

Date : 4th February, 1985.

The minutes of the Ninety-Fourth Meeting of
the Executive Committee of the Bombay Metropolitan Region
Development Authority, held on the 19th January, 1985
are enclosed.

S. V. ASGAONKAR
(S.V. ASGAONKAR)
SECRETARY
EXECUTIVE COMMITTEE.

To:

The Chief Secretary to the Govt. of Maharashtra, General Administration Department, Mantralaya.	- Chairman
The Metropolitan Commissioner, BMRDA.	- 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 Pvt. Ltd., 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, <u>Pune-411 026.</u>	- 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, BMRDA.

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NINETY-FOURTH MEETING OF THE EXECUTIVE COMMITTEE
B.M.R.D.A.

DATE : 19th January, 1985 (Saturday)

TIME : 10.30 A.M.

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

MEMBERS PRESENT :

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

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

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

Mr. P.G. Patankar. - Member

INVITEES :

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

The Chief, T&CP Division, B.M.R.D.A.

The Chief, T&C Division, B.M.R.D.A.

The Chief, Planning Division, B.M.R.D.A.

The Deputy City Engineer (D.P.),
Municipal Corporation of Greater Bombay.

The Senior Planner, T&CP Division, B.M.R.D.A.

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

In the absence of the Chairman, Executive Committee,
the Secretary, Urban Development proposed and the
Metropolitan Commissioner seconded -

"That Shri L.C. Gupta do take the Chair."

Carried.

Shri Gupta, accordingly, took the Chair.

Item No. 1 : Confirmation of the minutes of the
last (93rd) Meeting.

The minutes were confirmed by the Committee.

Item No. 2 : Action.....

Item No. 2 : Action taken on the minutes of the last (93rd) Meeting - together with progressive action on the past decisions (Parts 'a' and 'b').

During the course of discussions on this item, the Secretary, Urban Development Department observed that though a decision was taken in one of the meetings of the Executive Committee quite sometime back, in order to explore the possibility of dispensing with BMRDA's approval for opening a branch of a bank having floor area upto 400 sq.mtrs. in a purely Residential Zone, along with identification of broad parametres for allowing office area in the Island City, no notes appear to have been brought before the Executive Committee subsequently. In particular, the possibility of amending the Notification under Section 13 of the BMRDA Act so as to obviate the need to grant individual permission of BMRDA in each and every case of user of a branch of a bank in a purely Residential Zone upto 400 sq. mtrs. should be immediately considered so that this is put on par with exempted cases of extra F.S.I. upto 50% of the permissible F.S.I. in respect of Medical Relief and Educational Institutions undertaken by Government or a local authority or a Public Charitable Trust. After discussions it was decided that the matter should be immediately examined by the BMRDA and follow-up action taken.

Referring to the query of the Secretary, Urban Development Department in respect of additional F.S.I. granted to luxury hotels, under Rule 10(2) of the Development Control Rules, the Metropolitan Commissioner informed that the Executive Committee had taken a decision that Government might sanction extra F.S.I. upto 50% over and above Development Control Rule F.S.I. to such hotels in Suburbs. In view of the latest direction of Government permitting extra FSI to Luxury Hotels in 'F' and 'G' Municipal Wards also, the Metropolitan Commissioner further clarified that as long as BMRDA's views would be asked for by Government, each of these cases would have to be looked at on merits. It was not possible to lay down any definite guidelines in this regard.

Action.....

Action taken report was then noted by the Committee.

