

18th fl., New Administrative
Building, Madame Cama Road,
Opp. Mantralaya, Bombay-400 032

Date :- 27th March, 1979.

The minutes of the thirty-fifth meeting of the
Executive Committee of the BMRDA, held on the 19th March,
1979, are enclosed.

Sule

(S. D. SULE)
Secretary,
EXECUTIVE COMMITTEE.

To

The Chief Secretary to the Govt. of Maharashtra General Administration Deptt., Mantralaya.	-	Chairman.
The Metropolitan Commissioner, B.M.R.D.A.	-	Vice-Chairman.
The Chairman, T. & C. Board, B.M.R.D.A.	-	Member.
The Chairman, W. R. M. Board, B.M.R.D.A.	-	Member.
The Chairman, H.U.R.E. Board, B.M.R.D.A.	-	Member.
The Municipal Commissioner, B.M.C.	-	Member.
The Secretary to the Govt. of Maharashtra, U.D. & P.H.D., Mantralaya, Bombay.	-	Member.
The Managing Director, C.I.D.C.O.	-	Member.

INVITEES :

The Financial Adviser, B.M.R.D.A.
The Dy. Metropolitan Commissioner, B.M.R.D.A.
The Member-Secretary, T. & C. Board, B.M.R.D.A.
The Member-Secretary, W. R. M. Board, B.M.R.D.A.
The Member-Secretary, H.U.R.E. Board, B.M.R.D.A.
The Legal Adviser, B.M.R.D.A.

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

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Date : 19th March, 1979.
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 M.S. Palnitkar, Metropolitan
Commissioner, B.M.R.D.A. - Vice-Chairman.
Shri C.M. Correa, Chairman, HURE
Board, B. M. R. D. A. - Member.
Shri K.G. Paranjpe, Secretary,
Urban Development and Public
Health Department, Mantralaya - Member.
Shri B.S. Dhavle, Managing Direc-
tor, C.I.D.C.O. - Member.

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

Invitees :

The Financial Adviser, B.M.R.D.A.
The Dy. Metropolitan Commissioner, B.M.R.D.A.
The Member-Secretary, H.U.R.E. Board, B.M.R.D.A.
The Member-Secretary, T. & C. Board, B.M.R.D.A.
Shri J.N. Patwardhan, Dy. Municipal Commissioner
(Engineering).
The Legal Adviser.

Item No.1 :- Confirmation of the Minutes of the last
(34th) Meeting of the Executive Commi-
tee held on the 8th February, 1979.

The Minutes were confirmed.

Item No.2 :- Action taken on the Minutes of the last
(34th) Meeting of the Executive Commi-
tee.

Noted.

Item No. 3 :-.....,

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

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

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| (1) 177/25/1/79 | (6) 182/13/2/79 |
| (2) 178/30/1/79 | (7) 183/14/2/79 |
| (3) 179/6/2/79 | (8) 184/16/2/79 |
| (4) 180/6/2/79 | (9) 185/21/2/79 |
| (5) 181/8/2/79 | (10) 125/12/6/78 |

(1) Application No.177/25/1/79 (Smt. L. A. Datar) :-

The Committee considered the application and noted that the proposal was to change the user of 220.34 sq.mtrs. area in a residential building to branch of the Allahabad Bank. The Committee noted that the Reserve Bank of India had approved the location of the branch of Bank. It will serve a residential area. There was no objection to the proposal with reference to the provisions of the Development Control Rules. The Committee, after taking into account these factors, decided that the proposed development should be permitted.

(2) Application No.178/30/1/79 (The Metal Box Co. of India Ltd.):

The Committee considered the application and noted that the proposal was to add an area of 561 sq.ft. to the office building situated near the factory building and that the office user was ancillary to the main factory building. The Committee noted that the proposal did not envisage creation of any additional job and that the additional area was required to provide more space to the existing staff. The Committee, taking into account these factors, decided that the proposed development should be permitted.

(3) Application No. 179/6/2/79 (Worli Gopchan and Bhoje Sansthan Trust) :-

The Committee considered the application and noted that the proposal was to construct a residential building with provision for bank area. The Committee noted that while the permission of the BMRDA would not be necessary for construction of a residential building

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within the F.S.I. of 1.33, the proposal for provision of bank area was not acceptable as the location of a bank had not been approved by the Reserve Bank of India. The Committee, therefore, decided that the proposal for location of bank in the proposed building, being premature, should be rejected. The applicant may make a fresh application, if and when the location of the bank in the building is approved by the Reserve Bank of India.

