

**MINUTES OF THE 173RD MEETING OF THE**  
**EXECUTIVE COMMITTEE, M.M.R.D.A.**

DATE : 7TH MAY, 1997 (WEDNESDAY)  
TIME : 11.00 A.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 K.Nalinakshan Principal Secretary to Government Urban Development Department	-	Member
Shri Girish Gokhale Municipal Commissioner Municipal Corporation of Brihan Mumbai	-	Member
Shri V.S. Dhumal Managing Director CIDCO	-	Member
Shri K.C. Srivastava Metropolitan Commissioner	-	Member

**INVITEES :**

Shri Ashok Basak  
Principal Secretary to Government  
Environment Department

Shri Vinay Bansal  
Secretary to Government  
Industries Department

Shri Nand Lal  
Secretary to Government  
Urban Development Department

Shri A.G.Borkar  
Technical Adviser to the  
Metropolitan Commissioner, M.M.R.D.A.

Prof. P. Ramchandran  
R. & R. Adviser,  
Transport & Communication Division, M.M.R.D.A.

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  
F. & A. Division, MMRDA

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

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

Shri M.R. Tidke  
Personnel Officer, M.M.R.D.A.

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 (172nd) Meeting of the Executive Committee held on 5th March, 1997**

At the suggestion of the Metropolitan Commissioner, the Committee agreed to insert the words " Commencement Certificate/" before the word " Occupation Certificate" and to delete words "Completion Certificate" inadvertently appearing in last sentence of para 15.2 of the minutes. The minutes as amended were then confirmed.

**Item No.2: Action taken on the minutes of the last (172nd) Meeting of the Executive Committee held on 5th March, 1997.**

After discussion, the action taken report was noted by the Committee.

**Item No.3: Approval to the tender for the work of providing sewers in G, GN and G-TEX Blocks of Bandra Kurla Complex of Phase-I,**

3.1 The Committee noted that out of nine tenders received for the above mentioned work, the lowest tender of M/s New India Construction Co. had quoted 74.70%, viz. Rs.7,40,30,917.90 ( Rupees seven crores forty lakhs thirty thousand nine hundred seventeen and paise ninety only ), above the cost put to tender, viz Rs.4,23,76,032 (Rupees four crores twenty three lakhs seventy six thousand thirty two only). After negotiations with the lowest tenderers, they had by their letter dated 28th March, 1997, reduced their offer and their final offer was Rs.6,69,54,130 (Rupees six crores sixty nine lakhs fifty four thousand one hundred thirty only), which was 58% above the cost put to tender. The Committee also noted the analysis of excess, both on account of omissions while preparing the estimate and increase to suit reasonable provisions as stated in Annexure B to the item note. It was further noted that in order to attempt to complete the sewerage work simultaneously with the construction of buildings in I.F.B.C., the contract period was stipulated as 12 months, inclusive of monsoon period and the request made by the tenderers to increase the contract period to 18 months was not accepted.

3.2 In view of urgency of the work as also for the reasons stated in Annexure B to the item note, the Committee after discussions approved the proposal to accept the modified offer of the lowest tenderer, M/s New India Construction Co. The Committee was, however of the view that care should be taken to ensure that the work was completed by the contractor within the stipulated period of 12 months time over runs shall be avoided and contract provisions for liquidity / damages be invoked in case of default by the contractor. The Committee also authorised the Metropolitan Commissioner to issue work order without waiting for the confirmation of the minutes. The Committee accordingly passed the following resolution :-

**RESOLUTION NO. 703 :**

“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 its approval to accept the lowest revised offer of M/s. New India Construction Co. amounting to Rs.6,69,54,130/- (Rupees six crores sixty nine lakhs fifty four thousand one hundred thirty only) for the above work which was 58% above the cost put to tender, as proposed, with the condition that the contractors shall be prevailed upon to complete the work within the stipulated period of 12 months.

“RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take further necessary action in terms of this Resolution.”

