

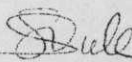
No. EXC/MTG/29

(299)

BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
18th floor, New Administrative
Building, Madame Cama Road,
Opp. Mantralaya,
B o m b a y - 4 0 0 0 3 2 .

Date : 31st August, 1978.

The minutes of the twenty-ninth meeting of the Executive Committee of the B.M.R.D.A. held on the 25th August, 1978, are enclosed.


(S. D. Sule)
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, H.U.R.E. 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, W.R.M. Board, BMRDA.
- The Legal Adviser, BMRDA.
- The Consultants.

csp/-
31.8.

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

Date : 25th August, 1978.

Time : 11.00 a.m.

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

Members present :

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

Shri C.M. Correa, Chairman, HURE Board - Member.

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

Shri S.D. Sule, Secretary, Executive Committee, B.M.R.D.A.

Invitees :

The Dy. Metropolitan Commissioner, B.M.R.D.A.

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

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

Shri N.L. Patel, City Engineer, B.M.C.

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

Shri B.N. Adarkar, Chairman, T. & C. Board, and Shri M.S. Palnitkar, Metropolitan Commissioner and Vice-Chairman, had asked for leave of absence, which was granted.

Item No. 1 : Confirmation of the minutes of the last (Twenty-eighth) meeting held on the 21st July, 1978

The minutes were confirmed subject to the following correction, viz. :

In Resolution No. 105, in para (ii)(1), for the figures and words '746.92 sq.m.', the figures and words '1102.08 sq.m.' were substituted.

Item No. 2 : Action taken on the minutes of the last (Twenty-eighth) meeting held on the 21 July, 1978.

Noted.

Item No. 3 : Application for permission under Section 13 of the B.M.R.D.A. Act, 1974.

The applications bearing the following registration numbers were placed on the Table :

- (1) 134/5/7/78
- (2) 135/5/7/78
- (3) 136/6/7/78
- (4) 137/6/7/78

- (5) 138/13/7/78 (6) 139/15/7/78
(7) 140/18/7/78 (8) 141/20/7/78
(9) 142/27/7/78 (10) 143/28/7/78
(11) 144/1/8/78 (12) 145/2/8/78
(13) 146/11/8/78

(1) Application No. 134/5/7/78 (The Commissioner of Income Tax, Bombay City, Bombay)

The Committee considered the application and noted that the proposal was to construct a building for offices of Central Govt. (Income Tax Department), having a floor area of 13940 sq.mtrs. with F.S.I. of 5.1. The Committee noted that the intention of the Income Tax Department was to have a centralised office building in South Bombay for administrative convenience, shifting some of its offices presently located in private premises. This would be a net addition to office space in South Bombay. The Committee took into account the plea of the applicant that they had purchased the plot in May 1973, when the F.S.I. according to the D.C. Rules was 3.5, which, they expected would further be relaxed for the Govt. of India office. This was not considered to be relevant in the context of the effect of the proposal on the overall development of the Metropolitan Region. The proposed development in the Backbay Reclamation area at the southern most tip of the City would add to the severe strain on the public transport and other civic services and involve a disproportionately large social cost to the community. In view of the fact that the proposed commercial user was itself not permissible, the question of relaxing the F.S.I. did not require separate consideration. The Committee further felt that the new office building could conveniently be located in the Bandra-Kurla area.

The Committee, after taking into account these factors, decided 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. 135/5/7/78 (Shri Manharlal N. Parikh)

The Committee considered the application and noted that the proposal envisaged reconstruction of a residential building having a floor area of 1687.46 sq.m.

raising.....

raising the F.S.I. from 1.60 to 2.00 at Khetwadi, 'D' Ward. The existing 24 tenants would be re-accommodated and 23 new tenants would be provided in the proposed building. The F.S.I. permissible under the D.C. Rules for 'D' Ward, Khetwadi Cross Lane, is 1.66, while the F.S.I. proposed was 2.00. There is no provision in the D.C. Rules, which would allow F.S.I. in excess of the one prescribed under D.C. Rules for this purpose. The Committee took into account the plea of the applicant for relaxation of the F.S.I. on the ground that the proposal would otherwise not be economically viable. The Committee however, felt that such development would aggravate the congestion in an already crowded area and that, if the desired permission were granted, the overall development of the Metropolitan Region would be affected adversely. Besides the proposal to increase the F.S.I. to 2.00 was not legally feasible. The Committee, therefore, decided to reject the application.

