

No.EXC/MTG/90.

439
BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
Griha Nirman Bhavan, 5th Floor,
Bandra(East), Bombay-400 051.

Date : September 27, 1984.

The minutes of the Ninetieth Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 25th September, 1984, are enclosed.

S. V. Asgaonkar
(S. V. ASGAONKAR) 27/9/84.
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, C.I.D.C.O., 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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NINETIETH MEETING OF THE EXECUTIVE COMMITTEE

B.M.R.D.A.

DATE : 25th September, 1984 (Tuesday)

TIME : 10.00 A.M.

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

MEMBERS PRESENT:

Shri B.K. Halve, Chief Secretary to the Govt. of Maharashtra, General Administration Department.	-	Chairman
Shri A.N. Batabyal, Metropolitan Commissioner.	-	Member
Shri N.R. Ranganathan, Secretary to the Government of Maharashtra, Urban Deve- lopment Department.	-	Member
Shri Lalit Doshi, Secretary to the Government of Maharashtra, Housing and Special Assistance Department.	-	Member
Shri D.M. Sukthankar, Municipal Commissioner, Bombay Municipal Corporation.	-	Member
Shri L.C. Gupta, Managing Director, CIDCO.	-	Member
Shri Shirish B. Patel.	-	Member

INVITEES :

The Financial Adviser, B.M.R.D.A.
The Chief, Transport & Communications
Division, B.M.R.D.A.
The Chief, Town & Country Planning Division, BMRDA.
The Chief, Planning Division, B.M.R.D.A.
The Chief Engineer, Engineering Division, BMRDA.
The Director (Engineering Services & Projects),
Municipal Corporation of Greater Bombay.
The Legal Adviser, B.M.R.D.A.
The Senior Planner, Town & Country Planning
Division, B.M.R.D.A.

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

Item No.1 : Confirmation of the Minutes of the
last (89th) Meeting of the Executive
Committee.

The minutes were confirmed by the Committee.

Item No.2....

Item No.2 : Action taken on the Minutes of the last (89th) Meeting - together with progressive action on the past decisions (part 'a' only).

After discussion, the action taken report was noted by the Committee.

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

The application bearing registration No.455/1/8/84 (Executive Engineer, Survey and Construction, Western Railway, Churchgate, Bombay-20) was placed on the Table.

The Committee considered the application and noted that the proposal was to make addition to the existing building of the Marine Lines Station in 'C' Municipal Ward, thereby increasing the existing Floor area from 1,196.76 square metres to 3,590.28 square metres (addition of 2,393.52 sq.mtrs.) and the F.S.I. from 2 to 6. The justification given by the applicant viz. the offices of Railway Service Commission, Chief Electrical Engineer (Construction) and Additional Chief Electrical Engineer, Railway Electrification, occupying floor area of 2,100.00 square metres at their Churchgate Office were proposed to be shifted in the proposed additions, thereby vacating the area in their Churchgate Office for expansion and modernization of Computer System and sophisticated equipment was noted. The applicant had also stated that the proposal did not imply any new jobs. The Committee also found that the applicant had not given any justification as to why sizeable area of 2,000 square metres was required for Computer System at their Churchgate Office and for that matter in the Island City of Bombay. It was further noted that the land under reference fell in Residential Zone where no office area was permissible under the provisions of the Development Control Rules in force. The proposed development was within the railway premises, above the railway tracks and the same was also not permissible as per directive issued under Govt. orders, dated 18th August 1984 which required that no new construction of any building or reconstruction of an existing building should be allowed within a distance of half the height

of....

of the said building from the railway track boundary. Even after giving an opportunity to the Railway authorities, they could not show a clear nexus of the proposed activities. The Committee agreed with the Office remarks that Railway authorities could locate the new Computer System anywhere North of Bombay Island with appropriate terminals at desired locations which would also facilitate expansion of the Computer System in future and that alternatively they could relocate dislodged offices elsewhere. As per explanation added by BMRDA Notification, No. MC/RDM-1082/2118(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 any provisions of 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.280 :

"Resolved that the application from the Executive Engineer (Survey and Construction), Western Railway, (bearing Registration No.455/1/8/84) 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."

Item No.4 : Disciplinary Action against Shri Parmal Singh L., Security Supervisor in the Land Cell of the BMRDA.

The Committee considered the facts of the case contained in the Agenda Note and records of evidence accompanying it. Looking to the gravity of the proved misconduct on the part of Shri Parmal Singh L., the Committee was of the emphatic view that penalty of dismissal from service (instead of removal from service as recommended by the office) be imposed upon the said Shri Parmal Singh L. The Committee accordingly passed the following Resolution :

RESOLUTION NO.281 :

"Resolved that the Executive Committee having carefully considered the facts of the case contained in the Agenda Note and the records of evidence accompanying thereto, hereby decides that penalty of dismissal from

service.....

service be imposed upon Shri Parmal Singh L.;
Security Supervisor, (under suspension)."

Item No.5 : "Instant Flyovers" - Quick
erection of in Bombay.

After discussion, the Committee passed
the following Resolution :

RESOLUTION NO.282 :

"Resolved that the Executive Committee
hereby approves the proposal to invite prequalification
bids for ascertaining availability of indigenous
capability of constructing quick erection flyovers,
as per the Agenda Note.

"Resolved further that the Executive
Committee authorises the Committee appointed by itself
under the Chairmanship of Shri Shirish B. Patel (vide
Item No.8 of the 89th meeting, dated 24-8-1984) to
finalise the Prequalification document. It further
authorises the Metropolitan Commissioner to advertise
in nationally circulated newspapers inviting pre-
qualification bids, and to take all other action
including incurring the required expenditure, towards
achievement of the Executive Committee's objectives
in this matter."

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