

No. EXC/MTG/44.

BOMBAY METROPOLITAN REGION DEVELOPMENT AUTHORITY, Griha Nirman Bhavan, 5th Floor, Bandra (East), Bombay-400 051.

Date : 4th February, 1980.

The minutes of the forty-fourth meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 22nd January, 1980, are enclosed

Issued on 5 FEB 1980

[Signature]

Issued on 4/2/80

[Signature]
(B. S. Pradhan)
Secretary,
EXECUTIVE COMMITTEE.

To:

- The Chief Secretary to the Govt. of Maharashtra, - Chairman
General Administration Department, Mantralaya.
- 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., Bombay - Member.
- The Secretary to the Govt. of Maharashtra, - Member.
Urban Development Department, Mantralaya,
Bombay.
- 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.
- The Urban Planner, B.M.R.D.A.

(157)

MINUTES OF THE FORTY-FOURTH MEETING OF
THE EXECUTIVE COMMITTEE, BMRDA.

DATE : 22nd January, 1980.

TIME : 3.00 P.M.

PLACE : Special Committee Room,
Mentralaya (5th floor).

MEMBER PRESENT :

Shri P.G. Gavai, Chief Secretary to the Govt. of Maharashtra.	Chairman
Shri M.S. Palnitkar, Metropolitan Commissioner, B.M.R.D.A.	Vice-Chairman
Shri N.G.K. Murti, Chairman, WRM Board, B.M.R.D.A.	Member
Shri L.C. Gupta, Managing Director, C.I.D.C.O., Bombay-21.	Member
Shri V. Nair, Secretary, Urban Development.	Member

Shri B.S. Pradhan, Secretary, Executive Committee, BMRDA.

INVITEES :

The Vice-Chairman, M.H.A.D.A.
The Financial Adviser, B.M.R.D.A.
The Member Secretary, HURE Board, BMRDA.
The Member Secretary, T&C Board, BMRDA.
The Member Secretary, WRM Board, BMRDA.
The Dy. Metropolitan Commissioner, BMRDA.
The Dy. Municipal Commissioner (Shri Patwardhan),
Bombay Municipal Corporation, Bombay.
The Legal Adviser, B.M.R.D.A.

Item No. 1 : Confirmation of Minutes of last
two (42nd and 43rd) Meetings.

The minutes were confirmed.

Item No. 2 : Action taken on minutes of last two
meetings as well as progressive
action on past decisions.

The action taken was noted.

The....

The progress on past decisions was then reviewed. On Item No.3, M.S., T&C Board was requested to ascertain the progress at Govt. level from the Planning Department and communicate it to the Chairman. On item no.12, the Executive Committee felt that the office building of the BMRDA needs to be constructed in the Bandra-Kurla Complex and the construction work should be commenced early. The Chairman said that the BMRDA building should set an example to the other builders in that area as regards the architectural pattern, facade etc. The progress on other items was noted.

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

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

- | | |
|------------------|------------------|
| (1) 245/6/12/79 | (3) 247/11/12/79 |
| (2) 246/10/12/79 | (4) 248/12/12/79 |
| (5) 249/24/12/79 | |

(1) Application No.245/6/12/79 (Shri D.G. Shah, C/o Bombay Clothing Shroff Market, Bombay.)

The Committee considered the application and noted that the proposal was to change the use of a shop admeasuring 167.28 sq.mtrs. in a building which was under construction in G North Ward on Shankar Ghanekar Marg, near Shivaji Park for a branch of the United Western Bank. The proposal is permissible under the Development Control Rules and the Reserve Bank of India has approved the location of the proposed branch of a bank. The Committee, therefore, decided to approve the proposal.