(3) Application No. 136/6/7/78 (Shri Yunus Yusuf Khatri)

The Committee considered the application and noted that the proposal was to construct a new residential building having an area of 1401.83 sq.mtrs. with FSI of 1.658 in place of the existing building having an area of 1266.75 sq.mtrs. with FSI of 0.32. There were 6 shops and 11 residential tenants in the existing building, while the new building would accommodate 6 shops and 36 residential tenants. The Committee considered the plea of the applicant that the proposed development had been approved by the B.M.C. in July, 1975 and that the work could not be commenced as the negotiations were going on with the existing tenants. The Committee did not consider this to be relevant. It was also noted that though the applicant had sought to justify the proposal on the ground that the new building would provide better facilities for the existing tenants, the provision for the existing tenants in the new building was 192.35 sq.mtrs. only against the present area of 186.75 sq.mtrs., while 1122.96 sq.mtrs. was proposed for new tenants. The Committee felt that there was no justification for construction of a building with F.S.I. of more than 1.33 in the area, which is already heavily congested. The Committee, therefore, felt that if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected....

affected adversely.. The application was, therefore, rejected.

(4) Application No. 137/6/7/78 (The Director, Haribhai Estates Pvt. Ltd.)

The Committee noted that the application had been withdrawn by the applicant. It was not, therefore, taken up for consideration.

(5) Application No. 138/13/7/78 (Amrutlal Karsondas & others, Owner Ambakrupa Builders)

The Committee considered the application for change of use of the first floor of a building having an area of 146.88 sq.mtrs. from residential to branch of bank. It was noted that the permission of the Reserve Bank of India was not necessary for the proposed shifting of some service departments, viz. Current Accounts and Cash Credit Department, Advance Department, Bills Department, Clearing and Cash Book Department of the Mazgaon Branch of the Bank of Maharashtra to the premises in question which were at a distance of about 100 mtrs. from the existing branch of the bank. It was not proposed to shift the administrative office to the new premises. Having regard to the above facts and as the bank would serve a residential area with a high density of population outside the C.B.D. of Bombay City, the Committee decided that the proposed development should be permitted.

(6) Application No. 139/15/7/78 (The Modern Education Society)

The Committee considered the application and noted that the proposal was to construct a new building with a floor area of 836.08 sq.m. for housing a branch office of a bank and S.S.C. Board's office in the premises of the Ruparel College. The S.S.C. Board's office was already occupying an area of 4000 sq.ft. in the existing college building while the branch of bank of Maharashtra was occupying about 500 sq.ft. area in the Hostel bldg. These offices were proposed to be shifted to the new building and the vacated area would be used for providing additional class rooms and common room for the students and the college staff. It was noted that the bank had been permitted by the Reserve Bank to shift to the new building and that the banking facility would fulfil a need felt by the students and the neighbouring community. The office of the S.S.C.

Board.....

Board also served the requirements of students in the area. The Committee after taking into account these factors decided that the permission asked for the proposed development should be granted.

(7) Application No. 140/18/7/78 (Shri V.M.Gohil)

The Committee considered the application and noted that the proposal was to convert the existing car parking area on the ground floor on stilts into office accommodation for post office, thereby raising the F.S.I. from 1.00 to 1.31. The Committee noted that the B.M.C. did not recommend the proposed development on the grounds that (a) the F.S.I. permissible under the D.C. Rules had already been fully consumed and (b) that the conversion of the parking area into office premises will affect the adequacy of parking space required under the Rule No. 36 of the D.C. Rules for Greater Bombay. The Committee, therefore, decided 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. 141/20/7/78 (C.P.W.D.)

