

No. EXC/MTG/59.

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

Date : 3rd June, 1981.

The minutes of the fifty-ninth meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 15th May, 1981, are enclosed.

*S. V. Asgankar*  
3/6/81  
(S. V. ASGANIKAR)  
SECRETARY,  
EXECUTIVE COMMITTEE

To:

The Chief Secretary to the Govt. of Maharashtra, General Administration Department, Mantralaya, Bombay-400 032.	Chairman
The Metropolitan Commissioner, BMRDA.	Vice-Chairman
The Chairman, T&C Board, BMRDA.	Member
The Chairman, WRM Board, BMRDA.	Member
The Chairman, HURE Board, BMRDA.	Member
The Municipal Commissioner, B.M.C., Bombay.	Member
The Managing Director, CIDCO.	Member
The Secretary to the Govt. of Maharashtra, Urban Development Department, Mantralaya, Bombay.	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, WRM Board, B.M.R.D.A.  
The Member-Secretary, HURE Board, B.M.R.D.A.  
The Chief Engineer, Execution Wing, B.M.R.D.A.  
The Legal Adviser, B.M.R.D.A.  
The Senior Urban Planner, B.M.R.D.A.  
The Senior Planning Officer and Dy. Secretary,  
HURE Board.

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

Date : 15th May, 1981 (Friday)

Time : 3.00 P.M.

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

MEMBERS PRESENT :

- Shri P.G. Gavai, Chief Secretary - Chairman  
to the Govt. of Maharashtra.
- Shri A.V. Gokak, Metropolitan - Vice-Chairman  
Commissioner, B.M.R.D.A.
- Shri D.M. Sukthankar, Municipal - Member  
Commissioner, B.M.C.
- Shri L.C. Gupta, Managing Director, - Member  
C.I.D.C.O.
- Shri D.N. Capoor, Secretary to the - Member  
Govt. of Maharashtra, Urban  
Development Department.

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, HURE Board, B.M.R.D.A.
- The Member-Secretary, WRM Board, B.M.R.D.A.
- The Chief Engineer, Execution Wing, B.M.R.D.A.
- The Legal Adviser, B.M.R.D.A.
- The Sr. Urban Planner, B.M.R.D.A.
- The Sr. Planning Officer and Deputy  
Secretary, HURE Board, B.M.R.D.A.
- Shri S.V. Asgaonkar, Secretary, Executive Committee, B.M.R.D.A.

Item No. 1 : Confirmation of the minutes of the  
last (58th) Meeting.

In connection with this item the Member-Secretary, Transport and Communications Board, referred to page 3 of the minutes as circulated and stated that at 9th and 10th lines thereof name of the Institution which carried out the survey of the East-West Corridor was stated as Indian

Institute .....

Institute of Management, Bangalore, but the survey was actually carried out by the "Metropolitan Transport Project (Railways)".

The Chairman stated that necessary correction would be made in the minutes. The minutes as amended were then confirmed.

Item No. 2 : Action taken on the minutes of the last (58th) Meeting.

Referring to item No. 12 of the 58th meeting of the Executive Committee, the Chairman suggested that the meeting of the Authority be fixed at the earliest for finalising the views of the Authority on the problems of reconstruction of dilapidated buildings in the Island City and improvement of slums in Greater Bombay, so as to communicate the same to Government at an early date.

At this stage, the Municipal Commissioner pointed out that there are some difficulties in respect of allowing reconstruction of buildings which are partly collapsed or burnt. Reconstruction is not allowed in such cases due to -

- (1) these buildings have already consumed more F.S.I. than what is permissible under the D.C.Rules in force;
- (2) the commercial users in such buildings; and
- (3) flats in some such buildings are of the size of 1000 sq.ft. or more area.

He further pointed out that about 350 building proposals of such nature are pending disposal by the Bombay Municipal Corporation.

After some discussion on this point, it was agreed that some practical view will have to be taken in such cases. However, while doing so, no additional area should be allowed. There should be no objection to such buildings being reconstructed by the tenants on the lines of the permission given by the Maharashtra Housing and Area Development Authority. However, such permissions should not be given in the cases where the building is in the road set-back or where the commercial user is predominant (more than 50% area in the building used for commercial users). It was also agreed that the Government should be requested to suitably amend the Bombay Municipal Corporation Act, D.C. Rules, etc. for the above purpose.

The Chairman brought to the notice of the Committee a serious problem of acute shortage of water supply at

Matheran .....

Matheran Hill Station and enquired about the action being taken by the Bombay Metropolitan Region Development Authority in that respect.