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 :

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| (1) 463/28/11/84 | (4) 466/03/12/84 |
| (2) 464/29/11/84 | (5) 467/13/12/84 |
| (3) 465/29/11/84 | (6) 468/07/01/85 |

(1) Application No.463/28/11/84 (Voltas Limited) :

The Committee considered the application and noted that the proposal was for construction of a building having floor area of 1,427.47 sq.mtrs. with F.S.I. 0.05 at C.S.No. 1/760 & 760, 2/760, 1/793, Chinchpokli Establishment, T.B. Kadam Marg, in 'E' Municipal Ward for being used as warehouse and godown for storage of cotton waste and chemicals, etc. A part of the area was also proposed to be used for staff amenities and office purposes. The land under reference fell in I₁ Zone as per sanctioned Development Plan and as per draft Revised Development Plan it fell in I₂ Zone. The applicant had stated that they had obtained approval of the Municipal Corporation of Greater Bombay to construct a godown admeasuring 315.40 sq. mtrs. in the year 1966 for storage of cotton waste, etc. However, due to the tenancy litigation, they could not construct the same. The Supreme Court by its Order, dated 19th October 1983 inter alia permitted eviction of tenants on certain conditions. The Municipal Corporation of Greater Bombay had intimated that the aforesaid I.O.D. was not revalidated upto-date and the same had become time barred. The applicant had further stated that the existing warehousing space of 7,710.88 sq.metres was inadequate. However, justification for additional floor area of 1,427.00 sq.mtrs. for warehousing was not made available to the Committee inspite of the meeting held with the representatives and the architects of the applicant on 20th December 1984. It was further noted that the proposed godowns were to be located in a highly congested area with narrow access road. It was thought that even small additional traffic generation by additional warehousing activity on the plot under reference

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would cause adverse effects on already over congested traffic situation. The Committee, therefore, decided to reject the permission applied for.

- (2) Application Nos.464/29/11/84 and
&
(3) 465/29/11/84 (Bombay Port Trust) :

The Committee considered both the applications together. It was noted that the floor areas admeasuring 35,397.00 sq.mtrs. and 33,765.26 sq.mtrs. with F.S.I. 1.2 and F.S.I. 1.321, respectively, were proposed to be constructed at properties, bearing C.S.No.358(part), Wadala(East), and C.S.No.145(part), Sewree (East), respectively, in 'F-South' Municipal Ward, for being used as warehouses for storage of uncleared cargo. Both the lands were situated in I₂ Zone as per sanctioned Development Plan and as per draft Revised Development Plan, they were shown in I₃ Zone. While the sanctioned Development Plan permitted F.S.I. 2.0, the draft Revised Development Plan permitted F.S.I. of 0.5. It was further noted that the total accommodation used as warehouses by the Bombay Port Trust was shown as 1,42,533.00 sq.mtrs. excluding 71,121.00 sq.mtrs. of open storage areas, but including warehousing space of 38,260.00 sq.mtrs. from transit warehouses which was ~~required~~ to be released. As per Report viz. "Warehousing Requirements at the Bombay Port" prepared by Bombay Port Trust in September 1984, the total requirement of warehousing space was shown as 2,44,073 sq.mtrs. thus showing a short-fall of 1,39,798 sq.mtrs. This shortfall in warehouses includes, inter alia, additional space for -
(1) enabling direct storage of export cargo, particularly from upcountries, with a view to eliminating difficulties on account of payment of Octroi and subsequent drawback thereof by the exporters; and
(2) for allowing additional space for keeping imported cargo with a view to permitting importers to clear the same according to their needs. These totalled 60,000 sq.mtrs. It was, however, noted that the presently proposed warehouses were essentially for storage of cargo not cleared from the ships side within the free time. Proposed warehouses were to be

constructed.....

constructed at the northern end (rather than south) of the Port premises and the movement of traffic between these warehouses and the ship's side would be mainly by internal roads.

It was felt that there may be considerable scope for reducing warehousing space for the two purposes mentioned above. Further, space for containerised cargo should also be kept to the minimum in Bombay in view of development of Nhava-Sheva Port. In this view the BPT's warehousing requirement in Bombay could be reduced substantially so that the anticipated further applications for permitting warehouses to the extent of about 70 to 80 thousand square metres in future could be kept to the bare minimum particularly as expected growth of general cargo in the next decade is marginal at perhaps 1% per annum.

It was, therefore, decided that the permissions applied for under both the applications be granted and the Bombay Port Trust should be asked to re-examine their total warehousing need and reduce their requirement to the bare minimum.