**Item No.4: Allotment of land for relocating Wholesale Textile Market from South Mumbai.**

4.1 The Committee was informed that the Authority had considered this issue of shifting of Wholesale Textile Market from South Mumbai at its last meeting held on 4th April,1997. The Authority had observed that even though shifting of other wholesale market from South Mumbai to Navi Mumbai had not totally served the purpose of

decongestion, such shifting had given considerable relief in terms of reducing the congestion and also averting further growth of traffic that would have taken place. The traders, their workers, as also the Mathadi workers were generally happy at the new location in Navi Mumbai. In view of the benefits and also in view of the Authority's mandate as back as 1978 to shift the wholesale textile market to Bandra-Kurla Complex, and the followup action of carrying out two Demand Registration Drives, first in the year 1983 and the second in 1986, the Authority was of the view that even the Wholesale Textile Markets be shifted from South Mumbai to Bandra -Kurla Complex. The Committee was further informed that since the Executive Committee had considered this issue in the past and had initiated a survey of a small area covering major wholesale textile markets in B & C wards in South Mumbai for exploring the possibility of their relocation at the existing place, the Authority had desired that the Executive Committee should consider the issue in depth and submit its recommendations to the Authority.

4.2 The Executive Committee then considered the issue in detail and agreed that in view of the MMRDA's past commitment, to shift the Wholesale Textile Markets, earmarking land for such purpose in planning proposals of Bandra-Kurla Complex, and registering the demand from 1085 traders along with the deposit of Rs.1.71 crore, the land now earmarked for such shifting be made available to the registered Associations of wholesale textile traders in phases. The Committee then considered the rate of lease premium, its payment terms, the phases of allotment of land and other connected issues and made the following recommendations for the consideration of the Authority :-

- (1) Land in specially created G-Text Block in the layout of G, G-Text & GN Blocks of Bandra-Kurla Complex be made available in phases for shifting the Wholesale Textile Markets from South Mumbai;
- (2) As stated in para. 19 of the item note placed before the 87th Meeting of the Authority, which was appended as Annexure I to the item note placed before the Executive Committee, it was decided that to begin with about 13 ha. land having built-up area of 25.65 ha be allotted in 3

stages to the registered Associations of wholesale textile traders after their withdrawing the Writ Petition filed against the MMRDA and on giving undertaking that the wholesale traders who had registered with the MMRDA in the demand registration drives of 1983 & 1986 will be given priority in allotment;

(3) The premium to be charged should be Rs.21,033 per FSI sq.mtr. This amount was worked out on the basis of the premium charged by the MMRDA to the Mahanagar Telephone Nigum Ltd. in March 1987 viz. Rs.5,000 per FSI sq.mtr. and 15% interest thereon till the year 1996. The Committee was of the view that MMRDA should not give any further concession in the premium for this purpose;

(4) As regards payment of lease premium the facility of paying the premium in 3 half yearly equal instalments be given for this allotment with 15% interest on 2nd and 3rd instalment's payment. After payment of first instalment, the possession of the land be given to the Traders' Associations viz. (i) All India Textile Complex and (ii) Federation of Man - Made Textile Traders' Association, after ensuring guarantee for payment of remaining 2 installments and facility of mortgage on the land thus allotted be made available;

(5) The rate of premium for allotment of land in second and third stages shall be fixed by adding 15% interest per annum on the rate fixed for allotment in the first stage i.e. Rs.21,033/- per sq.m. of built up area.

The Executive Committee was aware that the allotment of land in this case would require some relaxations in the amended provisions of MMRDA (Disposal of Land) Regulations, 1977. The Committee authorised the Metropolitan Commissioner to point out specific relaxations while placing these recommendation of the Executive Committee before the Authority.

(6) It should be ensured that the Wholesale Traders Association complete the construction work on the land allotted within period

stipulated under the amended provision of MMRDA (Disposal of Land) Regulation 1977 and would shift to the new premises in 3 - 5 years. With that end in view, provisions of the MMRDA Specified Commodities Markets (Regulations of Location) Act, 1983 banning the wholesale trade in textiles in South Mumbai be made applicable at the appropriate time.

