

No. EXC/MTG/95.

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

Date : 6th March, 1985.

The confirmed minutes of the Ninety-Fifth Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 25th February, 1985 are enclosed.



(S. V. ASGAONKAR) 6/3/85
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, 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, BMRDA.

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NINETY-FIFTH MEETING OF THE EXECUTIVE COMMITTEE

B.M.R.D.A.

DATE : 25th February, 1985 (Monday)

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 J.G. Kanga, - Member
Municipal Commissioner,
Bombay Municipal Corporation.

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

Shri Shirish B. Patel - Member

Dr. P.G. Patankar. - Member.

INVITEES :

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

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 J.G. Kanga do take the Chair."

Carried.

Shri Kanga, accordingly, took the Chair.

Item No.1 : Confirmation of the minutes of the
last (94th) Meeting.

Referring to the minutes in respect of Draft Recruit-
ment Rules for the post of Chief, Transport & Communications
Division, vide Item No.7, the Metropolitan Commissioner
observed that eventhough the minutes as recorded were what
transpired at the Meeting, the same required reconsidera-
tion. He further stated that by the approved Recruitment

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Rules only Civil Engineers with Post Graduate qualifications in Transport Planning were made eligible for appointment to the post. However, the institutions imparting post graduate qualifications admit not only engineers, but also degree holders in Architecture and post graduate degree holders in Mathematics, [&] Statistics, ^{or Economics} ~~or~~ Operations Research for this course. He, therefore, requested to modify the Recruitment Rules so as to make eligible candidates having Degree in any branch of Engineering or Architecture or its equivalent qualifications or Masters Degree in Mathematics and Statistics or Operations Research or Economics and Post Graduate Degree or equivalent professional qualification in Transport Planning or related discipline, for being appointed to the said post.

After prolonged discussion, it was decided to prescribe the following Recruitment Rules for the post of Chief, Transport & 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 :

Bachelor's degree in any branch of Engineering or Architecture or equivalent qualifications from a recognised University, and post graduate diploma, degree or equivalent professional qualifications in Transport Planning or related discipline.

OR

Masters degree from a recognised University in Mathematics and Statistics or Operations Research or Economics (with mathematics as one of the subjects) and post-graduate degree or equivalent professional qualification in Transport Planning or related discipline.

Experience :

Should possess not less than 15 years' experience in transportation, out of which at least 10 years should be in a responsible position.

Age limit :

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

The minutes were then confirmed by the Committee.

Item No.2 : Action taken on the minutes of the last (9th) 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 : Report of appointments made under powers delegated by the Executive Committee.

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

RESOLUTION NO.295 :

"Resolved that the Executive Committee has considered the appointments and promotions made by the Metropolitan Commissioner under the powers delegated to him vide proviso to Guideline No.5 of the Staff Appointment Guidelines during the period from 1.10.1984 to 31.12.1984 and hereby accords its sanction to the appointments and promotions mentioned in the Annexure to the Item Note, as proposed."

Item No.4 : Constitution of an Evaluation Committee for selection of Civil Engineering Expert for BMRDA under Bombay Urban Development Project.

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

RESOLUTION NO.296 :

"Resolved that an Evaluation Committee consisting of -
(1) Shri A.N.Batabyal, Metropolitan Commissioner;
(2) Shri J.R. Patwardhan, Director(Engineering Services & Projects), Bombay Municipal Corporation;(3)Shri S.T. Vaishampayan, Chief Engineer,BMRDA; and (4) Shri V.K.Phatak, Chief, Planning Division, BMRDA be appointed to evaluate the short-listed responsive proposals for appointment of Civil Engineering Expert for coordination and monitoring of Bombay Urban Development Project,as proposed."

Item No.5 : 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) 469/15/1/85 | (3) 471/21/1/85 |
| (2) 470/21/1/85 | (4) 472/29/1/85 |
| (5) 474/15/2/85 | |

(1) Application No.469/15/1/85(The Crest Hotels-Ltd.)

