

No. EXC/MTG/142.

463
BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
Plot Nos. C-14 & C-15,
Bandra-Kurla Complex,
Bandra (East),
BOMBAY - 400 051.

Date : 18th August, 1992.

The minutes of the Hundred and Forty-Second Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 3rd August, 1992 are enclosed.

S. V. Asgaonkar, 18/8/92
(S. V. ASGAONKAR)
SECRETARY,
EXECUTIVE COMMITTEE.

To :

- The Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. - Chairman
- 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
- The Secretary (I) to the Government of Maharashtra, Urban Development Department, Mantralaya. - Member
- The Secretary to the Government of Maharashtra, Housing & Special Assistance Department, Mantralaya. - Member
- The Municipal Commissioner, Bombay Municipal Corporation. - Member
- The Managing Director, C.I.D.C.O., Bombay. - Member
- The Metropolitan Commissioner, B.M.R.D.A. - Member

INVITEES :

- The Secretary (II) to Government of Maharashtra, Urban Development Department, Mantralaya.
- The Legal Adviser, B.M.R.D.A.

Copy to :-

The Officers of the B.M.R.D.A.

MINUTES OF THE 142ND MEETING OF THE EXECUTIVE COMMITTEE
B.M.R.D.A.

DATE : 3rd August, 1992 (Monday)

TIME : 5.00 P.M.

PLACE : Chief Secretary's Committee Room,
5th Floor, Mantralaya.

MEMBERS PRESENT :

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| Shri S. Ramamoorthi, Chief Secretary to Government. | - Chairman |
| Shri Shirish B. Patel. | - Member |
| Shri D.T. Joseph, Secretary (I) to Government, Urban Development Department. | - Member |
| Shri Navin Kumar, Secretary to Government, Housing & Special Assistance Department. | - Member |
| Shri S.G. Kale, Municipal Commissioner, Bombay Municipal Corporation. | - Member |
| Shri R.C. Sinha, Managing Director, CIDCO. | - Member |
| Shri P. Subrahmanyam, Metropolitan Commissioner. | - Member |

INVITEES :

Shri K.B. Diwadkar,
Chief, T&CP Division, B.M.R.D.A.

Shri N. Dhar,
Chief, I&C Division, B.M.R.D.A.

Shri S.V. Asgaonkar, Secretary, Executive Committee, B.M.R.D.A.

In connection with Item Nos.1 to 4 which were applications under Section 13 from Bombay Port Trust, (BPT) Shri M.A. Kulkarni, Chief Engineer, BPT and Shri R.K. Khatter Additional Chief Mechanical Engineer, BPT, were present by invitation.

ITEM NO.1 : Application under Section 13 of the BMRDA Act, 1974 from the Bombay Port Trust.
Construction of a shed for transit cargo
at BPT Incinerator plot, Wadala.

1.1. The Committee considered the application and noted that the proposal was for addition to existing shed thereby increasing its floor area from 611.75 sq.mtrs. to 3029.75 sq.

mtrs.....

mtrs. (increase being 2418.00 sq.mtrs.) and F.S.I. 0.0673 at BPT's Incinerator plot at Wadala in 'P/South' Municipal Ward, for accommodating transit cargo. It was also noted that the site under reference is in I-3 Zone as per Draft Revised Development Plan and was affected by alignment of Eastern Freeway. It was further noted that the Municipal Corporation of Greater Bombay (MCGB) had issued IOD for the construction under reference on 18th June, 1992.

1.2. The Municipal Commissioner, M.C.G.B. informed the Committee that the building under reference was considered as Operational Building, as provided under Regulation No.4(2) of the Development Control Regulations for Greater Bombay, 1991.

1.3. In view of the decision of the MCGB, treating the building as Operational Building as also issuance of IOD, the Committee decided to grant the permission applied for subject to the BPT giving either an Undertaking in writing that they would demolish the proposed building if it infringed the alignment of Eastern Freeway or producing a certified copy of the plan indicating that proposed structure is not within the alignment of the Eastern Freeway and accordingly passed the following Resolution :-

RESOLUTION NO.547 :

"RESOLVED THAT in exercise of the powers conferred on it by clause (iv) of sub-section (3) of Section 7 of the BMRDA Act, 1974 read with sub-section (3) of Section 13 of the said Act and all other powers enabling it in this behalf, the Committee hereby grants permission to the Bombay Port Trust (Application bearing registration No.548/19/3/91) for construction of a shed with attached Service Block to accommodate transit cargo at BPT's incinerator plot at Wadala, with total floor area of 3029.75 sq.mtrs. with F.S.I. 0.0673 as stated in the application, subject to either BPT giving written undertaking to demolish the structure in case it infringes the alignment of Eastern Freeway or their producing a certified copy of plan indicating that proposed structure is not within the alignment of the Eastern Freeway."

ITEM NO.2 : Application under Section 13 of the BMRDA Act, 1974 from the Bombay Port Trust.

Construction of shed No.4 at Manganese Ore Depot, Container Freight Station, Sewree.

