

No. EXC/MTG/Spl-61.

: 115

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

Date : 31st July, 1981.

The minutes of the following meetings of the
Executive Committee of the Bombay Metropolitan Region
Authority are enclosed :-

- 1) The Special Meetings, held on the 15th,
23rd and 29th April, 1981.
- 2) The 61st Meeting, held on the 23rd July, 1981.

S. V. Asgaonkar
31/7/81
(S. V. ASGAONKAR)
SECRETARY,
EXECUTIVE COMMITTEE.

To:

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| The Chief Secretary to the Govt. of
Maharashtra, General Administration
Department, Mantralaya, Bombay-32. | - 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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SIXTY-FIRST MEETING OF THE EXECUTIVE COMMITTEE

B.M.R.D.A.

Date : 23rd July, 1981.
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 N.G.K. Murti, Chairman, WRM Board, B.M.R.D.A. Member
Shri D.N. Capoor, Secretary to Govt., Urban Development Department, Government of Maharashtra. Member

INVITEES

The Financial Adviser, B.M.R.D.A.
The Dy. Metropolitan Commissioner, BMRDA.
The Member-Secretary, T & C Board, BMRDA.
The Member-Secretary, HURE Board, BMRDA.
The Member-Secretary, W R M Board, BMRDA.
The Legal Adviser, B.M.R.D.A.
The Chief Engineer, Execution Wing, BMRDA.
The Senior Planning Officer and Deputy Secretary, HURE Board, B.M.R.D.A.
The Dy. City Engineer (Development Plan), (Shri B.B. Parikh), Municipal Corporation of Greater Bombay.
Shri S.V. Asgaonkar, Secretary, Executive Committee, B.M.R.D.A.

Item No.1 : Confirmation of the minutes of the last (60th) Meeting.

The Member-Secretary, Housing, Urban Renewal and Ecology Board referred to the minutes of Item No.4 and stated that it was necessary to incorporate the following main point of discussion therein :-

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"(6) A shallow artificial lake to the north of the proposed garden should be created by constructing a wier. Over this wier a pedestrian bridge should be provided to enhance aesthetics of the area and to provide a continuous link between the southern and northern portions of the promenade."

This was agreed to. The minutes as amended were than confirmed.

The Secretary, Urban Development Department than referred to the minutes of the aforementioned Item and stated that eventhough the alternative II of the scheme for the Backbay Reclamation area was accepted by the Executive Committee at its last (60th) Meeting, with certain modifications, the Urban Development Department was in favour of the alternative I thereof, in view of Government decision to freeze reclamation at its existing level. If the alternative II is to be implemented, Government's earlier decision would require modification.

The Chairman, Executive Committee stated that the alternative II was approved by the Executive Committee bearing in mind that the proposed additional reclamation was for making available land for promenade, garden, play-ground, community shopping, fishermen's port, fishermen's housing, public housing (which can be used for the construction of transit tenements for implementing Urban Renewal Schemes in South Bombay), etc. Besides in that alternative there was no probability of silting and the alternative was for reclamation for beautification.

The Executive Committee felt that the alternative II should be finalized quickly and it was not necessary to submit it again to the Executive Committee for approval. The Executive Committee decided that Scheme (alternative II) should now be recommended directly for Government's consideration, and copies of the Scheme may be circulated among the Members of the Executive Committee for information.

Item No.2 : Action taken on the minutes of the last (60th) Meeting as well as progressive action on the past decision (Parts 'a' and 'b')

The action taken and the progressive action on the past decisions reported in the annexures were noted, subject to the modifications agreed to in respect of Item No.1.

Item No.3/-.....