(As stated above, while F.S.I. 2.0 was permissible in I₂ Zone under the sanctioned Development Plan, F.S.I. 0.5 is permissible under the draft Revised Development Plan in I₃ Zone (equivalent to I₂ Zone of sanctioned Development Plan). The Committee desired that while sanctioning building proposals, the Bombay Municipal Corporation should consider the legality as to whether the F.S.I. proposals under the draft Revised Development Plan had become effective and in that case allow development upto 0.5 F.S.I. only.)

(4) Application No.466/3/12/84 (Bombay Port Trust):

The Committee considered the application and noted that the proposal was for construction of a building with floor area of 3,379.00 sq.mtrs. and F.S.I. 0.0248 at C.S.No.145, Sewree Bunder, in 'F-South' Municipal Ward for being used as Administrative Office Block. In the sanctioned Development Plan, the land under reference was shown as Bombay Port Trust warehouses. It was also noted that in the past, permission was already granted by the

Executive.....

Executive Committee for construction of warehouses and administrative block (admeasuring 360.64 sq.mtrs. only) on the land under reference. By the application under consideration, the Bombay Port Trust had sought permission to construct administrative building of Ground plus 4 upper floors. While the ground floor of the proposed building was to be used as canteen and the 1st and 2nd floors were to be used for existing offices, remaining two floors i.e. 3rd and 4th floors were not designated for any use. The applicant had also contended that in their previous application they had submitted this proposal but by mistake only plinth area of the ground floor was indicated in the drawings. The Committee found that the office space sought to be created was on a higher side. The Committee, therefore, decided to reject the application.

(5) Application No.467/13/12/84(M/s. Vaibhav Properties Pvt. Ltd.) :

The Committee considered the application and noted that the proposal was for construction of a building with floor area of 2,239.59 sq.mtrs. and F.S.I. of 1.99 at C.S.No.134/G-10, Plot No.42, Scheme No.5, Kohinoor Road, Dadar, in 'F-North' Municipal Ward, for being used as a 4-Star Residential Luxury Hotel. The plot under reference falls in Residential Zone (as per the proposal of the sanctioned Development Plan) wherein residential hotels were permissible as per Development Control Rules. It was also noted that Government in Urban Development Department had sanctioned additional FSI to the extent of 50% over and above the permissible FSI 1.33 under D.C. Rule 10(2) of Development Control Rules for Greater Bombay.

However, since the applicant had approached BMRDA for its N.O.C. it had an occasion to examine the matter. The site was inspected by officers of the BMRDA. It was found that the hotel was being developed at the corner of Kohinoor Road and Sir Bhalachandra Road. The former is an extremely heavily used road connecting Dadar Railway Station

of the.....

of the Central Railway and one of the busy arterials of Bombay, viz. Dr. Ambedkar Road and that too very close to the congested Khodadad Circle. The latter road (Bhalachandra Road) is a narrow lane which can hardly accommodate 2-lanes of traffic having residential users on either side with a number of vehicles parked thereon. Considerable volume of traffic moves along Kohinoor Road already due not only to the existence of Dadar Railway Station with its taxi stand but also because the roads gives a convenient access between entire Hindu Colony area and Dr. Ambedkar Road, MSRTC Bus Stand at Dadar etc. Ordinarily a residential hotel with any significant size would only worsen the position of this congested road due to the traffic generated by it including large numbers of parked vehicles. In view of the local situation the Committee, felt that the use of extra FSI in this case would lead to additional congestion of traffic, etc. and, therefore, decided to reject the application.