(2) Application No.246/10/12/79 (Chief Engineer, BPT):

The Committee considered the application and noted that the proposal was for demolition of an existing transit shed No.1 in Indira Dock and reconstruction of a new transit shed increasing the storage capacity from 9296 sq.mtrs. to 12502 sq.mtrs. The Committee also noted that the proposal would result in net addition of about 3200 sq.mtrs. of storage space. The Committee, taking into consideration the fact that such transit sheds alongside the ships' berths,

help....

help in clearance of ships and that any additional space in the transit shed would quicken up the pace of such clearance, decided to approve the proposal.

(Not to be communicated.)

The Committee however desired that the Metropolitan Commissioner should convey separately to the Chairman of BPT, the Executive Committee's misgivings regarding the misuse of their commercial warehouses by unconscionable members of the mercantile community).

(3) Application No.247/11/12/79 (S.K. Manghnani & Sons).

The Committee considered the application and noted that the proposal was to demolish the existing hotel building with a floor area of 1342.29 sq.mtrs. at 25, Nathalal Parekh Marg, Bombay-39, and construct a new hotel building with a total floor area of 5034 sq.mtrs. enhancing the F.S.I. from 1.01 to 4.00. The Committee noted that the F.S.I. asked for was not permissible under the D.C. Rules. The proposal was not, therefore, within the competence of the Executive Committee. The proposal was, therefore, rejected.

(4) Application No.248/12/12/79 (Velji Dewan Chheda).

The Committee considered the application and noted that the proposal was for change of use of residential premises in a building on plot no.342, Chandawarkar Road, Matunga, for branch office of Karnataka Bank Ltd. The Committee noted that besides the fact that the proposed location was not suitable for a branch of bank, the proposal was not also permissible under the D.C. Rules as the location was in residential zone without shop line. The proposal was not within the competence of the Executive Committee as it exceeded the provisions of D.C. Rules. The proposal was, therefore, rejected.

(Not to be communicated.)

The Committee also noted that the development had been carried out without the sanction of BMRDA. This was irregular and therefore, the Committee decided that the B.M.C. should take suitable action against the applicant

so as....

so as to stop the present use of the premises for a branch of a bank).

(5) Application No.249/17/12/79(Shri H.D. Jain, C.A.
for Yashumin K. Surveyor & Others).

The Committee considered the application and noted that the proposal was for reconstruction of an existing residential building at C.T.S. No.1/504 at Mathar Pakhadi Road in 'E' Municipal Ward, enhancing the floor area from 1490.60 sq.mtrs. to 4287.26 sq.mtrs. and the F.S.I. from 0.57 to 1.66. It was noted that the applicant wanted to accommodate 90 tenants in the new building including 17 old tenants i.e. the new construction proposed to accommodate 73 additional tenants. The Committee also noted that the F.S.I. proposed viz. 1.66 was higher than the F.S.I. admissible under the BMRDA Notification, dated the 10th June 1977 viz. 1.33. The Committee felt that even with an F.S.I. of 1.33, it should ^{be} possible to accommodate the existing tenants and some new tenants so as to formulate a viable revised proposal. The Committee further felt that if permission for the proposed development 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 NO.153 :

"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 the minutes :

(1) 247/11/12/79

(2) 248/12/12/79

(3) 249/24/12/79

(II) grants.....

(II) grants permission to the applicant (Application No.245/6/12/79), Shri D.G. Shah, C/o Bombay Clothing Shroff Market for change of use of a shop admeasuring 167.28 sq.mtrs. in a building which is under construction in 'G' North Ward on Shankar Ghanekar Marg for a branch of United Western Bank.

(III) grants permission to the applicant of Application No.246/10/12/79, viz. the Chief Engineer, B.P.T. for reconstruction of transit shed No.1 in Indira Dock and increase the capacity of the Transit Shed from present 9296 sq.mtrs. to 12502 sq.mtrs."

// Item No. 4 : BMRDA Notification under Section 13 of BMRDA Act, 1974. Amendment of -
(Issue of a Press Note).

