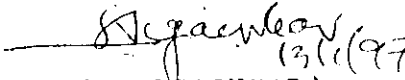


No. EXC/MTG/171

MUMBAI METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
Plot Nos.C-14 & C-15,
Bandra-Kurla Complex,
Bandra (East), Mumbai-400051.

Date: 13th January, 1997

The minutes of the Hundred and Seventy-First Meeting of the Executive Committee of the Mumbai Metropolitan Region Development Authority, held on 27th December, 1996 are enclosed.


(S.V. ASGAONKAR)
Secretary
Executive Committee

To

- | | | |
|---|---|----------|
| The Chief Secretary to the Government of Maharashtra, General Administration Department, Mantralaya. | - | Chairman |
| Shri D.M. Sukthankar, 'Priya', Worli Sea-Face, Worli, <u>Mumbai-400018.</u> | - | Member |
| Shri R.Y. Tambe. A/600, Shivam Apartments. R.P.T.S. Road, Surendranagar, <u>Nagpur-400015.</u> | - | Member |
| Shri Deepak Parekh, Chairman, H.D.F.C. Ltd., Ramon House, Churchgate, <u>Mumbai-400020.</u> | - | Member |
| The Principal 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 |

: 2 :

The Municipal Commissioner, Municipal Corporation of Brihan Mumbai.	-	Member
The Managing Director C.I.D.CO.	-	Member
The Metropolitan Commissioner M.M.R.D.A.	-	Member

INVITEES :

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

The Secretary to Government of Maharashtra,
Industries Department, Mantralaya.

The Secretary to Government of Maharashtra,
Environment Department, Mantralaya.

Copy to:-

The Legal Adviser, M.M.R.D.A.

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

MINUTES OF THE 171ST MEETING OF THE EXECUTIVE COMMITTEE
M.M.R.D.A.

DATE : 27th December, 1996 (Friday)
TIME : 3.00 P.M.
PLACE: Chief Secretary's Committee Room
5th Floor, Mantralaya

MEMBERS PRESENT :

Shri D.K. Afzulpurkar Chief Secretary to Government	-	Chairman
Shri D.M. Sukthankar	-	Member
Shri R.Y. Tambe	-	Member
Shri Jayant Deshpande Secretary to the Government Housing & Special Assistance Department	-	Member
Shri K.C. Srivastava Metropolitan Commissioner	-	Member

INVITEES :

Shri Nand Lal
Secretary (II) to Government
Urban Development Department

Shri K.N. Patel
Legal Adviser, MMRDA

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

Shri S.P. Pendharkar
Chief, Town & Country Planning Division, MMRDA

Shri S.B. Pardeshi
Chief Accounts Officer & Financial Adviser, MMRDA

Shri A.V. Deshingkar
Chief Engineer, Engineering Division, MMRDA

Shri A.V. Ghangurde
Chief, Transport & Communications Division, MMRDA

Shri M.B. Salvi
Lands Officer, MMRDA

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

Item No.1: Confirmation of the minutes of the last
(170th) Meeting of the Executive Committee
held on 4th October, 1996.

The minutes of the meeting were confirmed.

Item No.2: Action taken on the minutes of the
(i)169th Meeting and (ii) 170th Meetings of the
Executive Committee held respectively on 17th
September, 1996 and 4th October, 1996.

The action taken report on the minutes of the meetings held
on the 17th September, 1996 and the 4th October, 1996 was noted.

The Committee also accorded sanction to the appointment of
Shri S.B. Paradeshi as Officer on Special Duty as proposed.

Item No.3: Project profiles of the projects to be offered for
private sector investment during the Investors'
Conference in February, 1997.

3.1 In connection with this Item the Committee was informed
that the Government of India in Ministry of Environment

granted approval to the Coastal Zone Regulation Plan for Maharashtra on 27th September, 1996. It was also informed that a Writ Petition (Civil) No.664 of 1993 was filed in the Supreme Court of India by the Indian Council for Enviro-Legal Action & Others against the Union of India and others complaining violation of Coastal Zone Regulations and other Environmental Guidelines by various States in respect of some projects including the Bandra-Kurla Complex. The State Government was made a Party in this Petition; but the MMRDA was not a party. Pursuant to the order dated 7th November, 1996 of the Supreme Court, the NEERI had submitted its report to the Supreme Court, inter alia, about the Bandra-Kurla Complex. After hearing the submissions the Supreme Court by its order, dated 17th December, 1996 ordered that a copy of the NEERI Report along with necessary documents be remitted to the concerned High Courts to dispose of the same in accordance with law on or before 31st March, 1996. The Supreme Court also granted liberty to the parties to file affidavit in reply in the High Court within a period of 4 weeks from the date of order and to appear in the High Court on 21st January, 1997.

3.2 The Committee was then apprised with the help of maps the position of development as it existed in Bandra-Kurla Complex in 1990 and thereafter. The Committee thereafter discussed the manner in which the affidavit should be prepared. The Committee decided that help of Shri R.Y.Tambe, Member of the Executive Committee who was formerly working as Hydrographer to the State Government be taken for preparing the affidavit. The Metropolitan Commissioner was also authorised to take the help of one eminent Ecologist for the said purpose of preparing affidavit and also to pay suitable honorarium/fees to Shri Tambe and the Ecologist.

