

MINUTES OF THE FIFTY-FOURTH MEETING OF THE EXECUTIVE COMMITTEE, B.M.R.D.A.

Date : 13th November, 1980.  
Time : 3.00 P.M.  
Place : Special Committee Room,  
5th Floor, Mantralaya.

MEMBERS PRESENT :

- Shri P.G. Gavai, Chief Secretary to the Govt. of Maharashtra. - Chairman.
- Shri D.M. Sukthankar, Metropolitan Commissioner, B.M.R.D.A. - Vice-Chairman.
- Shri C.H. Correa, Chairman, HURE Board, B.M.R.D.A. - Member.
- Shri B.H. Adarkar, Chairman, T&C Board, B.M.R.D.A. - Member.
- 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-400 021. - Member.

INVITEES :

- The Financial Adviser, B.M.R.D.A.
- The Dy. Metropolitan Commissioner, B.M.R.D.A.
- The Dy. Municipal Commissioner, Municipal Corporation, Bombay. (Shri J.R. Patwardhan).
- The Member-Secretary, HURE Board, BMRDA.
- The Member-Secretary, WRM Board, EMRDA.
- The Member-Secretary, T&C Board, BMRDA.
- The Legal Adviser, B.M.R.D.A.
- Shri B.S. Pradhan, Secretary, Executive Committee, EMRDA.

Before commencement of the proceedings the Committee placed on record its appreciation of the valuable services rendered by Shri M.S. Palnitkar and welcomed Shri D.M. Sukthankar, who had taken over as Metropolitan Commissioner and ex-officio Vice Chairman of the Executive Committee.

Item No. 1 : Confirmation of the minutes of the last (53rd) Meeting.

The minutes were confirmed, subject to the following :-

With reference to the minutes relating to item No. 5.....



No. 5, viz. "Appointment of the Steering Committee for the preparation of a Detailed Project Report for the Thane Creek-Ulhas River Inland Water Transport Project", the Metropolitan Commissioner raised the following two points :-

(i) In view of (a) the indications now informally available (after the item was discussed in the last preceding meeting of the Executive Committee), that the Planning Commission, Government of India, may not approve this project as one of national importance and that, therefore, 50% Central assistance may not be forthcoming and (b) uncertainty as to funds becoming available to implement this project in the foreseeable future, whether the Detailed Project Report may be commissioned at this stage by incurring the risk of its becoming obsolete if the project is eventually not implemented in the coming few years; and

(ii) In view of some of the highly technical ingredients of the work proposed to be entrusted to the Committee and the fact that the Committee was to consist of some senior Government Officers having their regular heavy commitments, whether the Committee would be in a position to prepare the Detailed Project Report on its own.

As regards the first point, it was felt that despite the uncertainty regarding availability of funds (including Central assistance) for the implementation of the project during the Sixth Plan period, the preparation of the Detailed Project Report may not be delayed, particularly because the non-availability of the Detailed Project Report may itself become a hurdle in securing the requisite approval and provision of funds for the project. As regards the second point, the Chairman observed that the same had specifically been considered in the last meeting of the Executive Committee and a decision had been consciously taken that the proposed Committee should itself be squarely responsible for preparing the Detailed Project Report. It has been noted at that time that some staff may have to be appointed to assist the Committee in the completion of its task and that the Committee may have to entrust some specific items of work of a highly technical or specialised nature to consultants/experts. In the light of this background, and after further discussion, it was decided that the Committee to prepare the Detailed Project Report (including financial planning) may be a compact

Committee.....



Committee consisting of the following :-

1. Shri M.V. Rajwade, I.A.S., (Retd.),
2. Shri N.V. Merani, Chief Engineer, Bombay Division.
3. Shri R.Y. Tambe, \* Member-Secretary, T. & C. Board.
4. Shri N.G. Thatte, Deputy Secretary, Irrigation Department. - Convener.

It was also decided that the B.M.R.D.A. may obtain on deputation the services of Shri Thatte on a full-time basis for this purpose.

Item No. 2 : Action taken on the Minutes of the last(53rd) Meeting as well as progressive action on the past decisions. (Part 'a' only).

As regards the office building for the BMRDA in E Block of the Bandra-Kurla Complex, it was decided that though the building may not be air-conditioned ab initio, the plans for the building may be so finalised that, with some initial extra expenditure (which is expected to be marginal), an in-built provision for air-conditioning is made so that, should a decision be taken in future to air-condition the entire building or any floors or sections thereof, no major structural additions/alterations would be required to be made at that time. The Chairman, Housing, Urban Renewal and Ecology Board, observed that there could be two alternatives, namely, provision for installation of a plant in the basement for air-conditioning the entire building or a provision for floor-wise air-conditioning by installing individual units on each floor. He, therefore, suggested that before finalising the plans for the building with in-built provision for future air-conditioning, the pros and cons of these two alternatives may be examined in consultation with architects and the alternative which will be most economical, reliable and conducive to the efficient functioning of the air-conditioning system may be adopted. This suggestion was accepted. The Chairman desired that the plans of the building should now be finalised expeditiously and the work of the building should be got completed on the basis

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of a time-bound programme.