The Committee considered the Agenda Item and decided that it was not advisable to issue a press note as proposed. The applications for development which BMRDA was not competent to consider could be rejected in standard printed form. The Committee agreed that the powers in respect of deciding such applications should be delegated to the Metropolitan Commissioner and the Executive Committee informed of the applications so rejected in the subsequent meeting. The Committee then passed the following Resolution :

RESOLUTION NO. 154 :

Under the powers delegated to it under Section 7(2)(vii) of the BMRDA Act, 1974 and all other powers enabling it in that behalf, the Executive Committee hereby delegates powers to the Metropolitan Commissioner to consider and reject applications for developments made to the Executive Committee of BMRDA under Section 13 of the BMRDA Act, 1974 wherever, according to him, the development proposed would not be permissible under the provisions of the D.C. Rules.

Resolved further that all such applications considered and rejected by the Metropolitan Commissioner shall be brought to the notice of the Executive Committee at the subsequent meeting of the Executive Committee held after the rejection of such applications. //

Item No. 5....

Item No. 5 : Applications under Section 13 of the BMRDA Act - Guidelines for examination of - (Deferred item of last meeting).

The Committee felt that it was not advisable to issue any guidelines. Full facts on the applications for development received by BMRDA are placed before the Committee and each application is considered on merits and decided by the Executive Committee. In the process, healthy conventions are automatically built-up. In view of this, the item was withdrawn.

Item No. 6 : Appointing B.M.C. and Irrigation Department of Maharashtra Govt. as Agencies for execution of works in respect of -

- (i) Strengthening of the Tansa Pipe Line Bridge across Mahim Creek,
- and
- (ii) Construction of Sluice Gate structure for the work of channelisation of Bandra-Kurla Complex.

The Committee considered the proposal and passed the following Resolution :-

RESOLUTION NO. 155 :

Resolved that the Executive Committee in exercise of powers conferred by clause (vi) of sub-section 2 of Section 7 of the Bombay Metropolitan Region Development Authority Act, 1974, and all other powers enabling it in this behalf, do hereby approve the proposal to entrust the following works in connection with Bandra-Kurla Complex Project on agency basis, as indicated against each :

- (i) Strengthening of Tansa pipeline bridge to Municipal Corporation of Greater Bombay at an estimated cost of Rs.57.98 lakhs, and subject to Hydraulic Engineer's letter D.O.No.HE/101/EEWWP - C9 dated 26.11.79.
- (ii) Construction of sluice gate structures and other appurtenant works on Mahim Creek, to Government of Maharashtra in Irrigation Department at an estimated cost of Rs.88.5 lakhs as per Government letter...

letter No.MIP 2279/ 2570 PRJ-2, dated 12.12.79, and subject to such terms and conditions as may be agreed between State Government (Irrigation Department) and the BMRDA.

Item No. 7 : Progress Report (bi-monthly) on BUTP.

The Progress Report was noted. The Metropolitan Commissioner said that he would soon initiate talks with the Secretary, Home Department, for expediting the requirements of equipment of the Police Department for the introduction of a modern signalisation system which the Bombay Municipal Corporation proposes to purchase. He also assured the Committee that while all out efforts are being made to remove other bottlenecks which are impeding the progress of the scheme, the Metropolitan Commissioner will periodically bring to the notice of the Executive Committee such problems, the solutions of which can be expedited by means of the good offices of the Chairman and Members of the Committee.

Item No. 8 : Accounts of the BMRD Fund for the quarter July-September, 1979.

The item was noted. On a point raised by Managing Director, CIDCO, regarding the un-utilised funds of BMRDA, the Metropolitan Commissioner stated that he is seized of the matter and urgent action in that behalf is being worked out. The Secretary(UD) was requested to use his good offices to expedite decision on the arbitration case in respect of land in G Block of Bandra-Kurla complex which is to be transferred to BMRDA.

Item No. 9 : Accounting System suggested by M/s. A.F. Ferguson & Co. for adoption by BMRDA.

The consideration of the Agenda Item was deferred.

Item No. 10 : Reporting cases of exercise of powers delegated by the Executive Committee.

The appointments reported in the Agenda Item were noted.