(7) As decided earlier, the Committee consisting of the Metropolitan Commissioner, the Secretary (Marketing), the Secretary (Textiles) and the Legal Adviser, MMRDA may be asked to consider the submission made by the Federation of Textile Traders Association in their letter dated 6th September, 1995 and to suggest necessary amendments to the MMRDA Specified Commodities Markets (Regulation of Location) Act, 1983, in consultation with the Law and Judiciary Department of the State Government.

**Item No.5: Improvement of roads in Mumbai Metropolitan Region - Sub-projects VA and VB.**

After discussion the Committee approved the proposal contained in the Item Note with the conditions that at least 10% of the works should be inspected by MMRDA so as to ensure quality of work being executed and that the road works which were included in these two projects without making any provision for necessary storm water drainage arrangement, be deleted. The Committee accordingly, passed the following resolution :-

**RESOLUTION NO. 704 :**

“RESOLVED THAT the Executive Committee hereby accords approval to take up the sub-projects VA & VB of road infrastructure improvement in MMR (out side areas of the Municipal Corporations) as contained in item note and accords its approval to provide grant assistance from the MMRD Fund, upto 75% of the latest estimated costs to the Local Authorities responsible for implementation with the conditions that at least 10%

of the works be inspected by MMRDA and the road works included in this projects without making any provision for necessary storm water drainage arrangement, be deleted.

“RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to take all further necessary actions in this regard including according general administrative approval and release of grant from time to time, subject to such terms and conditions as he deems fit.”

**Item No.6: To consider the recommendations of the Institutional Study for Mumbai -Resettlement and Rehabilitation (R&R) Project.**

6.1 The Metropolitan Commissioner briefly explained the background of the study carried out through the consultants and their salient recommendations to the institutional framework to effectively implement the R&R Project in Mumbai Metropolitan Region (MMR).

6.2 During the course of the discussion the Chairman, Executive Committee recalled the letter recently received from the World Bank indicating the important issues and policies requiring immediate decision from the Government of India and / or Government of Maharashtra. He quickly reviewed the current status of the issues on which action by Government of Maharashtra (GOM) was required. These issues were :-

- (i) Adoption of Resettlement and Rehabilitation (R&R) policy
- (ii) Setting up of institutional framework for R&R
- (iii) Preparation of RAP/CEMP for 3 demonstration site
- (iv) Reviewing and streamlining the procurement procedures of the implementing agencies.

6.3 Since the item note under consideration was one of the issues mentioned in the said World Bank letter, the Chairman, Executive Committee desired prompt action from



all concerned. Regarding the World Bank's earlier stand about allocating greater role for private sector in the institutional framework, it was clarified that the consultants in their recommendations had adequately dealt with the issue and had recommended an option with a joint R&R partnership, between a public R&R Regulating Body (R&RRB), the Project Implementing Agency (PIA) and other government/private institutions, with appropriate inbuilt mechanisms for a high level of community involvement and participation in all stages of the R&R process.

6.4 The Executive Committee then accepted the recommendations of the Consultants and passed the following resolution:-

**RESOLUTION NO.705:**

“RESOLVED THAT the Executive Committee hereby accords its approval to the acceptance of recommendations of the Institutional Study for Mumbai -Resettlement and Rehabilitation carried out by Tata Consultancy Services in association with Tata Institute of Social Sciences (TISS) and recommends its adoption by Government of Maharashtra.

“RESOLVED FURTHER THAT the Metropolitan Commissioner, be and is hereby authorised to take further necessary action for approaching Government of Maharashtra for adoption of the recommended Institutional Framework.”

