

No. EXC/MTG/150 (Adj.)

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

534

Date : 26th April, 1993.

The minutes of the Adjourned Hundred and Fiftieth Meeting of the Executive Committee of the Bombay Metropolitan Region Development Authority, held on the 12th April, 1993 are enclosed.

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

To :

- The Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. - Chairman
- Shri Charles M. Coireá, 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
- Shri R.Y. Tambe, A/600, Shivam Apartments, R.P.T.S. Road, Surendranagar, Nagpur-440 015. - 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.L.O. - Member
- The Metropolitan Commissioner, B.M.R.D.A. - Member

INVITEE :

The Secretary (II) to Government of Maharashtra, Urban Development Department, Mantralaya.

Copy to :-

- The Legal Adviser, B.M.R.D.A.
The Officers of the B.M.R.D.A.

535

MINUTES OF THE ADJOURNED 150TH MEETING OF THE EXECUTIVE
COMMITTEE, B.M.R.D.A.

DATE : 12th April, 1993 (Monday)

TIME : 10.30. A.M.

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

MEMBERS PRESENT :

Shri N. Raghunathan, Chief Secretary to Government.	- Chairman
Shri Shirish B. Patel.	- Member
Shri R.Y. Tambe.	- 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 R.C. Sinha, Managing Director, CIDCO.	- Member
Shri P. Subrahmanyam, Metropolitan Commissioner.	- Member

INVITEES :

Shri G.B. Pingulkar,
Secretary (II) to Government,
Urban Development Department.

Shri P.M. Kale,
Director,
Engineering Services & Projects, M.C.G.B.

Shri K.N. Patel,
Legal Adviser, BMRDA.

Shri S.T. Vaishampayan,
Chief Engineer, Engineering Division, BMRDA.

Shri V.K. Phatak,
Chief, Planning Division, BMRDA.

Shri K.B. Diwadkar,
Chief, T&CP Division, BMRDA.

Shri K.R. Shanbhogue,
Chief Accounts Officer & Financial Adviser,
F&A Division, BMRDA.

Shri G.K. Deshpande,
Chief, T&C Division, BMRDA.

Shri V.D. Borkar,
Chief Engineer (Projects), Engineering Division, BMRDA.

Shri S.W. Sawant,
Lands Officer, Land Cell, BMRDA.

Shri

Shri M.B. Salvi,
Marketing Manager, BMRDA.

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

ITEM NO.6 (Concl'd.): Proposed development by Bharat
Diamond Bourse (BDB) in 'G' Block
of Bandra-Kurla Complex.

6.6. Further consideration of the Item was then resumed. The deficiency as regards open space between the Wings of the Complex was further discussed. It was pointed out that these Wings of the complex would have to be considered as tower like structures as each structure has a podium of about 9 metres in height and tower above it of 28 metres in height, as stated by the Architect to the proposed development of BDB. Regulation No.2(93) of the Development Control Regulations for Greater Bombay, 1991 defines Tower-like structure as follows :-

"'Tower-like structure' means a structure in which the height of the tower-like portion is **at least twice the width** of the broader base."

It was also pointed out that as the Wings in this complex conform to the definition mentioned above the open spaces between the Wings are proposed as per Regulations of Tower-like structure. Shri P.M. Kale, Director (Engineering Services & Projects), Municipal Corporation of Greater Bombay stated that in this case the length factor would also be applicable as the buildings are more than 40 metres in length. Continuing he stated that as the entire Complex is within one plot and is centrally airconditioned, additional open space in the Wings due to long length factor would, however, not be insisted by the Municipal Authorities. The Committee, therefore, approved the open space provided between the Wings of the Complex as per the proposal submitted by the Architects of BDB.

6.7. As regards the areas for Air Handling Units (A.H.U.), electrical switch room, etc., and fire escape staircases, provided at various levels, the Committee noted that in the Bandra-Kurla Complex Development Control Rules such areas are required to be computed in FSI calculations. The Committee also noted that such areas are permitted free of FSI as per Development Control Regulations for Greater Bombay, 1991. The Committee agreed that such benefit could be considered if and when modifications to the Bandra-Kurla Complex Development Control Rules as already suggested by the Authority, are made.

6.8. As

537

6.8. As regards width of the access road within layout, the Committee noted the definition of plot as given in Regulation No.2(73) of D.C. Regulations for Greater Bombay, 1991 which is as follows :-

"'Plot' means a parcel or piece of land enclosed by definite boundaries."

The Committee also noted that the plot of M/s. Bharat Diamond Bourse abuts on a street of 45 metres width, 30 metres width, 25 metres width and 25 metres width on its sides. Shri P.M. Kale, Director (Engineering Services & Projects), Municipal Corporation of Greater Bombay, however, informed the Committee that the M.C.G.B. considers the road width even inside the plot of more than 10,000 sq. metres. As proposed building is a continuous building of more than 300 metres in length, the road width according to him should preferably be 12 metres as the plot is more than 10,000 sq. mtrs. and length of access road is more than 300 metres. It was, however, pointed out that increase in the width from 9 metres to 12 metres is not physically possible because of the provision of cut-outs for basement ventilation within the plot as per the requirements of the Chief Fire Officer, M.C.G.B. Shri P.M. Kale then stated that 9 metres width would be acceptable as it was also accepted by the Chief Fire Officer, M.C.G.B. In view of the foregoing discussion, the Committee was of the view that 9 metres width of internal access roads be accepted.

