.1 lakh the Board has spent on taxes etc. on the land, an issue, he said, he will take up with the authorities concerned. The application was, therefore, rejected.

(5) Application No.115/16/5/78 (Bombay Telephones).

The Committee considered the application, and noted that, the proposal was to construct Telecom IIInd Phase bldg. resulting in an increase in the floor area upto 3.22 FSI. The Committee noted that the proposal had been considered by it in its meeting held on the 30th December, 1977, when it had decided that permission should be granted for construction of building only to the extent of utilization of FSI of 2.45. The Bombay Telephones were then advised that they could apply again giving full clear-cut justification for the proposal. This application had been received accordingly. Shri D.M. Lam, Additional General Manager, Bombay Telephones and Shri J.M. Paranjape, Deputy General Manager, Bombay Telephones, who were present at the time of the discussion by invitation, informed the Committee that the present proposal had been made after the accommodation to be provided had been pruned substantially and that the accommodation for office of maintenance staff and residences for essential maintenance staff had been reduced to the minimum. As regards the telecommunication equipment, the representatives explained that it was a composite unit, which could not be broken up for location at two different places and that any attempt to locate a part of the installation in another Plot would affect the quality of the services provided by them. In response to queries, they explained that with the completion of the proposed redevelopment of the plot, there will be a distinct improvement in the telephone and telecommunication services in the Bombay Metropolitan Region and particularly in New Bombay. This would include STD services both ways. The Committee felt that in the circumstances the proposed development, even with an FSI of 3.22, will contribute substantially to the improvement of a very essential facility in the BMR, particularly in New Bombay, and hence deserves to be permitted. The Committee, therefore, decided that permission should be granted for the proposed development

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subject to the approval of Government to the FSI in excess of the prescribed FSI of 2.45 under the Development Control Rules.

(4) Application No.116/17/5/78 (M/s. Calico Dyeing and Printing Mills Ltd.)

The Committee considered the application, and noted that, the proposal was to increase the area for office of the Mills by 367.32 sq.m. The applicant had pleaded that the existing office space is not sufficient for the use of the present staff and particularly of Excise Deptt. and Inspection Deptt. The Committee considered that the additional area required was substantial and was not justified on the basis of the information furnished by the applicant. The Committee felt that there was prima facie no sufficient justification for such a substantial addition for office purpose in the Mills premises. 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, however, considered that the applicant may, if necessary, make a fresh application giving more detailed justification in terms of the total number of office staff employed at present in each department, including the Excise Deptt. and the Inspection Deptt., the per capita area consumed at present and proposed to be occupied after the proposed addition.

(5) Application No.117/18/5/78 (Mr. Ishwardas B. Mahant).

The Committee considered the application, and noted that, the proposal was to add 131.18 sq.m. to the existing floor area of 291.03 sq.m. raising the FSI from the existing 1.36 to 1.97. The additional area is intended to be used for office and record of the Trust. The Committee considered the plea of the applicant that all the existing rooms were already rented for office use and no space was available for owner's use and did not consider it a sufficient ground for the grant of the request. The Committee noted that the addition of office space will increase and aggravate the existing congestion in the area. The Committee noted that the proposed FSI would exceed not only the limit of 1.33 FSI specified in the BMRDA Notification but also the FSI prescribed under Development Control Rules (1.66).

The Committee...

The Committee further noted the report of the Bombay Municipal Corporation that the existing building is not structurally sound to take the additional load of proposed building and that the building is required to be reconstructed completely. The Committee, therefore, felt that if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely and further that it was not legally feasible to grant permission for FSI in excess of the one prescribed under the Development Control Rules.

(6) Application No.118/29/5/78 (M/s. Vikas Associates).

The Committee considered the application, and noted that, the proposal was to convert an area of 746.92 sq.m. from sanctioned residential user to offices of a bank. Though in the application the proposed user was designated as "branch of bank", it appeared from the plans and the report of the Bombay Municipal Corporation that while the ground floor is intended to be used as branch of bank, the first floor would accommodate administrative offices of the bank. The Committee, therefore, desired that the applicant should be asked to clarify the apparent discrepancy and deferred the consideration of the application to the next meeting.

(7) Application No.119/30/5/78 (M/s. Rameshchandra & Company).

The Committee considered the application, and noted that, it was proposed to add 56.38 sq.m. to the existing floor area of 714.64 sq.m. for the purpose of construction of Oil Storage Tanks. The storage capacity was of the order of 675 metric tonnes. The Committee considered the plea of the applicant that the storage facility is required for storing edible oil, which is imported. The Committee noted that the storage tanks were proposed to be located in an already congested area and that there was no compelling reason for location of the tanks in the vicinity of the docks. The Committee considered that it should be possible to locate the storage facility outside the city limits, particularly in view of the policy of shifting wholesale markets, including the agricultural produce market to New Bombay in the near future. 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. At the same time, the Committee considered that a suitable alternative location

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would be indicated to the applicant for his consideration at a place where land would be available.

(8) Application No.120/30/5/78 (M/s.Rameshchandra & Co.).

The Committee considered the application, and noted that, the proposal was to construct four Oil Storage Tanks in an area of 376.17 sq.m. with an FSI of 1. The Storage capacity would be of the order of 1400 metric tonnes. The Committee considered the plea of the applicant that the storage facility is required for storing edible oil, which was imported. The Committee noted that the storage tanks were proposed to be located in an already congested area and that there was no compelling reason for location of the tanks in that vicinity of the docks. The Committee considered that it should be possible to locate the storage facility outside the city limits, particularly in view of the policy of shifting the wholesale markets including agricultural produce market to New Bombay in the near future. The Committee, therefore, 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. At the same time, the applicant should be advised about the availability of land at a location where storage of edible oils would be permitted.