**Item No.7: Report on the development carried out by the developers in Powai Area Development Scheme (ADS) under the Tripartite Agreement**

7.1 The Committee considered at depth the provisions of the Tripartite Agreement, the legal opinions submitted by the Principal Secretary, L&JD; Legal Advisor, MMRDA and the former Chief Justice of the Supreme Court of India, Shri Y.V. Chandrachud and also the copies of the correspondence between the MMRDA and H& SA Dept. with the Developer, Shri Hiranandani, and noted and observed as follows:

- a) Although the Developer had offered to the State Government 410 tenements with total built up area of 22,400 sq.m. towards the fulfillment of his obligation to sell 15% of the consumed built up area in accordance with the provisions of clause 8(ii) of the Tripartite Agreement, he had not offered tenement equivalent of 15 % of the built up area on the 42 ha. of land ( described in Schedule IV), which, in accordance with clause 8(iii) of the said agreement was offered to the Central Government agencies on sub-lease, but became available for development by the Developer on account of the Central Government agencies not accepting the offer within the stipulated time of 3 months;.
- b) The Developer's obligation to sell 15% of the consumed built up area was enshrined in clause 8(ii) of the agreement and covered all the lands described in Schedule III of the Tripartite Agreement. Since the lands in Schedule IV form part of the lands in Schedule III, the obligation to sell 15% of the consumed built up area was also applicable to the lands in Schedule IV, which included the 42 ha. land offered to the Central Government agencies.
- c) Clause 8(iii) of the Tripartite Agreement had a rather limited purpose, namely of casting an obligation on the Developer to offer 50 ha. of land described in Schedule IV on a sub-lease to the Central Govt. agencies. Once the offer of sub-lease was made and the Central Govt. agencies failed to accept it within the specified time, the land was available to the Developer for development. Thereafter the reference to the clause 8(iii) and Schedule IV was no longer relevant, and since the land in Schedule IV also formed part of the Schedule III, clause 8(ii) became applicable and the obligation to sell 15% of the built up area became operative. This view was further reinforced by the concluding words of clause 8(iii) which stated that the land holders would "be entitled to use such lands in the same manner and to the same extent to which other adjacent lands are permitted under the terms and conditions of the lease to be granted."

- d) The exemption of land u/s 20 of the ULC Act through the Tripartite Agreement was based on a give-and-take principle under which the Developer was required to provide all infrastructure at his cost and sell 15 % built up area to the Government at cost price. In return for this he was allowed to sell 85 % of the tenement in the market without any price restriction. It was therefore inconceivable that the original intention of the Tripartite Agreement could have been to permit the Developer to retain and develop 42 ha, or about 70 % of the net land without any obligation to sell 15% built up area to the State Government. It would not be in the public interest to permit it now.
- e) It was argued that the letter issued on 2nd April 1990 by the Chief, Town and Country Planning Div. MMRDA certifying 22,400 sq. m. as the absolute quantum of 15% built up area to be sold to the State Government could act as promissory estoppel against the Government. The careful examination of the statement attached to the letter dated 2nd April, 1990 indicated that the Developer's Architect himself, in the statement submitted to the Chief, Town and country Planning Div., excluded the area of 50 ha earmarked for sale to the Central Govt. agencies as per Schedule IV while calculating 15% area. This was done even though the Developer was aware of the fact that the offer of 42-ha land had been declined by the Central Govt. agencies and that he was permitted to retain it. The certification by the Chief, Town and Country Planning Div. was nothing more than the verification of the figures according to the schedules accompanying the Tripartite Agreement. It could not be construed to mean that M.M.R.D.A. had agreed to exempt the obligation of surrendering 15% floor space on 42 ha. of land as such. It cannot have a force of an estoppel.
- f) It is also argued that the letter from the Under Secretary, II& SA Dept. dated 6th April, 1990 addressed to the Developer clearly crystalised the Developer's obligation to surrender 15% tenements to the Government to be 22,470 sq.m., and that it could also have an effect of a promissory estoppel. This letter as well as the Developer's

letter dated 7th March, 1990, in response to which the aforesaid letter of 6th April, 1990 was written, primarily dealt with two issues, namely a) construction of tenements to be sold to the Government in separate building, and b) their specifications and amenities to be provided in them. The Developer's letter did not make any reference to the 42 ha. land, nor did it ask for any confirmation of the areas. Hence, the Under Secretary, H& SA Dept.'s letter dated 6th April could hardly be considered as an estoppel.