It was clarified that this matter was discussed in the 38th meeting of the Water Resources Management Board when it was explained that due to leakage below the foundation of the dam, the height of the dam cannot be raised as it would result in increasing the present leakage. Moreover, the shortage of water is felt particularly because of large influx of Tourists during the fair season from December to May and, therefore, this problem shall have to be tackled by the Tourist Department. Its views are being ascertained on the issue of meeting the expenditure on account of augmentation of water supply to this hill station.

The Member-Secretary, Water Resources Management Board then explained that officers of Water Resources Management Board and the Chairman, Shri N.G.K. Murti had paid a visit to Matheran Hill Station to study the problem of water supply and to suggest remedial measures for minimising the leakages below the foundation of the dam and also to study the proposals regarding augmentation of water supply. The observations made during the visit by the officers of the Water Resources Management Board and inspection note issued by the Chairman, Water Resources Management Board suggesting some remedial measures such as putting a blanket on the side of leakage, cutting the hillocks in the dam, etc., have been communicated to the Member Secretary, Maharashtra Water Supply and Sewerage Board and other concerned officers of Environmental Engineering Department. The implementation of these measures is expected to be carried out by Maharashtra Water Supply and Sewerage Board before commencement of monsoon. He further stated that the Water Supply Scheme including the storage lake are under the control of the Environmental Engineering Department. It was pointed out that that department was unable to incur additional expenditure on this scheme because it was not possible to increase the water rates to meet this extra expenditure, on account of Government's policy to have uniform water rates at all the Hill Stations. This problem will have, therefore, to be dealt separately and some solution may have to be worked out.

The Chairman...

The Chairman then stated that Matheran and Mahabaleshwar are the two important hill stations in Maharashtra which are popular even among the middle class. It was, therefore, necessary to provide sufficient water to make their stay comfortable. Short term measures should be immediately devised and implemented to ease the situation, and the long term or permanent measures may be considered later on. He further suggested that appropriate proposals should be worked out immediately which should be implemented as a crash programme so that the present acute problem of water supply to this Hill Station can be overcome. The short term measures should include minimising the leakages below the foundation as well as increasing the storage capacity of the lake. The required funds should be provided by the Maharashtra Tourism Development Corporation or other appropriate body/department.

The Chairman also suggested that the Urban Development Department may arrange for some amenities such as paving the ground used as a market place, providing masonry stands for mounting on horses, etc. The Secretary, Urban Development Department agreed to look into the matter.

The action taken on other items and the progressive action on the past decisions reported in the annexures was noted.

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

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

- |                 |                 |
|-----------------|-----------------|
| (1) 326/19/3/81 | (3) 328/07/4/81 |
| (2) 327/27/3/81 | (4) 329/16/4/81 |
| (5) 330/20/4/81 |                 |

(1) Application No.326/19/3/81 (The State Trading Corporation of India.)

The Committee considered the application and noted that the proposal was for construction of electric sub-station, electric pump house-cum-electric service station, foundation for weigh bridge and the administrative office building on the plot bearing S.No.159/159A of Elphinstone Estate, Muzawarpakhadi Road in 'B' Municipal Ward. The plot in question falls in the Industrial Zone I-2 and the FSI permissible as per D.C. Rules is 2.00. The existing FSI consumed is 0.028. If the constructions applied for are permitted, the FSI consumed

would .....

would be 0.33. The Committee further noted that there is a temporary office just opposite the proposed administrative office block and the applicant had not given any information as to whether the same would be demolished, in case the proposed administrative block (admeasuring 246.51 sq.mtrs.) is permitted. The Committee also noted that electric sub-station, pump house-cum-service station and the foundation for the weigh bridge were part and parcel of the main activity carried out on the plot i.e. receiving, storing and distribution of imported edible oil, which cannot be separated from the site to anywhere else in the city. As regards the administrative block, the Committee noted that in the absence of the information as stated above and also in view of the fact that our policy does not encourage establishment of new offices in South Bombay it would not be desirable to allow any more space for office on the plot. The Committee, therefore, decided to (1) grant permission for the electric sub station, pump house-cum-electric service station and foundation for weigh bridge and (2) refuse permission to administrative block, because if the desired permission in that respect were granted, the overall development of the Metropolitan Region is likely to be affected adversely.

(2) Application No. 327/27/3/81 (The Food Corporation of India).