ITEM NO. 3 : Offer of UNDP Assistance for the Development of Mahim Nature Park - Finalisation of the Project Document.

The Committee noted that the Mahim Nature Park has all along been funded by the BMRDA out of the grants received from the State Government under Section 18(1)(a) of the BMRDA Act, 1974 and that as per the Revised Project Document (Exhibit II annexed to the Item Note), it would be obligatory on the part of BMRDA to provide the required funds for the maintenance and management etc. of Mahim Nature Park, even if Government did not make available any grant for the purpose. However, after discussion, the Committee approved the Revised Project Document, and recommended that the Government should be requested to release the full level of grants due to BMRDA.

ITEM NO.4 :.....

ITEM NO. 4 : Allotment of land for Wholesale Textile Market in 'G' Block of Bandra-Kurla Complex to the Federation of Manmade Textile Traders Association.

Consideration of the Item was deferred.

ITEM NO. 5 : Grant of loan to P.W.D. from the Reserve Fund.

The Committee noted the statement that in view of the urgency, the loan amount was already released to P.W.D. and accorded post-facto approval to the proposal contained in the Item Note and passed the following Resolution :-

RESOLUTION NO.584 :

"RESOLVED THAT in exercise of the powers conferred under Regulation No.7.1 of the BMRDA (Grant of Loans from Reserve Fund) Regulations, 1992, the Executive Committee hereby accords post-facto sanction for release of further loan of Rs.5.5 crores to Public Works Department (PWD) for construction of second Thane Creek Bridge and various fly-overs indicated in the Item Note, as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further suitable action."

ITEM NO. 7 : Study for the development of a Comprehensive Transportation Plan for BMR - Secondment of Railway Officer to the study team.

The Committee approved the proposal contained in the Item Note and passed the following Resolution :-

RESOLUTION NO.585 :

"RESOLVED THAT the Executive Committee hereby approves to bear the expenditure on deputation of one Railway Officer to BMRDA in connection with the study for development of Comprehensive Transportation Plan for BMR for a period not exceeding one year.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take necessary steps in this regard."

ITEM NO. 8 : Permission for replacement of Vehicle (Car No.MMB 9963) for Chief Engineer, Engineering Division.

The Committee approved the proposal contained in the

Item Note and passed the following Resolution :-

RESOLUTION NO.586 :

"RESOLVED THAT in exercise of the powers conferred under Section 7(3)(iii) of the BMRDA Act, 1974, the Executive Committee hereby approves the proposal to scrap the Car No.MMB 9963 and allows to replace the same by purchasing one new vehicle for the Chief Engineer, Engineering Division.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further action for the purchase of an Ambassador Car."

ITEM NO. 9 : Permission to purchase a New Car for Chief Engineer (Projects).

The Committee approved the proposal contained in the Item Note and passed the following Resolution :-

RESOLUTION NO,587 :

"RESOLVED THAT in exercise of powers conferred under Section 7(3)(iii) of BMRDA Act, 1974, the Executive Committee hereby approves the proposal to purchase one new car for the Chief Engineer (Projects).

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further action for the purchase of an Ambassador car."

ITEM NO.10 : Extension of contract of re-employment with Shri R.P. Joshi, as Superintending Engineer.

In connection with this Item Note, the Metropolitan Commissioner informed the Committee that with the approval of the Chief Secretary & Chairman, Executive Committee the services of Shri R.P. Joshi as Superintending Engineer have been continued, on contract basis, for a further period of 6 months with effect from 1st April, 1993. Continuing he stated that as desired by the Chairman, Executive Committee no further extension of contract would be sought and the post of a Superintending Engineer would be filled on regular basis. Agreeing with the foregoing the Committee approved the proposal contained in the Item Note and accordingly passed the following Resolution :-

RESOLUTION NO.588 :

"RESOLVED THAT in exercise of the powers conferred under Section 7(3)(i) of the BMRDA Act, 1974, and all other powers

powers enabling it in this behalf, the Committee hereby accords post-facto sanction to extend the contract of re-employment of Shri R.P. Joshi as Superintending Engineer for a further period of 6 months on the same terms and conditions, as prescribed at the last time."

ITEM NO. 11 : Quarterly Accounts of the B.M.R.D.A. for the quarter ending 31.12.1992.

Quarterly accounts of the BMRDA for the quarter ending 31st December, 1992 were noted by the Committee.

ITEM NO. 12 : Allotment of Residential Component of plot admeasuring 12427 Sq.Mtrs. in 'H' Block of Bandra-Kurla Complex to the P.M.G.P./MHADA - Refund of rental amount.

