

No. EXC/MTG/71

207

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

07.09.1982.

The minutes of the Seventy-first Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 10th August, 1982, are enclosed.

*S. V. Asgaonkar* +19/82  
(S.V. Asgaonkar)  
Secretary  
EXECUTIVE COMMITTEE

To:

|  |                 |
|--|-----------------|
| 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, C.I.D.C.O., Bombay.   | - 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, BMRDA.  
The Member-Secretary, T&C Board, BMRDA.  
The Member-Secretary, WRM Board, BMRDA.  
The Member-Secretary, HURE Board, BMRDA.  
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 Deputy Secretary, HURE Board, BMRDA.

- - - - -

209

SEVENTY-FIRST MEETING OF THE EXECUTIVE COMMITTEE

B.M.R.D.A.

DATE : 10th August, 1982 (Tuesday).

TIME : 11.30 A.M.

PLACE : Special Committee Room,  
Mantralaya(5th Floor).

MEMBERS PRESENT :

Shri N.V. Sundararaman, Chief Secretary - Chairman.  
to the Govt. of Maharashtra.

Shri B.K. Halve, Metropolitan - Vice-  
Commissioner, B.M.R.D.A. Chairman.

Shri C.M. Correa, Chairman, HURE - Member.  
Board, B.M.R.D.A.

Shri L.C. Gupta, Secretary to the Govt. - Member.  
of Maharashtra, Urban Development  
Department, Mantralaya.

INVITEES :

The Financial Adviser, B.M.R.D.A.

The Member-Secretary, T&C Board, BMRDA.

The Member-Secretary, WRM Board, BMRDA.

The Member-Secretary, HURE Board, BMRDA.

The Chief Engineer, Execution Wing, BMRDA.

The Director (Engineering Services &  
Projects), Municipal Corporation of  
Greater Bombay.

The Legal Adviser, B.M.R.D.A.

The Senior Planning Officer and Deputy  
Secretary, HURE Board, B.M.R.D.A.

Shri S.V. Asgaonkar, Secretary, Executive Committee, BMRDA.

Item No. 1 : Confirmation of the minutes of  
the last (70th) Meeting.

The minutes were confirmed.

Item No. 2 : Action taken on the minutes of  
the last (70th) Meeting.

The action taken report was noted by the Committee.

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) 380/15/06/82 | (5) 384/05/07/82 |
| (2) 381/17/06/82 | (6) 385/07/07/82 |
| (3) 382/21/06/82 | (7) 386/20/07/82 |
| (4) 383/05/07/82 | (8) 387/29/07/82 |

- (1) Application No. 380/15/06/82 (Bombay Port Trust - Cargo Storage Sheds at Sewri Bunder Road).

The Committee considered the application and noted that the proposal was for construction of two cargo storage sheds and a office block admeasuring 19,237.13 square metres floor area, on C.S. No.143, Sewri Bunder Road known as 'Timber Pond'. The applicant had stated that the said plot which was a part of cargo storage yard had been reclaimed, paved and fenced by it and was to be used for cargo stuffing and destuffing, which was an integral part of the Cargo Storage Yard. The Committee also noted that in the Development Plan of Greater Bombay the land in question was originally included in Industrial Zone. Subsequently, at the request of B.P.T. its use was changed for residential purpose by modifying the Development Plan after following the prescribed procedure. Thereafter, B.P.T. found out that the residential development on that land was not feasible because of the prevailing air-pollution, etc. By its letter, No.CE.Const/CF.546/534, dated 30th May, 1981, the B.P.T., therefore, had approached the BMRDA for change of use of that land. While communicating its no objection to the proposal, subject to certain conditions, BMRDA (vide HURE Board Office letter, No.HP-2/NOC/1326, dated the 17th June, 1982) informed the B.P.T. that change in the zone would have to be effected by the Bombay Municipal Corporation which is the Planning Authority for the area with the approval of the State Government and that after the land

use zone.....

The action taken report was noted by the Committee.

Item No. 3



use zone was thus changed, B.P.T. should apply to BMRDA under Section 13 of the BMRDA Act, 1974. Since the proposed change in land use zone had actually not taken place, the intended development was not permissible as per the provisions of the Development Control Rules for Greater Bombay. As per explanation added by the BMRDA's Notification, No.C/RDM 1080/2118(A), dated 7.10.1980 to the original Notification, dated 10.6.1977, 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 being ultra vires of the Committee's powers and, therefore, not maintainable. The Committee, however, desired that the applicant may submit a fresh application under Section 13 when the zone of the land is changed after following the prescribed procedure.