The Committee considered the application and noted that the proposal was for addition of 2,724.29 square metres area (stated as 2,723.45 square metres in the FSI calculation statement) with FSI 2.00 at S.No.2(PT), Plot No.H-1, Shivsagar Estate, Worli for being used at 5-Star Luxury Hotel. It was also noted that Government had sanctioned 50% extra FSI in respect of foreshore land granted on 90 years lease to the applicant to be utilised on the adjoining main land of the applicant. One of the conditions of grant of foreshore land by Government was that it shall be kept open and unbuilt upon and shall be maintained permanently as a garden. The foreshore land under reference together with adjoining foreshore land was shown reserved as Recreation Ground in the Draft Revised Development Plan of Greater Bombay. However, the applicant had proposed **two level** built-up parking on about 60 per cent. of the foreshore land leased to it. The remaining land was also proposed to be counted towards compulsory 15% recreation space (for development on adjoining main land) which is required to be left open in a private development. The Committee further noted that the proposed use of land for a parking was contrary to the lease condition as also the utilisation of part of foreshore land as a private recreation space was in conflict with reservation of Recreation Ground in the Revised Development Plan, which was to be kept open to general public. In view of the above, the Committee decided to reject the permission applied for.

(2) Application No.470/21/1/85(Bombay Port Trust) :

The Committee considered the application and noted that the proposal was for construction of a building with floor area of 16,327.70 square metres and F.S.I. 0.5117 at S.No.1, Muzawar Pakhadi Road, Mazagaon, in 'E' Municipal Ward for being used as Administrative Office, Workshop and Stores of Bombay Port Trust. It was proposed to construct 3 storeyed structure. Ground and first floor of which were proposed for workshop and office of staff such as foreman, etc. The second floor was proposed to be used for apprentice training. The proposed office area was only about 200 square metres which was meant for the staff working in the workshop. The office use was, therefore, incidental to the main activities. The Committee however, noted that as against the permissible FSI of 0.5 in the Industrial Zone as proposed in the Revised Development Plan of Greater Bombay, the applicant had sought to use FSI of 0.5117. The Committee, therefore, decided to grant the permission applied for, subject to the condition that 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.

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(3) Application No.471/21/1/85 (M/s. Juhu Beach :
Resorts Pvt. Ltd.) :

The Committee considered the application and noted that the proposal was for construction of a building with floor area of 26,775.60 square metres and F.S.I. 1.49 at S.No.33, Hissa No.1 and 2 on Juhu Church Road, in 'K-West' Municipal Ward for being used as Residential Five Star Hotel. It was also noted that the Government of Maharashtra in Urban Development Department vide its letter, No.FSI 1194/4708-UD-5, dated 10.1.1985 had accorded sanction for grant of additional F.S.I. of 0.5 subject to clearance from B.M.R.D.A. The land under reference fell in Residential Zone where the luxury hotels were permissible. The Committee also noted that in the Revised Development Plan for Greater Bombay a relief road of 90 feet Right-of-Way (ROW) from Bandra to Borivali parallel to S.V. Road and east of Juhu Beach Road and in close vicinity to it was proposed. This proposed road would carry through traffic and give relief to both S.V. Road as well as Juhu Church Road. The grant of additional F.S.I. in this case was in consonance with Executive Committee's recommendation to Government to grant additional F.S.I. upto 50 per cent for Luxury Hotels in Suburbs. The Committee, therefore, decided to grant the permission applied for.

(4) Application No.472/29/1/85 (The Mazagon Dock Ltd.) :

The Committee considered the application and noted that the proposal was for construction of additional floor area of 13,978.55 square metres at Survey Nos.1/249, 1A/249, 1B/249, 2/249 to 4/249, 1/250, 250, 251, 252, 879, and 880 of Mazagaon Division on Kasara Bunder Road in 'E' Municipal Ward for being used as Workshop-cum-Stores-cum-Office Building. Similar application was considered by the Executive Committee at its meeting held on 4th December, 1984 and the Committee had then desired the applicant to forward Master Plan of its overall requirements in this respect for the next 5 years period. Accordingly, the applicant had submitted Master Plan alongwith this application. During the course of discussion by the Works Manager of Mazagon Dock Ltd. with BMRDA officials, it was

stated that out of the three proposed buildings, one building consisting of 7,678.16 square metres proposed to be utilised for workshop stores/records need not be considered. The remaining two buildings were to be used as Basic Training School (floor area 652.44 square metres) and Telephone Exchange etc. Industrial R&D Centre, Stores and Officers' Mess (floor area 5,272.61 square metres). It was also noted that building with floor area of 375.34 square metres was already constructed in 1983 and was being used as Mobile Fabrication Shed. The proposed office area was meant for regrouping the staff at one place and giving them ventilated and decent accommodation and the same was more or less equal to the area as presently occupied. The proposed store would be in replacement of the existing building to be demolished.