- g) According to clause 8(ii) of The Tripartite Agreement, the tenements were to be offered to the State Government for sale at a rate of Rs. 135 per sq. m. The H&SA Dept., by its letter dated 20th March, 1990 had permitted increase in this rate. The Developer was demanding further increase in the price of the balance number of tenements that he had offered. This increase in the price was not justified as the price of Rs. 135 mentioned in clause 8(ii) was absolute and there was no indication in the Tripartite Agreement that it was subject to revision in future.
- h) According to clause 8(ii) of The Tripartite Agreement, the Developer was obliged to sell to the State Government out of the flats, apartment, tenements, houses, or units erected by him, flats, apartment, tenements, houses, or units equivalent to 15% of the consumed built up. Hence, the Developer was obliged not only to offer residential units, but 15% of the shops, offices or other types of units.
- i) According to clause 7(iii) of The Tripartite Agreement, the Developer was required to construct 50 % tenement with built up area not exceeding 40 sq.m. and remaining 50% with built up area not exceeding 80 sq.m. In reality, on the basis of the permission for joint use of the tenement obtained from the MMRDA, the Developer had constructed much larger tenements for sale in the open market and benefited substantially.

7.2 In view of the foregoing, the Committee unanimously decided to insist upon the Developer to sell to the State Government/MMRDA 15% of the floors space in the form

of shops, offices, tenements etc. to be built up on the 42 ha. of land allowed to be retained by him after his offer of sub-lease to the Central Govt. agencies lapsed.

7.3 The Committee then passed the following resolution:

**RESOLUTION NO.706:**

“RESOLVED THAT Shri Niranjan Hiranandani, the constituted attorney for the landholders of the Tripartite Agreement relating to the Pawai Area Development Scheme, shall be called upon to offer, in terms of clause 8(ii) of The Tripartite Agreement, within a period of 3 1/2 years from 26th December 1996, for sale to the Authority / State Government, tenements, including shops, offices etc. equivalent to 15% of the Floor Space Index consumed on the 42 ha. of land that he is allowed to retain on account of Central Govt. agencies’ failure to accept his offer of sub-lease;

“RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to extend the period of the Tripartite Agreement by 3 1/2 years from 26th December, 1996, and to take such further action as may be necessary to ensure proper and timely completion of the tenements earmarked for sale, and their purchase by the Authority / State Government;

“RESOLVED FURTHER THAT the Metropolitan Commissioner be and is further authorised to engage services of eminent lawyers to defend the Authority / State Government’s stand in case any dispute is raised about the compliance of the conditions of the Tripartite Agreement.”

**Item No.8: Repayment of loan availed from MMRDA Reserve Fund by Thane Municipal Corporation for construction of road bridge at Kalwa, Thane.**

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

**RESOLUTION NO.707:**

“RESOLVED THAT the Executive Committee hereby accords its approval to the Thane Municipal Corporation being allowed to prematurely repay a loan of Rs.5.00 crores granted to them under the MMRDA (Grant of Loan from Reserve Fund) Regulations, 1992, for Construction of Kalwa Bridge, along with interest due, and termination of the loan agreement, as proposed, as the project has been included in Mega City Scheme.”

**Item No.9: Request by AMDA for financial contribution to strengthen its academic and research activities.**

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

**RESOLUTION NO.708:**

“RESOLVED THAT the proposal to contribute Rs.25,000 (Rupees Twenty Five Thousand Only) to the Corpus Fund being set up by The Association of Metropolitan Authorities (AMDA), New Delhi, specifically for the research activity is hereby approved.”

**Item No.10: Grant assistance to Municipal Corporation of Brihan Mumbai for preparation of detailed project report of III-A Mumbai Water Supply Project.**

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

**RESOLUTION NO. 709 :**

“RESOLVED THAT in exercise of its powers under Section 21 A of the MMRDA Act, 1974, delegated to the Executive Committee by the Authority vide Resolution No.422 dated 31st March, 1990, the Executive Committee hereby sanctions an amount of Rs.30,52,568 as grant assistance to the Brihan Mumbai Municipal Corporation (BMC) from the MUDP - Revolving Fund for preparation of the detailed Project Report including economic analysis for IIIA Mumbai Water Supply Project, as proposed.