The Secretary, Urban Development Department suggested that in respect of applications which are liable to be rejected by the Executive Committee being ultra vires of the Committee's powers and, therefore, not maintainable, a summary of reasons for proposed rejection should be given instead of giving detailed views of the Board Offices of the BMRDA and of the Municipal Corporation of Greater Bombay. The Committee agreed with the suggestion.

(2) Application No. 381/17/06/82 (Bombay Housing and Area Development Board).

The Committee considered the application and noted that the proposal was for reconstruction of buildings (declared under Section 33(3) of the Bombay Housing and Area Development Board Act) at C.S.Nos.469, 470, 471 (Municipal number of buildings 57, 59, 61) at Ghoga Street, in 'A' Municipal Ward. As against the existing floor area of the buildings of 557.99 square metres (Non-Residential i.e. Shop, Printing Press, Offices, Hotel, etc. 314.68 square metres + Residential 243.31 square metres), an area of 386.05 square metres (Non-Residential 231.59 square metres + Residential 154.46 square metres) was sought to be created by this proposal. The Committee, however, found that information in respect of existing tenants/uses supplied by the applicant was incomplete. The Committee,

therefore.....



therefore, decided to reject the application for want of sufficient and complete information.

(3) Application No.382/21/06/82 (Bombay Port Trust - Reconstruction of Cargo Sheds).

The Committee considered the application and noted that the proposal was for reconstruction of Sheds Nos. 1, 2, 3 and 4 at Survey No.145 (Part) in 'F-South' Municipal Ward for keeping import and export cargo in transit. As against the existing floor area of 7,484.3 square metres of these sheds, a floor area of 7,981.4 square metres was sought to be created, thereby increasing the F.S.I. from 0.3103 to 0.32. The land in question is included in I-2 Zone. The applicant had stated that sheds in question were constructed in the year 1943-45 by using wooden bullies in columns, timber trusses and brick walls and that their useful life have come to the end. It was also noted that while reconstructing these sheds, the applicant had proposed a marginal increase of about 500.00 square metres which was stated to be necessary for handling increased import and export cargo and also for convenience of planning. Since the proposed sheds were necessary for normal operation of the Port activities, the Committee decided to grant the permission as applied for.

(4) Application No.383/05/07/82 (Bombay Port Trust- Proposed five upper floors on Bhandar Bhavan at Mazagaon).

The Committee considered the application and noted that the proposal was for adding five more floors over the existing ground and two upper floors building known as 'Bhandar Bhavan' at Survey No.1, Muzawarpakhadi Road, in 'E' Municipal Ward. As per Development Plan of Greater Bombay the land is included in I2 Zone. An additional area of 7,229.28 square metres was sought to be created. This area was meant for additional space for the Controller of Stores Office and also for housing the Management Development Training Centre; the Computer Centre; the Bombay Office for Nhava-Sheva Project, and Executive Offices for Bombay Port Trust's other developmental

projects.....



projects such as Karanja Jetty, Oil Berth at Butcher Island and Sassoon Fish Dock Project. On scrutinising the proposal, the Committee found that the proposed office accommodation was excessive and lavish provisions were found to have been made for rest rooms, tiffin rooms and passages on each floor. In fact, the proposed area for the abovementioned three amenities was equivalent to one entire proposed floor.

After considering the application in detail, the Committee, therefore, decided to grant permission for two additional floors of 2,400.00 square metres floor area only and decided to reject permission for the remaining three additional floors, as they were considered likely to affect adversely the overall development of the Bombay Metropolitan Region.

(5) Application No.384/05/07/82 (Bombay Port Trust - Transit shed in Indira Dock).

The Committee considered the application and noted that the proposal was for construction of a transit shed containing floor area of 9,173.00 square metres at Survey No.1187, Indira Dock, in 'A' Municipal Ward. The applicant had stated that with a view to providing container handling facilities in the Docks, it was proposed to demolish existing sheds at certain berths and that under the first phase of the work, shed at berth No.1 was already demolished. Under Phase-II, it was proposed to demolish sheds at berth Nos. 2, 3 and 4. The shed in question was necessary to cover the area of the sheds demolished and also for covering the area lost at some other location. The Committee, however, found that **neither** the area of the shed already demolished nor the area of the sheds proposed to be demolished was mentioned in the application. In the absence of these and other necessary details, the Committee decided to reject the application.

(6) Application No.385/07/07/82 (Bombay Tyres International Ltd.)