(6) Application No.468/7/1/85 (Hotel Corporation of India Ltd.) :

The Committee considered the application and noted that the proposal was for addition to the existing building of Residential Hotel thereby increasing its existing floor area from 26,178.85 sq.mtrs. to 35,681.49 sq.mtrs. (addition 9,502.64 sq.mtrs.) and F.S.I. 1.45 at Centaur Hotel, Nehru Road, in 'K-East' Municipal Ward. This application was mainly for revalidation of the permission already granted by the Executive Committee in September 1982. It was noted that State Government in Urban Development Department had granted additional FSI of 0.39 over and above the existing FSI of 1.0 in this case and on that basis, the Executive Committee had permitted additional floor area of 9,321.45 sq. mtrs. thereat. However, in the present application, the applicant had sought permission for additional area of 9,502.64 sq. mtrs. with F.S.I. 1.45. Since grant of higher F.S.I. by the State Government was the pre-condition of grant of permission by BMRDA, the Committee decided that the permission already granted i.e. additional area of 9,321.45 square metres with F.S.I. 1.39 be allowed to the applicant. Accordingly, the permission was granted.

Accordingly.....

Accordingly, the Committee passed the following Resolution :

RESOLUTION NO.291 :

"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 -

(I) grants permission to :-

- (1) The Bombay Port Trust (Application bearing Registration No.464/29/11/84) for construction of a building with floor area of 35,397.00 sq. mtrs. at C.S.No.358(Part), Wadala(East), in 'F-South' Municipal Ward for being used as warehouses, provided that the area permitted shall be permissible as per the Development Control Rules in force.
- (2) The Bombay Port Trust (Application bearing Registration No.465/29/11/84) for construction of a building with floor area of 33,765.26 sq. mtrs. at C.S.No.145(Part), Sewree(East), in 'F-South' Municipal Ward, for being used as warehouses, provided that the area permitted shall be permissible as per the Development Control Rules in force.
- (3) Hotel Corporation of India Ltd. (Application bearing Registration No.468/7/1/85) for addition of floor area of 9,321.45 sq. mtrs. only with F.S.I. 1.39 only to the existing building of Centaur Hotel at Nehru Road, in 'K (East)' Municipal Ward, and

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

- (1) M/s. Voltas Ltd. (Application bearing Registration No.463/28/11/84);
- (2) The Bombay Port Trust (Application bearing Registration No.466/3/12/84); and
- (3) M/s. Vaibhav Properties Pvt. Ltd. (Application bearing Registration No.467/13/12/84),

for the reasons recorded in these minutes.

"Resolved further that the Metropolitan Commissioner be requested to inform the Bombay Port Trust in the matter of their warehousing requirement, in the light of the observations made in the minutes

in respect.....

in respect of Applications, No.464/29/11/84 and No.465/29/11/84."

Item No.4 : Study for shifting of godowns from the Island City.

The Committee noted that CIDCO was willing to take up necessary studies and thereafter shift items like timber, paper, etc. which were not still covered by the existing proposal to shift various specified items. In view of this B.M.R.D.A. would be only concerned with shifting of the scrap yards for which a site was identified at Malwani. B.M.R.D.A. may, therefore, request the State Government for reserving this land for shifting this scrap yard and carry out necessary dialogues with necessary agencies for finalising the location.

Item No. 5 : Accounts of the BMRDA for the quarter ended on 31st December, 1984.

After discussion, quarterly accounts were noted by the Committee.

Item No. 6 : Appointment of Civil Engineering Expert for BMRDA - For Bombay Urban Development Project.

While introducing this item, the Metropolitan Commissioner sought permission to modify the original proposal. Revised proposal sought approval to the terms of reference and for request for proposals in connection with appointment of a Civil Engineering Expert to advise BMRDA in coordination and monitoring Bombay Urban Development Project. Accordingly, the Committee approved the modified proposal and passed the following Resolution :

RESOLUTION NO.292 :

"Resolved that the proposal to appoint a Civil Engineering Expert to advise BMRDA in coordination and monitoring of Bombay Urban Development Project be and is hereby approved.

"Resolved further that the terms of reference (TOR) and request for proposal (RFP) as mentioned in Annexure-1 to agenda note are also approved."

Item No.7 : Draft

Item No. 7 : Draft Recruitment Rules for the posts of Chiefs of various Divisions in B.M.R.D.A.