3.3 The Committee then discussed the profiles of the projects proposed to be offered for private sector investment during the Investors' Conference to be held in February, 1997 and after discussion decided that only the following projects be offered for such purpose :-

- (a) Multi storied car park and Commercial Centre at Nariman Point;
- (b) Hotel and Multi-storied Car Park at Bandra Kurla Complex; and
- (c) Underground Car Park and Shopping Centre at Bandra Kurla Complex.

The Committee also agreed to give pre-investment publicity to the Mumbai Trans Harbour Link as proposed. The Committee decided that Entertainment Centre with Commercial Complex in Bandra-Kurla Complex should not be offered for private sector investment at this stage.

3.4 The Committee then passed the following Resolution :-

RESOLUTION NO.687 :

"RESOLVED THAT the Executive Committee hereby approves the brief project profiles for (a) the Multi-storied car park and Commercial Centre at Nariman Point, (b) Hotel and Multi-Storied Car Park at Bandra-Kurla Complex and (c) Underground Car Park and Shopping Centre at Bandra-Kurla Complex as given in Annexures I to III to the Item Note, as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby empowered to invite tenders for the aforesaid projects through public advertisement and to process them and also to give pre-investment publicity to the Mumbai Trans Harbour Link Project."

Item No.4: Cancellation of tender for the lease of Residential Plot No.R-1 in 'Gn' Block of the Bandra-Kurla Complex.

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

RESOLUTION NO.688 :

"RESOLVED THAT the Executive Committee hereby approves the proposal to reject the tenders of (1) M/s.Gokul Construction Co. Pvt.Ltd. and (2) M/s.Residency Developers Pvt.Ltd. (Proposed) received for the Lease of Residential Plot No.R-1 in 'Gn' Block of the Bandra-Kurla Complex, for the reasons stated in the Item Note.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take all necessary actions for the disposal of the said Residential Plot by inviting fresh tenders by public advertisement, if necessary after suitably relaxing the eligibility conditions to elicit better response."

Item No.5: Approval to the tender for the work of scraping of the left out area in H-Block of Bandra-Kurla Complex.

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

RESOLUTION NO.689 :

"RESOLVED THAT in exercise of the powers conferred under clause (iii) of sub-section (3) of Section 7 of the MMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee hereby accords approval to accept the lowest tender of M/s.Premilaxmi & Co., at 40% below the estimated cost, amounting to Rs.96,76,200/- (Rupees Ninety six lakhs seventy six thousand two hundred only) for the work of scraping of the left out area in the H-Block of Bandra-Kurla Complex, as proposed."

Item No.6: Construction of Fly-over at Everard Nagar near Truck Terminal Wadala -
Revised Administrative approval.

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

RESOLUTION NO.690:

"RESOLVED THAT the Executive Committee hereby accords Administrative Approval to the revised estimate amounting to Rs.15,64,09,932/- for the construction of fly over at Everard Nagar, as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner, be and is hereby authorised to take all further actions in the matter and to get the work completed through the State Public Works Department."

Item No.7: Extension of time limit for completion of the development being carried out by Powai Housing Development Pvt.Ltd. for Viren J. Shah and others under the tripartite agreement at Powai.

7.1 The Committee considered the Item Note and noted that the MMRDA along with the State Government had entered into a tripartite agreement with Shri Viren J. Shah & Others for development of about 2.55 ha. of land at Powai which was a part of Powai Area Development Scheme (ADS) formulated by MMRDA in 1977-78. It was provided in the agreement that the land under reference would be developed by Shri Viren J. Shah & Others in accordance with the conditions of the tripartite agreement within a period of 10 years which expired on 25.12.1996. The Committee also noted that the Powai Housing Development Pvt.Ltd. to whom Shri Viren J. Shah & Others had assigned their development rights without obtaining prior permission of the MMRDA had informed MMRDA that the land was in the possession of Court Receiver since 28th June, 1995. It had, therefore, requested to grant three years extension for fulfilling the obligations under tripartite agreement. The Committee further noted the opinion of the Legal Adviser, MMRDA that there was no privity of contract between the MMRDA and the Powai Housing Development Pvt.Ltd.

7.2 In view of the foregoing, the Committee after discussion desired that the Legal Adviser's opinion be obtained as to the best course of action the MMRDA should take in the matter. Pending receipt of such opinion, consideration of the Item was deferred.

Item No.8(a): Quarterly Accounts of the M.M.R.D.A. for quarter ending 30.06.1996.

Item No.8(b): Quarterly Accounts of the M.M.R.D.A. for quarter ending 30.09.1996.

The Accounts of the MMRDA for two quarters ending 30th June, 1996 and 30th September, 1996 were noted by the Committee.

Item No.9(a): MUDP - REVOLVING FUND
-QUARTERLY MANAGEMENT REPORT
1st April, 1996 to 30th June, 1996.

Item No.9(b): MUDP - REVOLVING FUND
-QUARTERLY MANAGEMENT REPORT
1st July, 1996 to 30th September, 1996.

Management Reports of the MUDP - Revolving Fund Accounts for two quarters ending 30th June, 1996 and 30th September, 1996 were noted by the Committee.

Item No.10: Amendment to the Recruitment Qualifications for the post of Ferro Printer, MMRDA.

The Committee approved the proposal contained in the Item

Note and passed the following Resolution :-

RESOLUTION NO.691:

"RESOLVED THAT the Executive Committee hereby accords its ex-post facto approval to the revised recruitment qualifications for the post of "Ferro-Printer" as also to the promotion of Shri K.J. Thakre, Peon to the post of "Ferro-Printer" as mentioned in the Item Note and the Annexure thereto, as proposed."

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