(4) Application No.180/6/2/79 (The Post Master General, Maharashtra Postal Circle) :-

The Committee considered the application and noted that the proposal envisaged addition of 240 sq.mt. to the existing floor area of 1716 sq.mtrs. of the post office functioning in a departmental building. The F.S.I. would increase from 1.76 to 1.86. The Committee noted that the additional area was required for a public utility service, viz. a post office, for its existing staff for which the present accommodation was inadequate. The F.S.I. permissible under the Development Control Rules in the area in question is 1.66. The State Govt. has the powers to allow the F.S.I. to exceed the prescribed limit in respect of Government buildings vide Rule 10(2) of the Development Control Rules for Gr. Bombay. The Committee, therefore, decided that, subject to approval of the State Government, under the said D.C. Rule 10(2), the proposed development should be permitted.

(5) Application No.181/8/2/79 (The Standard Mills Ltd.) :-

The Committee considered the application and noted that the proposal was to add 861.50 sq.mts. for a godown to the existing floor area of 905.58 sq.mtrs. The Committee noted that the user of the plot is industrial and there was no objection to the godown user under the Development Control Rules. (To this extent the views of the Housing, Urban Renewal and Ecology Board in the Statement of the Case stood corrected). The Committee, however, felt that the proposed godown would add to the warehousing capacity in the island city and was particularly not desirable on a plot abutting the main north-south traffic artery.

Taking.....

Taking into account all these factors, 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.

(6) Application No.182/13/2/79 (Shri C. R. Shah.) :-

The Committee considered the application and noted that the proposal was to change the user of - 12,000 sq.ft. factory area into office. The Committee noted that the area was proposed to be leased out for commercial offices. The Committee considered the plea of the applicant that though the proposed development would give rise to about 100 office jobs, the number of jobs in the factory had been reduced over the years. The Committee considered that the justification was not convincing. The Bombay Municipal Corporation had indicated in its views on the application that as per Development Plan of 'D' Ward, the zone is purely residential and that the proposed users were non-conforming in residential zone. Besides, leasing part of the building amounted to sub-division, which was not permissible.

Taking into account all these factors, 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.

(7) Application No.183/14/2/79 (Bombay Port Trust) :-

The Committee considered the application and noted that the proposal was to construct a warehouse having a floor area of 1382.51 sq.mtrs. in the B.P.T. Area, which is marked as industrial zone under the Development Plan of 'F' Ward. The Committee considered the plea of the applicant that the proposed warehouse was necessary to reduce the congestion of ships in the Bombay Port, and that it would be used for storing import and export cargoes by the Bombay Port Trust. The Committee felt that having regard to the stated objective of relieving the congestion in the Port and as the godown will be used by the B.P.T. departmentally, the proposed development should be permitted on the condition that the B.P.T. will not lease the godown to any private party.

(8) Applica-....

(8) Application No.184/16/2/79 (Shri M.H.Chokshi) :-

The Committee considered the application and noted that the proposal was to change the use of an area of 140 sq.mtrs. from shop-cum-godown to branch office of Syndicate Bank. The Committee noted that the Reserve Bank of India had no objection to the proposed location and that Bank had to shift the branch from its present location in a dilapidated building, which was proposed to be demolished by the Bombay Housing and Area Development Board and further that the Bank would not reoccupy the present premises after reconstruction. Taking into account all these factors, the Committee decided that the proposed development should be permitted.

(9) Application No.185/21/2/79 (Adam Ahmad & Bros.) :-

The Committee considered the application.

In the statement of the case, the views of the office of the H.U.R.E. Board at serial number VII were corrected as follows :-

1. The reference to 'Parel T.T.' should be read as 'Byculla Bridge'.
2. For the words 'purely residential zone of 'E' Ward,' the words 'residential zone with shop line of 'E' Ward' should be substituted.

The Committee noted that the proposal was to construct two additional floors which would be used as office of the wholesale trade. The plot under reference, which is designated as existing market, falls in a residential zone with shop line and the proposed user as office of the wholesale trade is not permissible under the Development Control Rules. The Committee considered the plea of the applicant that the proposed development is within the limit of F.S.I. of 1.33, but did not consider it to be relevant. The proposed development would further aggravate the congestion in an already congested area.

Taking into account all these factors, 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.