The Committee considered the application and noted that the proposal was for grant of permission for reconstruction of The Food Corporation of India's godowns at Wadala, which are in deteriorated condition; and are not suitable for storage of food-grains, as the floor area of these godowns is mostly below the road level or on par with road level. The existing built-up area of the godowns was 28,362 sq.mtrs. consuming an FSI of 0.68, and the built-up area of the proposed reconstruction is 22,398 sq.mtrs. consuming an FSI of 0.54. The Committee further noted that 19% of the space in these godowns is used for storing foodgrains. The godowns are, therefore, also used for storing milk powder, fertilizers, etc., in spite of which their utilization averages to about 43% and the peak utilization is only 60%. The Committee also noted that the

applicant .....

applicant had not given detailed analysis of the warehousing space required by them for storage of foodgrains for consumption in South Bombay. The requirement of warehousing stated by the Food Corporation of India and that worked out by the Transport and Communications Board of the Bombay Metropolitan Region Development Authority (in the light of information collected from various sources) were at variance. Besides, from the letter of the Managing Director, Food Corporation of India <sup>it is clear that in the course of time, the FCI</sup> would apply for permission for reconstruction of godowns at Sewree.

After discussion on this application, it was suggested that Food Corporation of India should submit the entire proposal for reconstruction of all the godowns in South Bombay so as to enable the Committee to take appropriate action in the matter. Pending this, 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.

(3) Application No. 328/7/4/81 (Jagruti Co-operative Housing Society Ltd.)

The Committee considered the application and noted <sup>that</sup> the proposal was for change of user in favour of The Jagruti Co-operative Housing Society Ltd. for allowing its tenant, The North Canara Gaud Saraswat Brahman Co-operative Bank Ltd. to shift from the society's dilapidated building on F.P.No.101 of T.F.S. II(Mahim), Sr.No.1/1514-C.S.No.642 of Mahim Division, abutting on Lady Jamshedji Road, in G-North Municipal Ward, to the society's newly constructed building on the same plot. The plot in question is in a Residential Zone without a shop line. As per D.C. Rules, branch office of the Bank is permissible in a residential zone. The Bank at present is having an area of 52.08 sq.mtrs. on the first floor of the building and the society desires to allot them in lieu thereof an area of 71.96 sq.mtrs. on the ground floor in the adjacent building. The Committee further noted that the permission from the Reserve Bank of India is not necessary in this case. The society has stated that they would not offer the old premises of the bank for any business purposes. As this is merely shifting of banking business from the adjacent building of the same owner for the convenience of the bank, the Committee decided to grant the permission applied for.

(4) Application .....

(4) Application No. 329/16/4/81 (The Indo-Burma Petroleum Co. Ltd.)

The Committee noted that the Indo-Burma Petroleum Co. Ltd. has applied for permission for (1) reconstruction of tank No.1 and (2) construction of a new tank (No.5), on plot bearing C.S.No.590, BPT RR No.1961, BPT South Cabin Road, in 'F' South Municipal Ward. At present the Company is having 4 tanks of the total capacity of 11800 KLS. for storage of kerosene, diesel etc. All these tanks have been constructed sometime in 1911/1912. The tanks No. 1 and 2 have each a capacity of 4,000 KLS. The tank No.1 is corroded and is leaking excessively and is, therefore, decommissioned. Tank No.2 is sweating around the rivetted joints and is likely to develop a leak at any moment. The plot is included in the Industrial Zone I-2, and as per D.C. Rules, permissible F.S.I. is 2.00, as against which F.S.I. consumed is 0.308. The Committee further noted that the Company proposes to reconstruct tank No.1, in the first instance. While doing so it, however, proposes to increase storage capacity of Tank No.1 to 5,000 KLS. as against its existing capacity of 4,000 KLS. Besides it proposes to construct one additional storage tank(No.5) of 1000 KLS. capacity. The applicant has given justification that it requires the increased capacity for some operational convenience. The Committee, however, found that the requirement of the South Bombay in this respect were not worked out. Besides, if the company is allowed increase in storage capacity, other companies would also follow the suit. The Committee, therefore, decided to permit reconstruction of Storage Tank No. 1 only to the extent of its present capacity i.e. 4,000 KLS. The Committee further decided to refuse the permission for increasing capacity of Tank No.1 by 1000 KLS. and for new tank(No.5) of 1000 KLS. capacity.

(5) Application No.330/20/4/81 (The Executive Engineer, Presidency Division - Additional floor over Mantralaya Building.)