The Committee considered the application and noted that the proposal was to construct office building for Central Government offices having a floor area of 15193.68 sq.m. with F.S.I. of 1.251. The proposal was to shift the Central Government offices located in various Govt. colonies in south Bombay to the proposed building, which is near the Central Govt. quarters under construction in the same area. The vacated office accommodation is expected to be converted into residential accommodation. The Committee however, noted that the land under reference is situated in the residential zone for public housing as per Development Plan of Greater Bombay. The proposed development would not, therefore, be legally feasible unless the Development Plan had been modified to change the user from public housing to offices. Besides, the Committee felt that since a relocation of the Central Govt. offices was being considered, it would be desirable if such offices are relocated in new growth centre like New Bombay or Bandra-Kurla in the overall interests of the restructuring of the Metropolitan Region. The Committee, therefore, decided that if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely.

The.....

The application was, therefore, rejected.

(9) Application No. 142/27/7/78 (The Jam Mfg.Co.Ltd.)

The Committee considered the application and noted that the proposal was for addition of 7158.43 sq.m. to the existing floor area of 31367.03 sq.mtrs., raising the F.S.I. from 0.949 to 1.165. The proposed new construction is intended partly for manufacturing activity and partly for godowns for finished products and also for raw material and engineering spare parts. The Committee noted that according to the subsequent letter, dated the 11th August, 1978, given by the applicant, the proposed floor space in the new building would be used for the following purposes as under :

- (1) Manufacturing process - 2643.54 sq.mtrs.
- (2) Godowns :
 - (a) Finished products - 1858.00 sq.mtrs.
 - (b) Raw materials - 929.00 sq.mtrs.
 - (c) Engineering spare parts - 151.00 sq.mtrs.

The total floors space thus accounted for works out to only about 5100 sq.mtrs. as against 7158 sq.mtrs. proposed by the applicant. The Committee noted that the Directorate of Industries had sanctioned only 2643.54 sq.m. area for readjustment of machinery and had refused permission for 2029.66 sq.m. for processing blocks in the context of the Industrial Location Policy.

As regards the area proposed for godown, while there is no objection to the additional storage capacity required for raw materials and engineering spare parts, the Committee did not consider it desirable to allow additional storage capacity for finished products. The Committee, therefore, decided to grant permission to the extent of total floor space of 3723.54 sq.mtrs. consisting of the following :-

- (1) Manufacturing process - 2643.54 sq.mtrs.
 - (2) Godown :
 - (a) Raw Materials - 929.00 sq.mtrs.
 - (b) Engineering spare parts - 151.00 sq.mtrs.
- Total : 3723.54 sq.mtrs.

Application.....

307

(10) Application No. 143/28/7/78
(M/s. Ellora Constn. Co.)

The Committee considered the application and noted that the proposal was to construct a building for commercial user having an area of 3267.77 sq.mtrs. with F.S.I. of 2.45 in place of the existing residential building having floor area of 850 sq.mtrs. only. The Committee considered the plea of the applicant that the B.M.C. had sanctioned the plans and issued the I.D.D. in 1974 and that development of the property was held up for reasons beyond the control of the applicant, but did not consider it to be relevant. The Committee noted that the commencement certificate had not been issued by the B.M.C. and that the plans were not revalidated. The Competent Authority under the Urban Land Ceiling and Regulations Act, 1976 had informed the applicant on 14.9.77 that the permission for redevelopment of the plot would be given inter-alia on the condition that the redevelopment should be only for residential purpose. The proposed development for construction of building for commercial user at the tip of south Bombay would add to the severe strain on civic services. The Committee, after taking into account these factors, 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.

(11) Application No. 144/1/8/78 (State Trading Corporation of India)

The Committee considered the application and noted that the proposal was to construct a mezzanine floor within the existing godown for storage of imported medicines. The existing floor area was 4494.28 sq.mtrs. and the existing F.S.I. was 1.47, which would be increased to 1.51, if the proposed development were permitted. In the context of the regional objective of restricting the warehouse capacity in the congested area of south Bombay, 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.