Present status of the action on the remaining items set out in the Annexure was noted.

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

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

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|-------------------|------------------|
| (1) 298/24/09/80  | (3) 300/13/10/80 |
| (2) 299/25/09/80  | (4) 301/17/10/80 |
| (5) 302/17/10/80. |                  |

(1) Application No.298/24/09/80 (The Senior Architect, CPWD.

The Committee considered the application and noted that the proposal was for the construction of three 18 storeyed buildings for the use of offices of the Central Government at Shaikh Mishree Plot, Koliwada, in 'F' Municipal Ward. The Committee noted that the floor area of the three buildings would be 58,522.99 sq.mtrs. consuming an F.S.I. of 1.31. The Committee also noted that the proposed use was a non-conforming one in a residential zone and the proposed offices has no nexus with, nor were they meant for catering to the needs of, the surrounding areas. Such offices are not permissible in the island City of Bombay under the modified D.C. Rules. The Committee further noted that in view of the BMRDA Notification dated the 7th October, 1980, the Committee had no powers to grant any permission which may be in excess of or contrary to any provision of the D.C. Rules for the time being in force. The application was, therefore, summarily rejected as ultra vires of the Committee's powers and, therefore not maintainable.

(2) Application No.299/25/09/80 (The Hindustan Spg. & Wvg. Mills Ltd.

The Committee considered the application and noted that the proposal was for the addition of an area of 1750.00 sq.mtrs. to the existing building of the Hindustan Spg. & Wvg. Mills Ltd. at Dr. Anandrao Nair Road in 'E' Municipal Ward, thereby enhancing

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the F.S.I. from 1.224 to 1.25. The Committee noted that the additional floor area was proposed to be utilised for office and godown purposes and that the proposed development would result in net addition to the office and godown space in a non-conforming zone. The Committee felt that if the desired permission were granted, the overall development of the Bombay Metropolitan Region was likely to be affected adversely. The application was, therefore, rejected.

(3) Application No.300/13/10/80 (Urmila Construction Company).

The Committee considered the application and noted that the proposal was for construction of a Hotel Building with shopping arcade at C.S. No. 255, 256, 257, 261 and 262, Station Road, Santacruz (West) in 'H' Municipal Ward, with a floor area of 2795.45 sq.mtrs., consuming an F.S.I. of 1.5. The Committee noted that the F.S.I. asked for was higher than the F.S.I. permissible under the D.C. Rules, namely 1. The Committee further noted that in view of the BMRDA notification of 7th October, 1980, the Committee had no powers to grant any permission which may be in excess of or contrary to any provision of the D.C. Rules for the time being in force. The application was, therefore, summarily rejected as ultra vires of the Committee's powers and, therefore, not maintainable.

(4) Application No.301/17/10/80 (Chief Engineer, Bombay Port Trust).

The Committee considered the application and noted that the proposal was for construction of four sheds, Office Block, Workshop and Sub-Station on Survey Nos.338, 345, 366, 372 and 373 etc. at Signal Hill, Avenue Road in 'F' Municipal Ward, for the use of stuffing/destuffing cargo from containers. The total floor area of the proposed construction would be 12590.60 sq.mtrs. consuming an F.S.I. of 0.135. The Committee noted that the land in question was Bombay Port Trust land situated in an industrial zone. The necessity of the proposed construction had arisen out of the increasing container cargo. Considering the public utility of the proposed construction and its need for affording suitable operational facilities to the Port Trust in the Dock area, the Committee decided to accord its approval to the proposed construction. The Committee however, felt that the traffic generated would affect the city road traffic and it was necessary to provide for a link

road.....



road exclusively for carrying the container traffic, in consultation with and to the satisfaction of the Transport and Communications Board of the B.M.R.D.A. It was, therefore, decided to grant the permission conditionally i.e. subject to construction of the link road to the satisfaction of Transport and Communications Board of the B.M.R.D.A., which will co-ordinate with the Metropolitan Transport Project (Railways).

(5) Application No. 302/17/10/80 (M/s. S.K. Kotwal Dye and Bleach Works).

The Committee considered the application and noted that the proposal was for addition of a floor area of 454.10 sq.mtrs. for the existing factory of the applicant, thereby enhancing the F.S.I. from 0.88 to 0.95, for being used as a storage shed for Textiles, on Plot No. 333, Tardeo in 'D' Municipal Ward. The Committee noted that the proposed use would be non-conforming in a residential zone and would result in net addition to the storage space in the already congested areas of the Island City of Bombay. The Committee felt that if the desired permission were granted, the overall development of the Bombay Metropolitan Region was likely to be affected adversely. The application was, therefore, rejected.

Accordingly, the Committee passed the following

Resolution :-

RESOLUTION NO. 182 :

RESOLVED THAT the applications for permission, bearing registration Nos. mentioned below, received in terms of Section 13(2) of the BMRDA Act, 1974, being ultra vires of the powers of the Committee and, therefore, not maintainable, are hereby rejected.

