

No. EXC/MTG/86.

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

Date : May 28, 1984.

The minutes of the Eighty-Sixth Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 17th May, 1984, are enclosed.

S. V. ASGAONKAR
(S.V. ASGAONKAR) 28/5/84
SECRETARY.
EXECUTIVE COMMITTEE

To :

- The Chief Secretary to the Govt. of Maharashtra, General Administration Department, Mantralaya. - Chairman
- The Metropolitan Commissioner, B.M.R.D.A. - Member
- The Secretary to the Govt. of Maharashtra, Urban Development Department, Mantralaya, - Member
- The Secretary to the Govt. of Maharashtra, Housing and Special Assistance Department, Mantralaya. - Member
- The Municipal Commissioner, Bombay Municipal Corporation. - Member
- The Managing Director, CIDCO, Bombay. - Member
- Shri Charles M. Correa, Correa Consultants, 9, Mathew Road, Bombay-400 004. - Member
- Shri Shirish B. Patel, SPA Consultants Pvt. Ltd., 41, Nagindas Master Road, Bombay-400 023. - Member
- Dr. P.G. Patankar, Director, Central Institute of Road Transport, (Training and Research), Poona-Nasik Road, Pune-411 026. - Member

INVITEES :

- The Financial Adviser, BMRDA.
The Chief, T&C Division, BMRDA.
The Chief, T&CP Division, BMRDA.
The Chief, Planning Division, BMRDA.
The Chief Engineer, Engineering Division, BMRDA.
The Senior Planner, T&CP Division, BMRDA.
The Legal Adviser, B.M.R.D.A.

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EIGHTY-SIXTH MEETING OF THE EXECUTIVE COMMITTEE
B.M.R.D.A.

DATE : 17th May, 1984 (Thursday)

TIME : 10.30 A.M.

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

MEMBERS PRESENT :

Shri R.D. Pradhan, - Chairman
Chief Secretary to the
Govt. of Maharashtra,
General Administration Deptt.

Shri A.N. Batabyal, - Member
Metropolitan Commissioner,

Shri N.R. Ranganathan, - Member
Secretary to the
Government of Maharashtra,
Urban Development Department.

Shri S.S. Tinaikar, - Member.
Secretary to the
Government of Maharashtra,
Housing and Special Assistance
Department.

Shri D.M. Sukthankar, - Member.
Municipal Commissioner,
Bombay Municipal Corporation.

Shri L.C. Gupta, - Member.
Managing Director, CIDCO.

Shri Shirish B. Patel - Member.
Dr. P.G. Patankar.

INVITEES :

The Financial Adviser, BMRDA.
The Chief, T&C Division, BMRDA.
The Chief, T&CP Division, BMRDA.
The Chief, Planning Division, BMRDA.
The Chief Engineer, Engineering Division, BMRDA.
The Director (Engineering Services and Projects),
Municipal Corporation of Greater Bombay.
The Legal Adviser, B.M.R.D.A.
The Senior Planner, T&CP Division, 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
(85th) Meeting of the Executive Committee.

The minutes were confirmed.

Item No.2 :.....

Item No.2 : Action taken on the minutes of the last (85th) Meeting of the Executive Committee together with progressive action on the past decisions (part 'a' only).

While noting the action taken report, the following points were made :-

(1) Referring to action taken report on Item No.4, viz. Water Transport in Bombay Metropolitan Region, the consensus of opinion was that the Home Transport Department was already preoccupied with several projects. With a view to expediting the project, it was suggested that the construction of Vashi Jetty be entrusted to the BMRDA by Government who should also make available the required funds.

(2) On enquiry from Members regarding item No.6(b) viz. Disposal of plot in 'H' Block of Bandra-Kurla Complex, [vide Annexure-Part (a)], the Metropolitan Commissioner stated that the plot was presently low-lying and that the matter required orders from the Authority on two points. Firstly whether the plot should be disposed of after filling and providing water supply and secondly the mode of payment of premium, since the existing provisions in this respect requires payment of entire amount within a period of 1.1/2 months from the time of acceptance of the offer/tender. He further stated that the estimated receipts would be about Rs.6 crores and as such it was thought that for any organisation to pay such a huge amount within a period of 1.1/2 months would be difficult.

The Chief Secretary directed that Chairman of the Authority be approached for fixing a date of Authority's meeting as early as possible.

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) 444/30/3/84

(2) 445/4/4/84

(1) Application.....