(12) Application No. 145/2/8/78 (M/s. Mahalaxmi Glass Works Private Limited)

The Committee considered the application and
noted.....

noted that the proposal was to add floor area of 1196.19 sq.mtrs. to the existing factory building having the floor area of 13092.81 sq.mtrs. This would entail a marginal increase of F.S.I. from 1.228 to 1.340 on account of the proposed addition for storage of raw materials and machinery parts. The Committee noted that the permission was necessary in terms of the BMRDA Notification under Section 13 of the BMRDA Act, 1974 because the proposed F.S.I. exceeded the limit of 1.33 by 0.01 (1.34 - 1.33 = 0.01). The Member-Secretary, H.U.R.E. Board explained that according to the plans submitted by the applicant, the proposed development would not be feasible without the proposed F.S.I. of 1.34. The Committee, therefore, decided that the proposed development should be permitted.

(13) Application No. 146/11/8/78 (The Indian Hotels Co. Ltd.)

The Committee noted that the application had been withdrawn by the applicant. It was not, therefore, taken up for consideration.

The Committee then passed the following resolution :-

RESOLUTION NO. 110 : 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) 134/5/7/78 | (2) 135/5/7/78 |
| (3) 136/6/7/78 | (4) 140/18/7/78 |
| (5) 141/20/7/78 | (6) 143/27/7/78 |
| (7) 144/1/8/78. | |

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

(1) Amrutlal Karsondas and others, owners, Amba Krupa Builders (Application No. 138/13/7/78) for change of use of first floor of the building at S.No. 124, Plot No. 8, Lathiwala Apartment, 33-E, Mazgaon Road, 'E' Ward,

(floor.....)

(floor area 164.88 sq.m.), from residence to branch of bank.

(2) The Modern Education Society (Application No. 139/15/7/78) for construction of building at C.S. No. 609-626, Plot No. 6-4020 (B.A.A.) (381-A.C.), Bal Govindas Road, 'G' North, having a floor area of 836.08 sq.m. with F.S.I. of 0.46, for branch office of bank and S.S.C. Board's office.

(3) The Jam Manufacturing Co. Ltd. (Application No. 142/27/7/78) for addition of floor area of follows to the existing building having a floor area of 31367.03 sq.m.

(1) Manufacturing Process - 2643.54 sq.m.

(2) Godowns :

(a) Raw Materials - 929.00 sq.m.

(b) Engineering spare parts - 151.00 sq.m.

Total: 3723.54 sq.m.

at Sr.No. 52 and 52/2 of Parel Sewree Division, The Jam Manufacturing Co., Dr. Babasaheb Ambedkar Road, 'F' Ward, Bombay.

(4) M/s. Mahalaxmi Glass Works Pvt. Ltd. (Application No. 145/2/8/78) for addition of 1196.19 sq.m. for storage of raw materials and machinery parts to the floor area of existing building of 13092.81 sq.m., raising the F.S.I. from 1.228 to 1.340, of the Plot No. 1A & 4 part, Mahalaxmi flat estate, Dr. E. Moses Road, 'G' South Ward, Bombay.

Item No. 4 : Appointment of Sr. Urban/Regional Planner.

The Agenda Note was withdrawn.

Item No. 5 : Accounts of the BMRDA Fund for the quarter April-June, 1978.

The Committee deferred the consideration of the Agenda Note.

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

The Committee noted the progress report.

Item No. 7 : Purchase of Mini-bus and one Staff Car.

The Committee considered the Agenda Note and decided that, instead of purchasing a Mini-bus and a Staff Car as proposed, it would be better to hire vehicles, as and when necessary. If after some time it was felt that

it....

it would be more economic to purchase a vehicle, the proposal should be revived suitably.

After the consideration of the items on the Agenda, the Committee discussed the need for considering more positive steps to achieve restructuring of the Metropolitan Region with particular reference to the development of New Bombay. It was decided that the Metropolitan Commissioner should consider setting up of a suitable task force for projects like development of C.B.D. in New Bombay. The Chairman directed that a Note on a programme for development of C.B.D. in New Bombay with concrete proposals and a time schedule for implementation should be submitted for the consideration of the Executive Committee at its next meeting.

csp/-
31.8.