Consideration of the Item was deferred.

ITEM NO. 13 : Allotment of land generating around 30,000 Sq.Mtrs. of built-up area in 'G' Block for construction of office and Residential Plots in 'GN' Block of the Bandra-Kurla Complex to the National Stock Exchange of India Limited (NSEIL).

The Committee noted that the National Stock Exchange of India Limited (NSEIL) has just been registered under the Companies Act, 1956 and that it has been established to subserve a public purpose, viz. making available automated trading systems in stocks for public sector financial institutions such as IDBI, IFCI, LIC, GIC, SBI, IL&FS, Stock Holding Corporation of India, SBI Capital Markets, etc. The Committee, therefore, was of the view that there may not be any objection to allot land to the NSEIL, in relaxation of Regulation (4) of the BMRDA (Disposal of Lands) Regulations, 1977. However, before taking the final decision the Committee wanted to know the details about the share capital and the functioning of the NSEIL. The Committee therefore, desired that the Chairman, IDBI be requested to attend the next meeting of the Executive Committee to give the information required by the Committee.

The consideration of the item was, accordingly, deferred.

ITEM NO. 14 :

ITEM NO. 14 : Digitisation and mosaicking of the Cadastral Maps (Village Maps) of BMR.

Consideration of the Item was deferred.

ITEM NO. 15 : Appointment of Consultants for construction management services for the Mithi and Vakola Bridges in the Bandra-Kurla Complex.

Consideration of the Item was deferred.

The following Item was then considered by the Committee as Table Item with the permission of the Chair :-

TABLE ITEM : Disposal of two Commercial Plots in 'G' Block and two Residential Plots in 'GN' Block of Bandra-Kurla Complex by inviting offers by Public Advertisement.

There was an elaborate discussion on various issues mentioned in the Item Note at the end of which the Committee decided as follows :-

1. The Committee recommended to the Authority to grant its approval to signify acceptance of the highest tender of M/s. Mature Trading & Investments Pvt. Ltd. offering to acquire by lease Commercial Plot No.C-4 in 'G' Block of Bandra-Kurla Complex at a premium of Rs.42,25,86,384/- (Rs.30,202 per FSI Sq.Mtr.) for commercial user. The Committee emphasised the desirability of specifying in the letter of acceptance the permissible land uses with clarity and of adding a general covenant that the tender was being accepted in accordance with and subject to the BMRDA (Disposal of Lands) Regulations, 1977.
2. It was decided by the Committee that the rate of premium chargeable by the Authority for other plots of lands by leases in the said block should be the same as offered by M/s. Mature Trading & Investments Pvt. Ltd., subject to the punctual payment of premium by them without any variation
3. As regards the Commercial Plot No.C-3 which was also advertised, M/s. Wockhardt Ltd. had offered Rs.30,93,63,120/- (Rs.22,110/-per FSI Sq.Mtr.) for that plot. As both the

Commercial.....

Commercial Plots, viz. C-3 and C-4 are almost identical, the Committee decided that M/s. Wockhardt Ltd. may be allotted Plot No. C-3 at the same lease premium as accepted by M/s. Mature Trading & Investments Pvt. Ltd. A proposal in this respect be placed before the Committee in due course. The Committee noted the statement made by the Lands Officer that M/s. Wockhardt Ltd. owed a duty in accordance with the conditions represented by the Authority in the course of inviting tenders to keep their tender valid and unrevoked for a period of 6 months from the date of the publication of the public notice. M/s. Wockhardt Ltd. owed such a duty on the pains of forfeiture of earnest money in the event of revocation of their tender before efflux of 6 months.

4. The Committee also recommended to the Authority to grant its approval to signify acceptance of the highest tender of M/s. Hindustan Petroleum Corporation Ltd. offering to acquire by lease Residential Plot Nos. R-8 and R-9 in 'GN' Block of Bandra-Kurla Complex at a premium of Rs. 3,48,00,000/- (Rs. 14,500/- per FSI Sq. Mtr.) for each plot for residential user. The Committee emphasised the desirability of specifying in the letter of acceptance that the plots will have to be strictly used for office quarters of the lessee Corporation and for none else and of adding a general covenant that the tender was being accepted in accordance with and subject to BMRDA (Disposal of Lands) Regulations, 1977.

5. The consensus was that the remaining land in 'G' Block of Bandra-Kurla Complex (including the land reserved for car shed) be developed predominantly for International Finance Business Centre (IFBC) wherein not more than 25% of the available plots be allotted for supportive services such as convenient shops/services shops, etc. The Committee was also of the view that after 6 to 8 plots are disposed of or after about 15 months, whichever is earlier, at a price of Rs. 30,202/- per FSI Sq. Mtr., one or two plots be again advertised to ascertain the trend of market price.

6. As regards concessions, if any, to be given to the financial institutions, banks, public sector undertakings, the Committee suggested that a separate proposal in that respect be submitted for the Committee's consideration.

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