(1) Application No.444/30/3/84(The Foreshore Co-Operative Housing Society Ltd.):

The Committee considered the application and noted that the proposal was for construction of the building at Plots Nos.2 and 3, Queen's Barracks Area, Gen. J.Bhonsle Marg, in 'A' Municipal Ward with floor area of 4747.005 sq.mtrs. and F.S.I. of 1.3167 including floor area of 584.155 sq.mtrs. for extension of branch office of the Punjab National Bank. The application to the BMRD. was confined in respect of bank user only. It was also noted that already a branch of the Bank with floor area of 5098 sq.ft.(i.e. 473.61 sq.mtrs.) was situated in the adjoining premises known as 'Buena Vista'. The requirement of additional space in the premises under reference was on the ground of increase in the business of the Bank. The portion of plot whereon bank building was proposed to be constructed was situated in a purely Residential Zone as per sanctioned Development Plan. It was recapitulated that so far the policy of the Executive Committee was to grant permission for new branch offices and area allowed so far was within 200 sq.mtrs. in each case, which had been recommended to be increased to 400 sq.mtrs., which proposal was still under consideration of the State Government. Since the permission sought for was for an area of 584.155 sq.mtrs. and as the branch of the same Bank had already occupied floor area of 5098 sq.ft.(i.e. 473.61 sq.mtrs.) in the adjoining premises, the Committee decided to refuse the permission applied for.

(2) Application No.445/4/4/84(Shri G.K.Pendharkar & Others):

The Committee considered the application and noted that the proposal was for change of use of premises from Residential to Office in respect of an area of 109 sq.mtrs. at C.S.No.1/686, Parel Division, at Jerbai Wadia Road, in 'F/South' Municipal Ward. The applicant had stated that built up area in use for the office at the premises was 256 sq.mtrs. i.e. 128 sq.mtrs. on the ground floor and 128 sq.mtrs. on the first floor. Out of the office area on the ground floor 109 sq.mtrs. area was proposed to be shifted on the first floor, which as per the statement of the applicant was being used for residential purpose.

However,.....

However, as per the remarks of the Municipal Corporation of Greater Bombay the Applicant's contention was not correct. The party had submitted plans to the Municipal Corporation of Greater Bombay for extension of residential development in the rear and renovation of the existing godown and office building and these plans were approved and the occupation was also granted. According to the Municipal Corporation of Greater Bombay the Applicant had proposed conversion of godown to office. The plot under reference was in Residential Zone with shop line and use of office was non-conforming to the prescribed zone. At the time of inspection of the building by concerned officer of the BMRDA it was found that the entire building has been recently reconstructed and it is not occupied. It was, therefore, not possible to certify the existing user in the premises. As per explanation added by the BMRDA's Notification, No. MC/RDM/1080/2118(A), dated 7th October, 1980 to the Original Notification, dated 10th June, 1977, the Committee has no powers to grant any permission which may be in excess of or contrary to the Development Control 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.

Accordingly, the Committee passed the following Resolution :-

RESOLUTION NO. 269:

"RESOLVED THAT in exercise of the powers conferred on it by clause (iv) of the sub-section (3) of section 7 of the Bombay Metropolitan Region Development Authority Act, 1974, (as amended upto date) read with sub-section (1) of Section 13 of the said Act and all other powers enabling it in this behalf, the Committee hereby refuses permission, on behalf of the Authority, under Sub-Section (3) of Section 13 of the said Act, to -

(1) The Foreshore Co-Operative Housing Society Ltd. (Application bearing Registration No. 444/30/3/84) for the reasons recorded in these minutes.

Resolved further that the application received in terms of Section 13(2) of the BMRDA Act, 1974, from Shri G.K. Pendharkar & Others (Application bearing Registration No. 445/4/4/84) being ultra-vires of the powers of the Committee, and, therefore, not maintainable, is hereby rejected."

Item No. 4 :

Item No.4 : Appointment of Staff - Prescribing
guide-lines for -

After discussion the Committee desired that a Sub-Committee consisting of the Managing Director, CIDCO, the Secretary, Urban Development Department and the Metropolitan Commissioner, should first consider the proposals in detail and submit the same along with its report to the Executive Committee for its consideration.

Item No.5 : Absorption of Shri R.Y. Tambe as Chief,
Transport and Communications Division.

The Committee considered the Item Note and passed the following Resolution :-

RESOLUTION NO.270:

"RESOLVED THAT in exercise of the powers conferred under clause (i) of Sub-section (3) of Section 7 of BMRDA Act, 1974, the Executive Committee hereby absorbs Shri R.Y. Tambe as Chief, Transport and Communications Division on the pay of Rs.2,500/-, in the grade of Rs.2000-125/2-2500 with effect from 30th April, 1984 (A.N.)".

Item No.6 : Guarding arrangements of lands for
Truck Terminal at Wadala -
Extension of period of Contract.

The Committee considered the Item Note and passed the following Resolution :-

RESOLUTION NO.271 :

"RESOLVED THAT in exercise of the powers conferred under section 7(3)(ii) of the BMRDA Act, 1974, the Executive Committee hereby approves the proposal for extension of existing guarding arrangements at Wadala Truck Terminal for a further period of two years with effect from 18.4.1984 on the same terms and conditions."

Item No.7 : Policy on the proposed Unified Passenger
Transport Authority for Metropolitan
Areas including B.M.R.

The Committee noted the contents of the Item Note.

Item No.8 : Regional Investment Plan for Bombay
Metropolitan Region - 1985-1990.

Consideration of the Item was deferred to the next meeting of the Committee.

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