“RESOLVED FURTHER THAT the Executive Committee hereby authorises the Metropolitan Commissioner to change the source of finance to Mega City Scheme - Revolving Fund, if approved by the Sanctioning Committee for Mega City Scheme.

“RESOLVED FURTHER THAT the Executive Committee further authorises the Metropolitan Commissioner to disburse the grant amount in suitable instalments to the BMC.”

**Item No.11: MUDP Revolving Fund -Loan Assistance to CIDCO for road improvement in Vasai -Virar sub region.**

After discussion, the Committee approved the proposal contained in the Item Note with the modification that rate of interest shall be 11% instead of 12% as proposed in the

Item Note and the condition regarding Government guarantee or bank guarantee for grant of loan be deleted. The Committee accordingly, passed the following Resolution:-

**RESOLUTION NO.710:**

“RESOLVED THAT in exercise of the powers under Section 21-A of the MMRDA Act, 1974 delegated to the Executive Committee by the Authority vide Resolution No.422, the Executive Committee hereby sanctions a loan of Rs.10.09 crores for improving road network in Vasai-Virar area to CIDCO from the MUDP Revolving Fund, as proposed in paragraph 6 of the Agenda Note, with the modification that loan will carry an interest 11% per annum and that the CIDCO will not be required to make available Government guarantee or bank guarantee for the loan, but it will submit the detailed project report duly approved by CIDCO before actually starting the work.

“RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to advance the loan amount to CIDCO by executing a suitable agreement in terms of this Resolution.”

**Item No.12: Mumbai Urban Development Project - Revolving Fund  
-Loan assistance to Bhiwandi-Nizampur Municipal Council (BNMC),  
for flyover.**

The Committee approved the proposal contained in the Item Note with the modification that rate of interest shall be 11% instead of 12% as stated in para 5 (3) of the Appraisal Report appended as Annexure-I to the Item Note, and passed the following resolution :

**RESOLUTION NO.711:**

“RESOLVED THAT in exercise of the powers under Section 21-A of MMRDA Act, 1974 delegated to the Executive Committee by the Authority vide Resolution



No.422, the Executive Committee hereby sanctions a loan of Rs.5.625 crores for construction of flyover at Dhamankar Naka by Bhiwandi-Nizampur Municipal Council (BNMC) from the MUDP-Revolving Fund as proposed, with the modification that the rate of interest shall be 11%.

“RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to advance the loan amount to the BNMC by executing a suitable agreement in terms of this Resolution after BNMC obtains Government approval to the loan and the proposed terms and conditions .”

**Item No.13: Amendment to the Recruitment Qualifications for the post of Chief, Senior Transportation Planner, Deputy Transportation Planner and Junior Transportation Planner in T. & C. Division**

13.1 As suggested by the Metropolitan Commissioner, the Committee agreed to make the following modification / addition to the proposals contained in the Item Note :-

- (a) To insert word “including probation period” after the word “experience” and before the word “shall” in the last sub para of para (a) in the proposed revised recruitment qualifications for the post of Chief, T & C Divn., appended as Annexure to the Item Note; and
- (b) to constitute Selection Committee consisting of the Chief Secretary to the Government and Chairman Executive Committee, MMRDA; the Principal Secretary to Government, Urban Development Department and the Metropolitan Commissioner for filling the post of Chief, T & C Divn.

13.2 The Committee accordingly passed the following Resolution :-

**RESOLUTION NO.712 :**

“RESOLVED THAT the Executive Committee hereby accords its approval to the Revised Recruitment Qualifications for the posts of Junior Transportation Planner, Deputy Transportation Planner, Transportation Planner, Senior Transportation Planner and the Chief, in the Transport & Communications Division, MMRDA, as mentioned in Annexure to the Item Note subject to the modification that the words “including probation period” shall be inserted after the word “experience” and before the word “shall” in the last sub-para of para(a) of the proposed revised recruitment qualifications for the post of Chief, T. & C. Division, contained in the said Annexure.