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) 336/29/05/81

(2) 337/19/06/81

(1) Application No.336/29/05/81 (The Executive Engineer, Central Bombay Division, Public Works and Housing Department)

The Committee considered the application and noted that the proposal was for reconstruction of office building and residential quarters within Byculla District Prison Compound, situate between Mirza Abdullah Khan Galib Road and Shepherd Road, in 'E' Municipal Ward with the proposed floor area of 45,653.19 sq.ft. (as against the existing area of 31,416.69 sq.ft.) and the F.S.I. (proposed) 0.49. The applicant had stated that these buildings are old, constructed in the year 1840 and are in a dilapidated condition. For proper functioning of jail they are proposed to be reconstructed. The Committee noted that as per the sanctioned Development Plan, the site falls in the Residential Zone of 'E' Ward where the permissible F.S.I. as per Development Control Rules is 1.66. A portion of the plot on the western side abutting on Mirza Abdullah Khan Galib Road is earmarked for parking lot as per the Development Plan. The Committee further noted that the applicant proposes to construct one (2 storeyed) administrative building with a built-up area of 13,737 sq.ft. (as against the existing office area of 2,900 sq.ft.) and residential quarters of an area of 15,306 sq.ft. which are affected by parking lot reservation. The Bombay Municipal Corporation which is the Planning Authority, has approved the proposal for staff quarters, being residential development within the F.S.I. of 1.33 which is outside the scope of Bombay Metropolitan Region Development Authority's Notification under Section 13. The Committee also noted that the proposed administrative building for the District Prison is not permissible in the Residential Zone as per Development Control Rules. As per the explanation added to the Bombay Metropolitan Region Development Authority's Notification, No.MC/RDM 1080/2118 (A), dated the 7th October, 1980, the Executive Committee has no powers to grant any permission which may be in excess of or contrary to any provisions of the Development Control Rules in Greater Bombay,

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for the time being in force. The application was, therefore, rejected being ultra-vires of the Committee's powers and, therefore, not maintainable.

(2) Application No. 337/19/06/81 (M/s. Mahalaxmi Glass Works Pvt. Ltd.)

The Committee considered the application and noted that the proposal was for demolition of a part of the existing office of about 191 sq.mtrs. at ground level and constructing it with an area of 199 sq.mtrs. on first floor and also for addition of area of about 368 sq.mtrs. at first floor mostly on stilts to be used as Staff Welfare Centre, on Plots Nos. 1A and 4(Part), Mahalaxmi Flats Estate, Off Dr. E. Moses Road in 'G' South Municipal Ward. The Committee noted that the total floor area after the proposed addition is 14,652.90 sq.mtrs. with the total F.S.I. 1.377. The Committee also noted that the Bombay Municipal Corporation had in its views stated that as per amended Development Control Rule 18, buildings or premises in the Industrial Zone can be used only for industrial purpose. The Committee, therefore, felt that if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. Application was, therefore, rejected.

Accordingly, the Committee passed the following Resolution :-

RESOLUTION NO. 203 :

Resolved that application from the Executive Engineer, Central Bombay Division, Public Works and Housing Department (application bearing Registration No. 336/29/05/81), for reconstruction of administrative office building within Byculla District Prison Compound, situate between Mirza Abdullah Khan Galib Road and Shepherd Road, in 'E' Municipal Ward, with floor area of 13,737 sq.ft. received in terms of Section 13(2) of the Bombay Metropolitan Region Development Authority Act, 1974, being ultra-vires of the powers of the Committee and, therefore, not maintainable, is hereby rejected.

Resolved further that, in exercise of the powers conferred on it by clause (v) of sub-section (2) of Section 7 of the said Act, read with sub-section (1) of Section 13 of the said Act, and all other powers enabling it in this behalf,

the Committee/-.....

the Committee hereby refuses permission, on behalf of the Authority, under sub-section (3) of Section 13 of the said Act, to M/s. Mahalaxmi Glass Works Pvt. Ltd. (application bearing Registration No. 337/19/06/81), for the reasons recorded in these minutes.

Item No.4 : Reporting cases of exercise of powers delegated by the Executive Committee.

The Committee noted the appointment and purchase reported in the item note.

Item No.5 : Creation of a post of Environmental Engineer and of Regional Landscape Architect.

The Committee considered the item note and passed the following Resolution :-

RESOLUTION NO.204 :

Resolved that in exercise of the powers delegated by the Standing Committee, by its resolution No.165, dated 7-3-1981, approval is hereby granted for creation of a post each of the Environmental Engineer and the Regional Landscape Architect in HURE Board in the pay scale of Rs. 1000-50-1500 each.

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

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