After discussion, the Committee passed the following Resolution :

RESOLUTION NO.293 :

"Resolved that the Executive Committee hereby approves the following Recruitment Rules for the posts of Chiefs of various Divisions :-

'(1) Chief, Town and Country Planning Division :

Appointment shall be made either by selection or by deputation of a candidate from Government or Semi-Government bodies who possess the following :

- QUALIFICATIONS : 1) Degree in Architecture or Civil Engineering; and
ESSENTIAL 2) Post Graduate Degree/Diploma in Town Planning or Urban and Regional Planning or Urban Design of a Recognised University/Institution.

DESIRABLE : Professional affiliation with the Institute of Town Planners India or similar Recognised Institution.

EXPERIENCE : Should possess not less than 15 years experience in Town Planning after post graduation out of which atleast 10 years should be in the capacity of Senior Planner or Deputy Director of Town Planning or in an equivalent post.

AGE : Not more than 50 years. No age limit for BMRDA employees.'

'(2) Chief, Transport and Communications Division :

Appointment shall be made either by selection or by deputation of a candidate from Government or Semi-Government bodies who possess the following :

QUALIFICATIONS : Degree in Civil Engineering followed by post graduate qualification in Transport Planning from a recognised Institution.

EXPERIENCE : Should possess not less than 15 years experience in Transportation, out of which atleast 10 years should be in a responsible position.

AGE : Not more than 50 years. No age limit for BMRDA employees.'

'(3) Chief,.....

'(3) Chief, Planning Division :

Appointment shall be made either by selection or by deputation of a candidate from Government or Semi-Government bodies who possess the following :

- QUALIFICATIONS :
- a) A Degree in Architecture or Civil Engineering or Post Graduate Degree in Economics or in Geography or in Mathematics or in Statistics; and
 - b) Post-Graduate Degree/Diploma in Urban and Regional Planning or Urban Regional Economics.

EXPERIENCE : Should possess not less than 15 years experience in the field of Urban and Regional Planning, Perspective Planning and Investment Programming, out of which 10 years experience shall be in a responsible position leading multi-disciplinary team of professionals.

AGE : Not more than 50 years. No age limit for BMRDA employees.'

"Resolved further that the Executive Committee hereby approves the following revised Recruitment Rules for the post of Chief Engineer :

'Appointment shall be made either by selection or by deputation of a candidate from Government or Semi-Government bodies who possess the following :

QUALIFICATIONS : The candidate should be a graduate in ESSENTIAL Civil Engineering from a recognised University/Institution.

PREFERRED : Holders of post graduate qualification in Civil Engineering would be preferred.

EXPERIENCE : Should possess not less than 15 years experience in planning, designing and construction of large projects of which, atleast 10 years experience as Superintending Engineer or in an equivalent managerial post.

AGE : Not more than 50 years. No age limit for BMRDA employees.'"

Item No.8 : Post.....

Item No.8 : . Post of Chief Accounts Officer
in BMRDA - Revision of Recruitment
Rules and appointment of Selection
Committee.

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

RESOLUTION NO.294 :

"Resolved that subject to the sanction of the
Authority for revision of pay-scale and change of
designation as stated in the Item Note, the Executive
Committee hereby approves the following revised
Recruitment Rules for the post of Chief Accounts Officer :

'The appointment shall be made by selection or by
deputation of candidates from Government, State Government
Bodies, who possess the following :-

QUALIFICATIONS : The candidate should possess a Degree
in Commerce with costing/advance
accounting and auditing as a special
subject at graduation or Chartered
Accountant (C.A.) or Incorporated
Cost and Works Accountant(ICWA).

AGE : Not less than 40 years and not more
than 50 years.

EXPERIENCE : Not less than 15 years experience in
profession after obtaining the above
qualifications.'

"Resolved further that Selection Committee
consisting of (1) the Managing Director, CIDCO;
(2) the Metropolitan Commissioner; and (3) the Secretary,
Finance (III) to the Govt. of Maharashtra, be appointed to
scrutinise the applications for the post and to make
recommendation of a suitable candidate for appointment."

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

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