(i) 298/24/09/80

(ii) 300/13/10/80

RESOLVED FURTHER 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.....



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 Nos. for the reasons recorded in these minutes :-

- (i) 299/25/09/80;
- (ii) 302/17/10/80;

(II) grants permission to the application from the Chief Engineer, Bombay Port Trust, (Application No.301/17/10/80), for construction of four sheds, office block, workshop, sub-stations, etc. with a total floor area of 12590.60 sq.mtrs. for stuffing/destuffing cargo from containers, subject to the condition that a link road for the container traffic cargo should be constructed to the full satisfaction of the Transport and Communications Board of the B.M.R.D.A.

Item No. 4 : Nhava-Sheva Port - continuance of the Staff for the Nhava-Sheva work.

The Committee considered the agenda item. Some Committee members, who were also members of the Main Group, expressed concern over the fact that a meeting of the Main Group had not been convened for a very long time with the result that they were not aware of the lines on which the work entrusted to the Group was proceeding and whether, in the said work, due account was being taken of the work already done in the past in this regard by the City and Industrial Development Corporation of Maharashtra Limited. It was explained that the Main Group had appointed Sub-Groups and the representatives of the CIDCO had, inter alia, been nominated on the relevant Sub-Groups. The Sub-Groups had completed most of their work and the Project Leader would now prepare a draft of the final report and submit the same to the Main Group for its consideration and approval.

The Committee felt that the Main Group should meet early to take stock of the work done and to decide how it could be completed expeditiously and in a co-ordinated manner. The Committee then approved the proposal for continuance

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of the staff as proposed and passed the following Resolution:-

RESOLUTION NO. 183 :

Resolved that in exercise of the powers conferred by the Standing Committee's Resolution No.33, dated the 17th November, 1976, the Executive Committee hereby accords approval to the continuance of the following posts for a further period of 2 months with effect from 1st November, 1980, i.e. upto the 31st December, 1980 :-

Sr. No.	Designation	Pay-Scale	No. of posts.
1.	Special Officer(Lands)	Rs. 680-1500	1
2.	Planning Officer.	Rs.1000-1500	1
3.	Staff Officer	Rs. 680-1250	1
4.	Selection Grade Stenographer.	Rs. 750-1150	1

Item No. 5 : Framing of recruitment rule and setting up of Selection Committee for the post of Chief Engineer, Execution Wing, BMRDA.

The Committee considered the Agenda Item and ratified the action taken in framing of the recruitment rule for the post of Chief Engineer, BMRDA, and appointing a Selection Committee for the said post. The Committee felt that the condition regarding "Age" in the recruitment rule set out in the Appendix was vague; the same should be explicit to indicate that the age should not exceed 50 years, though this limit may be relaxable in deserving cases. The Committee then passed the following Resolution :-

RESOLUTION NO. 184 :

Resolved that, in exercise of the powers vested in it under Rules 7 and 8 of the Appointment of the Staff (Procedure) Rules, 1977, the Executive Committee approves post-facto, the action taken by the Metropolitan Commissioner in --

(a) laying down the qualifications in the matter of education, experience and age (as given in the Appendix attached),

(b) deciding.....



- (b) deciding the method of recruitment, viz. Selection through open advertisement; and
- (c) setting up of a Selection Committee for the selection of a suitable candidate for appointment,

in respect of the post of Chief Engineer for the Execution Wing in the E.M.R.D.A.

Resolved further that the Recruitment Rule (as given in the Appendix) be amended suitably for future use by making it explicit that candidates possessing the prescribed qualifications and experience and less than 50 years of age would be eligible, though the said age limit of 50 years may be relaxed in deserving cases.

Item No. 6 : Creation of the post of Officer-on Special Duty on consolidated salary and appointment of Shri S.S.Gadkari, to it on contract basis.

This item was circulated as a Table item. The Committee was not in favour of creating a part-time post of Officer-on-Special Duty. In view, however, of the fact that a new incumbent had recently taken over as Metropolitan Commissioner, the Committee felt that, in the interest of continuity and having regard to the background, experience and long association of Shri Gadkari with the BMRDA, it would be useful to re-employ him after his superannuation and re-appoint him as Deputy Metropolitan Commissioner on a full-time basis, on the usual terms and conditions applicable to Government servants on their re-employment. It was, therefore, decided that the Metropolitan Commissioner may ascertain whether Shri Gadkari would be willing to accept re-employment on a full-time basis, for a period of one year in the first instance, on the usual terms and conditions of re-employment and if he is so willing, the Government may be moved to re-appoint him as Deputy Metropolitan Commissioner for a period of one year in the first instance, on re-employment basis, on the usual terms and conditions.

Item No. 7 : Reporting cases of exercise of powers delegated by the Executive Committee.

The item was circulated as a Table item. The appointments reported in the annexure were noted.

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