(9) Application No.121/30/5/78 (M/s. Dharti Cine Enterprises Pvt.Ltd.).

The Committee considered the application, and noted that, the proposal was for change of use of 297.39 sq.m. to branch of a bank. The Committee further noted that the Reserve Bank of India had not issued a licence for location of a bank in the area. 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, however, considered that the applicant may apply again if and when the Reserve Bank of India issue a licence for the location of the Bank in the area.

(10) Application No.122/30/5/78 (Piramal Spinning & Weaving Mills).

The Committee considered the application, and noted that, the proposal was to effect an addition of 6793.00 sq.m. area to the existing 32779.24 sq.m. floor area of the textile mills. The Committee considered the plea of the applicant that the proposed additions were essential for the reorganization

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of machinery and proper planning of the various departments in the Mills and that the Industries Commissioner had granted NOC for 6793 sq.m. The Committee, however, noted that according to the Bombay Municipal Corporation, the proposed FSI would exceed 1.33 and that there was no prima facie justification for addition of such a substantial area on account of reorganisation of machinery. The Committee, therefore, decided that the applicant should be asked to submit correct calculations of FSI and layout showing the utilization of the area for the purpose of reorganization of machinery and various departments of the Mills. The Committee, therefore, deferred the consideration of the application to the next meeting, when a representative of the Directorate of Industries shall also be requested to be present.

(11) Application No.123/2/6/78 (Jethalal L.Manian & Others).

The Committee considered the application, and noted that, the proposal was for change of use from residence to branch of a bank in respect of an area of 278.70 sq.m. The Committee noted that the Reserve Bank of India had issued a licence for location of the Bank at V.P.Road and that the bank would serve a congested residential area outside the Central Business District of Bombay. The Committee, therefore, felt that the proposed development should be permitted.

The Committee then passed the following Resolution :-

RESOLUTION No.104 : 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 -

(i) 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 these minutes :-

- (1) 114/12/5/78 (2) 116/17/5/78
- (3) 117/18/5/78 (4) 119/30/5/78
- (5) 120/30/5/78 (6) 121/30/5/78.

(ii) grants permission, on behalf of the Authority under sub-section (3) of Section 13 of the said Act, to -

- (1) The Standard Mills Company Ltd. (Application No.113/10/5/78) for addition of 284.64 sq.m. to the existing floor

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area of 32919.86 sq.m. raising the FSI from 1.099 to 1.109 for the purpose of storage of filament yarn and spare parts and other stores materials for consumption directly for the production of cloth and maintenance of machinery, subject to the condition that the additional area will be used only for storing filament yarn, spare parts and machinery and other stores, which are required for consumption in the manufacturing process and maintenance of machinery and not for storage of goods for sale, at S.No.5/209 - 210, Tokarsey Jivraj Road, New China Mills, Stores Building, Sewree, F/South Ward, Bombay.

(2) Divisional Engineer (Phores) (Application No.115/16/5/78) for the purpose of construction of building having a floor area of 17420 sq.m. and FSI of 3.22 for the following purpose :-

	Floor area (sq.m.)
1) For installation of Tele-communication Equipment Technical.	6640
2) Office for essential Mtce.Staff.	2779
3) Essential amenities to Mtce. Staff who work round the Clock.	1346
4) Area used for lobby, staircase, lifts, toilets etc.	5129
5) 4 Quarters for essential Mtce. Staff.	210
6) Basement used for tech. installations.	1316

Total : 17420	

at CTO Compound, Mahatma Gandhi Road, in Municipal Ward 'A'.

(3) M/s. Jethalal L.Maniar and Others (Application No.123/2/6/78) for the purpose of change of use from residence to branch of a bank in respect of an area of 278.70 sq.m. on the ground floor of the building at 133, V.P.Road, in Municipal Ward 'D'.

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Item No. 4 : Relaxation of F.S.I. limit for hotel industry in Bombay.

The Committee considered the Agenda Note and after some discussion of the pros and cons of the question decided that in view of the fact that a policy decision would be required in regard to the application of the BMRDA Notification under Section 13, the matter should be placed before the Authority with the pros and cons for its decision.

Item No.5 :.....

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Item No. 5 : Hotel Project in Plot 85, Block V, Backbay
Reclamation Scheme.

The Committee noted that the proposal attracted the provisions of the BMRDA Notification, No. MC/RDM/2385/77, dated the 10th June, 1977, issued under Section 13 of the BMRDA Act, 1974 and that no formal application in the prescribed form had yet been received by the BMRDA. Secretary, Urban Development Department agreed that the department would not insist on the views of the BMRDA at this stage. The Agenda item was, therefore, withdrawn.

Item No. 6 : Bombay Urban Transport Project -
Periodical Progress Report.

The Committee considered the Agenda Note. The Member-Secretary, Transport & Communications Board, explained the reasons for the slippages, which had occurred mainly in respect of the BMC works, and indicated that it would in any case be necessary to seek the approval of the World Bank, subject to the decision of the BMRDA, to the extension of the project period. The Committee noted the progress report and the general observations made by the T. & C. Board.

It was decided that the next meeting of the Committee should be held at 3.00 p.m. on the 21st July, 1978, in the Special Committee Room, Mantralaya.

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