The Committee considered the Mazagon Dock's development requirements in Greater Bombay and was of the view that the Mazagon Dock Ltd. should undertake future development projects outside Greater Bombay area. In addition to the lands at Nhava-Sheva and Uran, the Committee suggested that the applicant should consider utilising the land offered to it at Dighi in Raigad District.

After further discussion, the Committee granted permission for addition of floor area of 5,925.05 square metres as per ^{applicant's} the revised requirement, subject to the condition that it should not ask for additional area in future eventhough some FSI remained in balance after grant of this permission.

(5) Application No.474/15/2/85 (M/s.Sapphire Enterprises):

The Committee considered the application and noted that the proposal was for change of use of floor area of about 10,000 sq.feet at S.No.1677, Plot No.9, Hornby Vellard, Worli, in 'G-South' Municipal Ward from 'residential' to 'office'. It was also noted that Government in Urban Development Department under Notification, No.DCR 1084/3846/CR-788/84/UD-5, dated the 15th February, 1985, modified Development Control Rules for Greater Bombay, by adding new Rule 8(c) and by making some additions

in Rule 13(b)(ii) according to which it became permissible to shift business offices from A, B, C and D Wards of Island City of Bombay to other Wards of the Island City i.e. E, F and G with equal residential area subject to the sanction of the Bombay Municipal Corporation and the Bombay Metropolitan Region Development Authority, on merits of each case and subject to guideline laid down by the State Government. Accordingly, the applicant had proposed to shift offices occupying 10,608 sq. feet area from 2 buildings in Charni Road area with the more or less equal area in 'G-South' Municipal Ward having residential use. In this process one building at Charni Road would be fully converted to residential use and the other building would have residential-cum-office use. The Committee also had before it a copy of the Guidelines framed by the State Government.

After further discussion, the Committee decided to grant permission on the following conditions :-

- (1) That as laid down in Guideline No.5, the Municipal Commissioner or an officer authorised by him shall verify the actual area to be exchanged, the premises belong to the same owner and the shifting is for the office use of the same owner.
- (2) That the Bombay Municipal Corporation will obtain a registered undertaking or any other guarantee in a suitable form from the applicant to the effect that (i) it will not transfer or give on lease or leave and licence basis the Office area in the new building to any other person; (ii) the area vacated by the Office shall be used for residential purposes only; and (iii) the remaining area in the building at Worli will be used only for residential purposes. The building at Worli will continue to be residential with office user for the applicant's own use to the extent specified above.

Accordingly, the Committee passed the following Resolution :

RESOLUTION NO.297 :

"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.470/21/1/85) for construction of building with additional floor area of 2,302.53 square metres and F.S.I. 0.5117 at S.No.1, Muzawar Pakhadi Road, Mazagaon in 'E' Municipal Ward for being used as office, workshop and stores provided that the area permitted shall be permissible as per the Development Control Rules in force;
- (2) M/s. Juhu Beach Resorts Pvt. Ltd. (Application bearing Registration No.471/21/1/85) for construction of a building with floor area of 26,775.60 square metres with F.S.I. 1.49 at S.No.33, Hissa Nos.1 & 2 on Juhu Church Road, in 'K-West' Municipal Ward for being used as Residential Five Star Hotel;
- (3) The Mazagon Dock Ltd. (Application bearing Registration No.472/29/1/85) for addition of floor area of 5,925.05 square metres at S.Nos.1/249, 1A/249, 1B/249, 2/249 to 4/249, 1/250, 250, 251, 252, 379, 880 of Mazagaon Division on Kasara Bunder Road in 'E' Municipal Ward for being used as store-cum-office-cum-workshop building, subject to the condition mentioned in the minutes; and
- (4) M/s. Sapphire Enterprises (Application bearing Registration No.474/15/2/85) for change of use of floor area of about 10,000 square feet at S.No.1677, Plot No.9, Hornby Vellard, Worli, in 'G-South' Municipal Ward subject to the conditions mentioned in the minutes; and

(II) refuses permission on behalf of the Authority,

under sub-section (3) of Section 13 of the said Act to the Crest Hotels Ltd. (Application bearing Registration No.469/15/1/85), for the reasons recorded in these minutes."

Metropolitan Commissioner mentioned that he proposes to call the next meeting of the Executive Committee on 28-2-1985 to confirm the minutes. Members present indicated that it was not necessary to do so, instead the minutes might be circulated amongst members present and they may be requested to give their comments within three days. Thereafter the minutes may be taken as confirmed by circulation.

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