The Committee considered the application and noted that the proposal was for addition to existing building and  
also for.....



also for change of use of some of the portion of the existing building at Survey Nos. 2894/145 and 433/145 of Lower Parel Division at Hay Bunder Road, in 'F-South' Municipal Ward. The additional area involved was 4,580.76 square metres (existing 43,706.41 square metres and proposed 48,287.17 square metres), thereby increasing the F.S.I. from 0.62 to 0.68. The applicant had stated that the proposed additional area was required for installation of new Banbury Internal Mixer and that due to very old and outlived Mixers, quantity and quality of their production suffered. On scrutiny of the application, the Committee found that area admeasuring 5,702.60 square metres was proposed to be changed from 'Storage' to 'Storage and manufacture' and that the additional area to the extent of 4,222.81 square metres was sought to be created for manufacturing activity. The Committee noted that grant of permission for use of area as manufacturing does not attract the provisions of BMRDA's Notification under Section 13. Similarly, proposed additional area admeasuring 11.05 square metres for ancillary use to provide toilets, etc. does not attract the provisions of the said Notification. The application was thus confined to the proposed new office area to the extent of 346.90 square metres for which the permission of the Executive Committee was necessary. The applicant had, however, not given justification for the creation of new office space. The Committee, therefore, felt that if the desired permission were granted the overall development of the Bombay Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(7) Application No. 386/20/07/82 (Hotel Corporation of India Ltd. - Extension to Centaur Hotel at Bombay Airport).

The Committee found that except one block plan, no other drawings in respect of proposed as well as existing structures of Centaur Hotel at Vile Parle (East) were submitted. Besides, the Legal Adviser wanted to examine whether Development Control Rule 10(2) was applicable to this case. The consideration of the application was, therefore, deferred.

(8) Application No. 387/29/07/82. (The Commissioner of Police, Greater Bombay).

The Committee considered the application and noted

that the.....



that the proposal was for construction of office building with floor area of 2,388.52 square metres (F.S.I. 0.97), on Plots Nos. 87, 87A, Part of 87B, Hissa Nos. 810, 810A, Part of 810B, Worli Estate, Scheme No.52, Road No.4 at Worli Hill in 'G-South' Municipal Ward. The Committee also noted that the said office is presently located in the old barracks at General Jagannathrao Bhosale Marg, near Mantralaya and that some of these barracks are to be demolished shortly for widening of General Jagannathrao Bhosale Marg. Besides, these barracks were stated to be unsuitable for the existing use. It was recapitulated that the Commissioner of Police had earlier submitted an application for the office of the Traffic Control Branch in the premises of the Police Commissioner's Office near Phule Market in 'A' Municipal Ward which was registered under No.379/14/06/82 and the Committee had considered the same at its 70th meeting held on 6th July, 1982. While rejecting the said application, the Committee had suggested that another location which may be central to Greater Bombay, less congested and has the potential for future expansion be selected for the said office. Accordingly, the proposal under consideration was submitted by the Commissioner of Police. According to the Development Plan of Greater Bombay, the land under reference was included in Residential Zone. Eventhough, uses like ~~like~~ Police Stations, Telephone Exchanges, Govt. and Municipal Sub-Offices, Postal and Telegraph Offices, Fire Stations, Electric Sub-Stations, Pumping Stations and Sewage disposal works and water supply installations including its ancillary structures are permissible in Residential Zone, under D.C. Rule No.7(xv), it was thought that the proposed development might not be covered by the above provisions of the D.C. Rules. The Committee, however, found that on merit, there was no objection to the proposed development in the public interest. The Committee suggested that, if necessary, steps may be taken by Government to modify the provisions of the Development Plan to permit the proposed development. Subject to the above, the Committee decided to grant the permission applied for on the condition that the barracks near Mantralaya presently housing the Traffic Control Branch should not be used as office premises when the proposed building is put to use.

Accordingly.....



Accordingly, the Committee passed the following Resolution :-

RESOLUTION NO.219 :

Resolved that in exercise of the powers conferred on it by clause (v) of the sub-section(2) of Section 7 of the Bombay Metropolitan Region Development Authority 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) grants permission to :-

- (1) The Chief Engineer, Bombay Port Trust (Application bearing Registration No.382/21/06/82) for reconstruction of Sheds Nos.1, 2, 3 and 4 with floor area admeasuring 7,981.4 square metres at Survey No.145 (Part) in 'F-South' Municipal Ward;
- (2) The Chief Engineer, Bombay Port Trust (Application bearing Registration No.383/05/07/82 - partially) for construction of 2 floors of total floor area of 2,400.00 square metres on the existing Bhandar Bhavan Building, Survey No.1, Muzawarpakhadi Road, Mazagaon in 'E' Municipal Ward; and
- (3) The Commissioner of Police (Application bearing Registration No.387/29/07/82) for construction of building for office of the Traffic Control Branch with floor area of 2,388.52 square metres on Plots Nos.87, 87A and part of 87B, Worli Estate, Scheme No.52, Hissa Nos.810, 810A, part of 810B, Road No.4, Worli Hill in 'G-South' Municipal Ward.