The Committee noted that the Mantralaya building on which the additional floor is proposed to be constructed is situated on plots nos. 141 to 154, Backbay Reclamation Scheme, in 'A' Municipal Ward and is in a Commercial Zone. The permissible FSI in this case as per D.C.Rules is 2.45. The existing built up area is 56,412.63 sq.mtrs.

which .....

-: 8 :- /is 994.50 sq.mtrs. The total built up area, which consumes F.S.I. of 2.06. The proposed built up area, after addition works out to 57,407.13 sq.mtrs., consuming an FSI of 2.09. The Committee further noted that as per amended provisions of Development Control Rule 13(b)(ii), business offices and exchanges are not allowed in the island city of Bombay. As per the explanation added to Bombay Metropolitan Region Development Authority's Notification, No.MC/RDM 1080/2118(A), dated the 7th October, 1980, the Committee has no powers to grant any permission which may be in excess of or contrary to any provisions of the D.C. Rules in Greater Bombay for the time being in force. The application was, therefore, rejected as ultravires of the Committee's powers, and, therefore, not maintainable.

Accordingly, the Committee passed the following

Resolution :-

RESOLUTION NO. 200 :

Resolved that in exercise of the powers conferred on it by clause (v) of the sub-section (2) of Section 7 of the BMRDA Act, 1974, read with sub-section (i) 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 -

- (1) The State Trading Corporation of India (Application bearing registration No.326/19/3/81 - partially,) so far as it relates to construction of administrative block.
- (2) The Food Corporation of India (Application bearing registration No.327/27/3/81).
- (3) The Indo-Burma Petroleum Co. Ltd., (Application bearing registration No.329/16/4/81 - partially ) for increasing the capacity of Tank No.1 by 1000 KLS. <sup>and</sup> for construction of new tank (No.5) of 1000 KLS. capacity,

for the reasons recorded in these minutes;

(II) grants permission to -

- (i) The State Trading Corporation of India (Application bearing registration No. 326/19/3/81), partially, for construction of electric sub-station, electric pump house-cum-service station, foundation for

weigh .....

-: 9 :-

weigh bridge with floor area of 303.38 sq.mtrs. on plot bearing S.No.159/159-A, Elphinstone Estate, Muzawarpakhadi Road in 'B' Municipal Ward, in connection with storage of imported edible oil.

(ii) The Jagruti Co-operative Housing Society Ltd. (Application bearing registration No.328/7/4/81) for change of user for floor area of 71.96 sq.mtrs. for shifting of a branch office of North Canara Gaud Saraswat Brahman Co-operative Bank Ltd. from the Society's adjacent building at flat No.A-15, Ground Floor, Jagruti-A (East), Society's new building, Lady Jamshedji Road, Mahim.

(iii) The Indo-Burma Petroleum Co. Ltd. (Application bearing registration No. 329/16/4/81) partially, for reconstruction only of the existing storage tank No.1 at plot bearing C.S.No.590 BPT RR No.1961, BPT South Cabin Road, of the existing capacity of 4000 KLS. only.

Resolved further that Application from the Executive Engineer, Presidency Division (bearing registration No.330/20/4/81) for construction of additional floor over the existing building of Mantralaya (Main and Annexe), received in terms of Section 13(2) of the BMRDA Act, 1974, being ultravires of the powers of the Committee, and, therefore, not maintainable, is hereby rejected.

Item No. 4 : Assessment of the overall availability and requirement of cold storage facilities for fishing industries in BMR.

The Committee considered the agenda item and approved the same.

Item No. 5 : Appointment of Consultants for carrying out the survey of office establishments for formulation of office location policy.

The Committee considered the agenda item and passed the following Resolution :

RESOLUTION NO.121: .....

RESOLUTION NO. 201 :

Resolved that, in exercise of the powers conferred by clause (vi) of the sub-section (2) of Section 7 of the BMRDA Act, 1974, and all other powers enabling it in this behalf, the Executive Committee hereby approves the proposal to appoint the Operations Research Group, Baroda, as the Consultants for carrying out the survey of office establishments for formulation of the office location policy at a cost not exceeding Rs. 4.35 lakhs + Rs. 0.20 lakhs for seminar (optional), as contained in their proposal.

Resolved further that the Metropolitan Commissioner is authorised to negotiate on the points mentioned in para 6 of Annexure-II and to execute the contract, on behalf of the Authority, in terms of this resolution.

Resolved further that the measures outlined in Annexures III, IV and V are approved in principle. Resolved also that the Metropolitan Commissioner may initiate suitable further action to have them implemented at appropriate time.

The meeting then concluded with a vote of thanks to the Chair.

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