2.1. The Committee considered the application and noted that the proposal was for additions including attached Service Block and Amenity Block to existing shed at S.No.145 (part) of 'F/South' Municipal Ward, thereby raising its floor area from 8748.39 sq.mtrs. to 11815.03 sq.mtrs. (increase being 3066.10 sq.mtrs.) and the F.S.I. O.113. The intended additional construction was for storage, stuffing and de-stuffing of containers. It was also noted that in 1980 permission was granted by BMRDA for construction of 4 sheds at the site under reference. Out of which 3 sheds were constructed in the first stage and the construction under reference was the 4th shed permitted at that time.

2.2. The Municipal Commissioner, M.C.G.B. informed the Committee that the construction of building under reference was treated as Operational Building under Rule 4(2) of the Development Control Regulations for Greater Bombay, 1991. Besides the M.C.G.B. had issued IOD for the construction under reference on 18th June, 1992.

2.3. In view of the decision of the MCGB to treat the building under reference as Operational Building as also the issuance of IOD, the Committee decided to grant the permission applied for and passed the following Resolution :-

RESOLUTION NO.548 :

"RESOLVED THAT in exercise of the powers conferred on it by clause (iv) of sub-section (3) of Section 7 of the BMRDA Act, 1974 read with sub-section (3) of Section 13 of the said Act and all other powers enabling it in this behalf, the Committee hereby grants permission to the Bombay Port Trust (Registration No.549/23/10/91) for construction of Building (shed No.4) with attached Service Block and Amenity Block with floor area of 3066.10 sq.mtrs. and F.S.I. O.113 at S.No.145 (part), Fosbery Road & Signal Hill Avenue in 'F/South' Municipal Ward as stated in the application.

ITEM NO.3 :

ITEM NO.3 : Application under Section 13 of the BMRDA Act, 1974 from the Bombay Port Trust.
Reconstruction of building for Office, Store & Workshop at C.S.No.1, Princess Dock Division in 'B' Municipal Ward.

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ITEM NO.4 : Application under Section 13 of the BMRDA Act, 1974 from the Bombay Port Trust.
Reconstruction of office, store and workshop building at S.No.1187, Fort Division, at Hughes Dry Dock in 'A' Municipal Ward.

3.1. The Committee considered both the Items together and found that in both the proposals office area had substantially increased as under :-

| | <u>Existing</u> (Sq.Mtrs.) | <u>Proposed</u> (Sq.Mtrs.) |
|---|-------------------------------|-------------------------------|
| (1) In Princess Dock (application No.558/8/7/92) | 302.45 | 922.87 |
| (2) In Hughes Dry Dock (application No.559/8/7/92) | 325.83 | 996.25 |

3.2. The BPT officers who were present in the meeting informed the Committee that even though the area was mentioned as office area, it had many uses, such as a temporary office for companies doing the repairs job of ships, rest room for their workers and for storage of spare parts, etc. They explained the need to make available such temporary offices to the companies engaged by respective shipping companies for repairs, etc. to their ships and added that after the particular job was over, these companies vacate the offices and when new ships come for repair new companies occupy the same offices.

3.3. The Committee suggested that B.P.T. should correctly mention the users on the plans submitted by them as also give an explanatory letter. The B.P.T. officers who were present agreed with the suggestion.

3.4. Further consideration of both the Items was accordingly deferred.

ITEM NO. 5 : ...

ITEM NO.5 : Application under Section 13 of the BMRDA Act, 1974 from Sri Shanmukhananda Fine Arts & Sangeetha Sabha, Bombay-400 022. Addition to the existing building of Shanmukhananda Hall with total floor area of 7274.54 sq. mtrs. and FSI 2.16 at C.S. No.91, Plot No.292, Sion-Matunga Estate in F/N Municipal Ward.

5.1. The Committee considered the application and noted that the proposal was for addition to the existing building known as "Shanmukhananda Hall" building at C.S.No.91, Plot No.292, Sion-Matunga Estate, Jay Shankar Yagnik Marg, in 'F/North' Municipal Ward, thereby increasing its floor area from 5009.59 sq.mtrs. to 7274.54 sq.mtrs. (increase being 2264.95 sq.mtrs.) and F.S.I. 2.16. The additional area was required by the applicant to relocate its existing medical, educational and cultural activities situate in the foyer area as they are required to be shifted as per the requirement of the Fire Brigade Department of the Municipal Corporation of Greater Bombay. It was also noted that as per Regulation No.33(2) of the Development Control Regulations for Greater Bombay, 1991 the 100% additional F.S.I. over the permissible F.S.I. can be granted to the buildings of educational, medical institutions and institutional buildings by the Municipal Commissioner. As against the permissible additional F.S.I. of 100%, the applicant had proposed additional F.S.I. of 0.83 only to accommodate the existing users.

5.2. The MCGB had also issued letter stating that the plans submitted by the applicant were approvable in nature.

5.3. Even though the Committee had no objection to grant the permission applied for, some Members pointed out that there was substantial deficiency of car parking spaces at the building. They were of the view that if it was technically feasible to provide car parking on the premises, the necessary financial incentive could be given by allowing use of additional F.S.I. available on the plot.

5.4. Shri Shirish Patel informed the Committee that he would give his comments as regards technical feasibility of providing car parking space at the premises after studying the plans.

5.5. Pending.....

5.5. Pending receipt of comments from Shri Shirish Patel, further consideration of the application was deferred.

The meeting then terminated with a vote of thanks to the Chair.