(II) refuses permission, on behalf of the Authority, under sub-section (3) of Section 13 of the said Act to -

- (1) The Chief Engineer, Bombay Port Trust (Application bearing Registration No.383/05/07/82 - partially) for construction of 3 floors out of the proposed 5 floors on the Existing Bhandar Bhavan Building at Survey No.1, Muzawarpakhadi Road, Mazagaon, in 'E' Municipal Ward, and

(2) The Chief.....



(2) The Chief Executive, Bombay Tyres International Ltd. (Application bearing Registration No.387/29/07/82)

for the reasons recorded in these minutes.

Resolved further that the application from the Bombay Port Trust (Proposed Cargo Storage Sheds at Timber Pond area) (Application bearing Registration No.380/15/06/82), 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, is hereby rejected.

Resolved further that the following applications also received in terms of Section 13(2) of the BMRDA, Act, 1974, are hereby rejected for want of details :-

- (1) The Bombay Housing and Area Development Board (Application bearing Registration No.381/17/06/82); and
- (2) The Bombay Port Trust - proposed transit sheds in Indira Dock (Application bearing Registration No.384/05/07/82).

Resolved further that consideration of the application bearing Registration No.386/20/07/82 be deferred.

Item No. 4 : Augmentation of water supply to Matheran Hill Station - Note for information.

On enquiries from the Chairman, Executive Committee, it was informed that the new water supply augmentation scheme proposed by Maharashtra Water Supply and Sewerage Board will become effective after the proposed storage dam is constructed and that considering the peculiar location of the work, problem of transporting construction material, etc., the period of construction of three years proposed by M.W.S.S. Board would be required to complete the scheme.

Contents of the item note were then noted by the Committee.

Item No. 5 : List giving details of appeals under Section 13(4) of the BMRDA Act, 1974.

After discussion, the reported cases were noted by the Committee.

Item No. 6 : .....



Item No. 6 : Bombay Urban Transport Project (BUTP)  
World Bank Loan No.1335-IN-Periodical  
Progress Report.

During the course of discussion on this item, it was suggested that consultancy assignments in respect of Organization, Staffing & Systems (OSS), and Accounting & Financial Management Systems (AFMS) which are suspended long back, should be finally terminated and the proposal for diverting the funds thus released for some other sub-project be initiated. Considering the importance of two sub-projects viz. Construction of Drainage Channel Road, and Improvement and Extension of Worli Bus Depot, which are inter-linked, it was further suggested that the question of removal of hutments coming in the right of way be vigorously pursued at Government level.

Subject to the above, the progress report was noted by the Committee.

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

The Committee noted the appointments reported in the statement.

Item No. 8 : Creation of the post of Associate Planner  
and Associate Architect (Urban Design) in  
HURE Board for the proposed District Centre  
at Oshiwara.

After discussion, it was agreed to sanction the proposal regarding creation of posts. However, the Committee desired that before submitting such proposals in future, the feasibility of getting the proposed work done from the existing staff in the BMRDA should be thoroughly examined.

Accordingly, the Committee passed the following

Resolution :-

RESOLUTION NO. 220 :

Resolved that in exercise of the powers delegated by the Standing Committee by its Resolution No.165, dated 7.3.1981, the Executive Committee hereby sanctions the creation of the posts of Associate Planner and the Associate Architect (Urban Design) in the payscale of Rs.1000-50-1500 each.

Item No. 9 : .....



Item No. 9 : B.M.R.D.A. Office Building -  
Appointment of agency for  
supervision and execution of-

During the course of discussion on this item, one of the suggestions was that the Execution Wing of the BMRDA should itself supervise its own building project. It was, however, pointed out that suggestion was not feasible.

After further discussion, it was decided that the P.W.D. may be asked to complete the work of foundation only. For supervision of superstructure work, quotations from organizations like B.M.C., M.I.D.C., C.I.D.C.O. etc. and private engineering and architectural firms be obtained and the proposal be submitted for Executive Committee's sanction at an early date.

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

#####