(10) Application.....:

(10) Application No.125/12/6/78 (Trustees of the Parsee - Panchayat Funds and Properties.) :-

The Committee considered the application and noted that it had been rejected by its Resolution, No.105, dated the 21st July, 1978, on the ground that, according to the Bombay Municipal Corporation, the existing built-up area was already in excess of the F.S.I. under the Development Control Rules. The Committee further noted that the BMC had, since, under its letter, No.DMC/E/9329/A, dated the 1st Decéber, 1978, reported to the State Government that the proposed F.S.I. works out to 1.636 against the permissible 1.66 in the locality and that the B.M.C. had no objection to the proposal. In view of this report of the B.M.C. and the fact that the proposed increase in the floor area was marginal and was intended to provide a gymnasium for the benefit of the community in the area, the Committee reconsidered its view and decided that the proposed development should be permitted.

The Committee then passed the following Resolution:-

RESOLUTION NO.124 :

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 :

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|----------------|---------------------|
| (1) 179/6/2/79 | (3) 182/13/2/79 |
| (2) 181/8/2/79 | (4) 185/21/2/79 and |

(II) grants permission, on behalf of the Authority under Sub-Section (3) of Section 13 of the said Act, to -

- (i) Smt. L.A.Datar (Application No.177/25/1/79) for change of use from residence to branch of Allahabad Bank in an area of 220.34 sq.mtrs. on the ground floor of the building, 'Sannidhan' on Plot No.145, North Wadala, Road No.10, 'E' Ward, Bombay,

(ii) the Metal....

- (ii) the Metal Box Co. of India Ltd. (Application No.- 178/30/1/79) for addition of 53 sq.mtrs. for office user to the existing factory building having an area of 16502 sq.mtrs. increasing the F.S.I. from 1.127 to 1.13, at Survey No.2/1629, Plot No.249-249A, Lower Parel Division, Municipal Industrial Estate, Worli, Building No.752 - 762, Worli Road, G-South, Bombay,
- (iii) the Post Master General, Maharashtra Postal Circle (Application No.180/6/2/79) for addition of 240 sq.mtrs. to the existing Post Office Building, having an existing floor area of 1716 sq.mtrs., increasing the F.S.I. from 1.76 to 1.87 at Survey No.427, Bhuleshwar Division, Kalbadevi H.P.O., 'C' Ward, Bombay, subject to the approval of the State Government being obtained under Rule 10(2) of the D.C.Rules for exceeding the permissible F.S.I. under the said D. C. Rules.,
- (iv) the Superintending Engineer, Construction Division, B.P.T. (Application No.183/14/2/79) for construction of a warehouse, with floor area of 1382.51 sq.mtrs. at N.S. No.344, 2nd Avenue Road, 'F' Ward, Bombay, subject to the condition that the said warehouse shall not be leased to any other person,
- (v) Shri M.H. Chokshi (Application No.184/16/2/79) for change of user of 140 sq.mtrs. area on the ground floor of Ghanshayam Bhavan at Survey No.1/275, Girgaon Division, 265, J.S.Seth Road, Municipal Ward D-255(2), Bombay, from shop-cum-godown to branch office of Syndicate Bank.
- (vi) the Trustees of the Parsee Panchayat Funds and Properties (Application No.125/12/6/78) in partial modification of its Resolution, No.105, dated the 21st July, 1978 for addition of 1614 sq.ft. floor area (to be used as gymnasium) to the residential building having an existing floor area of 4,91,860.50 sq.ft., increasing the F.S.I. to 1.636 at C.S.No. 547-548, Byculla Division Rustombaug, Municipal Ward 'E', Bombay.

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

The Committee noted the Progress Report and the Supplementary Note giving the resume of the points which emerged from the discussions with the Fifth Supervisory Mission of the World Bank, which reviewed the progress of the B.U.T.P. The Chairman expressed concern about the overall slow progress of the project, particularly the sleepages in respect of the civil works of the B.M.C. It was hoped that the various sub projects would be completed atleast by the proposed extended date of completion of the project viz. the 31st Dec., 1981.

The last para of the supplementary note was corrected to read as follows :-

" The BMRDA Consultants, M/s A.F.Ferguson and Company had suggested suspension of further work in respect of Organisation, Staffing and Svstems and discontinuance of their services in respect of Accounting and Financial Management Systems. The orders of the Executive Committee will be obtained as soon as possible."

Item No.5 :- Accounts of the BMRD Fund for the quarter October - December, 1978.

Noted.