‘RESOLVED FURTHER THAT the Executive Committee hereby constitutes the Selection Committee consisting of (1) the Chief Secretary to Government and Chairman, Executive Committee, MMRDA; (2) the Principal Secretary to Government, Urban Development Department and (3) the Metropolitan Commissioner for filling the post of Chief, T. & C. Division.”

**Item No.14: Detailed Feasibility Study of New Airport in Mumbai.**

14.1 A revised version of Memorandum of Understanding (MOU) was circulated. The Metropolitan Commissioner highlighted the following main revisions proposed :-

- (a) Instead of United Kingdom Government financing the Detailed Feasibility Study (DFS), it would now be the responsibility of the Mumbai Airport Alliance;
- (b) Government of Maharashtra would constitute a Working Group and a Steering Committee to co-ordinate with the Central Government;

- (c) It was clarified that in the event of financing arrangement of Detailed Feasibility Study or the project not materialising neither party to Memorandum of Understanding will have any liability financial or otherwise.

14.2 Executive Committee having noted these revisions to MOU agreed to MMRDA becoming a party to MOU. It was further decided that the other issues raised in the agenda note regarding MOU and the Terms of Reference (TOR) of DFS would be considered in due course by the working group and the steering committee..

**Item No.15 : Extension of date for sale of tender documents and submission of tender in respect of :**

- (1) Lease of Plot/Built-Up area of Two Level Underground Car Park and Shopping Centre at Bandra-Kurla Complex, Mumbai ;
- (2) Lease of Plot for Multi-Storeyed Car Park and Hotel at Bandra-Kurla Complex, Mumbai and
- (3) Lease of Plot for Multi-Storeyed Car Park and Commercial Centre at Nariman Point, Mumbai.

The Committee approved the proposal to --

- (i) extend the last date for submission of tender;
- (ii) modify the tender conditions to extend the benefit of amended provisions of MMRDA (Disposal of Land) Regulations;
- (iii) extend the last date of purchase of tender document to give opportunity to new tenderers to participate in tender in the light of changed tender conditions and
- (iv) issue public advertisement in leading newspapers for the aforesaid changes, as stated in the Item Note.

**Item No. 16: Development of Convention Centre, Hotel & Service (Hotel) Apartments in the International Finance & Business Centre (IFBC) at Bandra-Kurla Complex.**

After discussion, the Committee recommended to the Authority not to seek additional concessions from the allottee of Hotel and Service (Hotel) Apartment and Shopping cum Office Complex land in BKC in respect of use of Convention Centre and related services and to authorise the Metropolitan Commissioner to communicate offer of acceptance within the time limit prescribed in the tender document as per terms and conditions of the tender.

**Item No.17: Delineation of High Tide Line for Metropolitan Region.**

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

**RESOLUTION NO.713 :**

“RESOLVED THAT in exercise of the powers conferred under sub-section 3(iii) of Section 7 of the MMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee hereby approves the work of delineation of High Tide Line for the Brihanmumbai Municipal Corporation (BMC) area, being carried out through the agency of Chief Hydrographer to Govt. Of India at an estimated cost of Rs.16.00 lakhs subject to the actual cost as per final bill, as proposed.

“RESOLVED FURTHER THAT the Executive Committee hereby authorises the Metropolitan Commissioner to request the Brihanmumbai Municipal Corporation to share the cost of this work proportionate to the length of the High Tide Line within the jurisdiction of BMC.

“RESOLVED FURTHER THAT the Executive Committee hereby authorises the Metropolitan Commissioner to sign the agreement with the Chief Hydrographer to Govt. Of India and take all other necessary actions including payments, in accomplishing the work of delineation of High Tide Line for Brihan Mumbai.”

The Meeting then ended with a vote of thanks to the Chair.