

No.EXC/MTG/181

MUMBAI METROPOLITAN REGION
DEVELOPMENT AUTHORITY,
Bandra-Kurla Complex,
Bandra (East),
Mumbai - 400 051.

Date : 10th February, 1999.

The minutes of the Hundred and Eighty-First Meeting of the Executive Committee of the Mumbai Metropolitan Region Development Authority, held on 25th January, 1999 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-400 018</u> | - | Member |
| Shri | R.Y.Tambe
A/600, Shivam Apartments,
R.P.T.S.Road, Suredranagar,
<u>NAGPUR-440 015</u> | - | Member |
| Shri | Deepak Parekh
Chairman,
H.D.F.C.Ltd., Churchgate,
<u>Mumbai-400 020.</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
The	Municipal Commissioner Municipal Corporation of Brihanmumbai.	-	Member
The	Managing Director, C.I.D.C.O., Mumbai.	-	Member
The	Metropolitan Commissioner M.M.R.D.A.	-	Member

INVITEES :

- The Principal 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

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**MINUTES OF THE 181ST MEETING OF THE EXECUTIVE
COMMITTEE, MMRDA.**

DATE : 25TH JANUARY, 1999 (MONDAY)
TIME : 3.00 P.M.
**PLACE : CHIEF SECRETARY'S COMMITTEE
ROOM, 5TH FLOOR, MANTRALAYA.**

MEMBERS PRESENT :

Shri P. Subrahmanyam : Chairman
Chief Secretary to Government

Shri D.M. Sukthankar : Member

Shri R.Y. Tambe : Member

Shri K. Nalinakshan : Member
Principal Secretary (I) to
Government, Urban Development
Department

Shri Girish Gokhale : Member
Municipal Commissioner
Brihanmumabi Municipal Corporation

Shri A.P.Sinha : Member
Managing Director
CIDCO

Shri Ramanath Jha : Member
Metropolitan Commissioner

INVITEES :

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

Shri Yashwant Bhawe
Secretary to Government
Industries Department

Shri K.N. Patel
Legal Adviser, MMRDA

Shri V.K. Phatak
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

Dr.V.N. Patkar
Chief, Planning Division, MMRDA

Shri M.R. Tidke
Personnel Officer, MMRDA

Shri P.R. Sohoni
Marketing Manager

Smt. Vimala Iyengar
Lands Manager

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

Item No.1: **Confirmation of the minutes of the last (180th) Meeting of the Executive Committee held on the 7th August, 1998.**

The minutes were confirmed.

Item No.2: **Action taken on the minutes of the last (180th) Meeting of the Executive Committee held on the 7th August, 1998.**

2.1 During the course of discussion, the following information was furnished to the Committee and the following suggestion was made by the Chairman:-

(1) **Construction of Sion-Koliwada Connector:**

The work of construction of this connector for a length of about 200 mtrs. (free of encroachment) has been taken in hand including the construction of 2 culverts required in that stretch. Balance length of about 300 mtrs. is

under encroachment. The eligible slum dwellers on this land would be rehabilitated in the buildings under construction through MHADA on the plot of land made available by MMRDA at Kopri Agar. Simultaneously preliminary actions for construction of balance road length, including invitation of tender etc. are initiated.

(2)(a) Kurla side approach to newly constructed Vakola Bridge :

After making payment of Rs. 2 crores (towards compensation) to the Mumbai University, its land has been taken over and the road construction thereon was started in September, 1998 which is progressing well. Some of the photographs depicting progress of road work were also shown to the meeting. As per the decision taken by the Executive Committee at its 179th meeting, held on the 20th April, 1998, a separate Item for according ex-post facto approval to the lowest tender was submitted at this meeting (vide Item No.7).

(b) Kurla side approach to newly constructed Mithi Bridge:

This approach for a width of about 10 mtrs. is already completed and put to use thereby establishing link between the L.B.S. Marg and the Western Express Highway (at Kalanagar), via. the Bandra Kurla Link Road.

- (c) Appreciating the actions taken in respect of (a) and (b) above, the Chief Secretary to Government and the Chairman, Executive Committee, MMRDA desired to visit these sites.

(3) Mass Transit System Study with the aid of the German Government:

Noting that the Maharashtra State Road Development Corporation (MSRDC) was attempting to take over the project of the Mass Transit System in Brihan Mumbai, the members of the Executive Committee

unanimously opined that this matter pertains to the MMRDA for which MMRDA has also made preparations. The job should, therefore, remain with the MMRDA and shall not be entrusted to the MSRDC. The Metropolitan Commissioner was authorised to convey the views of the Committee to the Government.

2.2 The action taken report was then noted by the Committee. The Committee, in partial modification of its earlier orders, also accorded sanction to Shri S.V.Yadkikar being appointed to perform the job of a Senior Planner on contract basis for a period of one year with effect from 3rd August, 1998 in the first instance, on a consolidated remuneration of Rs.9000/- p.m. on usual terms and conditions.

Item No.3: Proposed action against defaulting organisations which have borrowed money from the MMRDA.

3.1 The Executive Committee considered with concern the report of the Metropolitan Commissioner that the loans granted or surplus funds invested by the Authority were in peril of turning into the non-performing assets as the loanee / depositor bodies not only defaulted to repay the loans/deposits but also generally failed to pay the accruing interest.

3.2 Adverting to the dispute with CIDCO as to the rate of interest chargeable on the funds deposited by the Authority in compliance with the direction of the State Govt., the Authority heard both the Metropolitan Commissioner and the Vice-Chairman and Managing Director of CIDCO and decided that such disputes should be resolved with the intervention and conciliation of the Principal Secretary, Urban Development Department. The Committee noted that while the Metropolitan Commissioner claimed interest at 16% p.a. being the rate initially specified in the contract of deposit, the CIDCO paid interest at 12% p.a. pleading that such was the rate of interest specified by the State Govt. for the renewal of the term of the deposit.

3.3 In reply to the query of the Chairman, the Legal Adviser submitted that the deposit of funds with a company incorporated under the Companies Act, 1956 was without the authority of law because a company including a government company is prohibited by Section 58 A of the Companies Act, 1956 from inviting or accepting deposits from the public in excess of 25% of its share-capital and free reserves and the deposited sums were far in excess of such pecuniary limitations of law. He submitted further that inevitably, such deposits would have to be treated or reckoned as loans. The Chairman endorsed the proposition.

3.4 The Committee asked the Legal Adviser to examine all aspects of law in relation to loans and deposits that the MMRDA places with different public sector organisations. The Legal Adviser assured that he would put forth his detailed opinion in the matter at the special meeting of the Executive Committee to be held for considering this issue.

3.5 The Committee also directed that at the special meeting to be held on this subject, the following particulars should be submitted :-

- (1) Name of Loanee/Deposittee.
- (2) Date and other particulars of Govt. direction with its copy annexed.
- (3) Amount of Loan/ Deposit.
- (4) Term of loan.
- (5) Rate of Interest.
- (6) Amount of interest paid up to.
- (7) Amount of principal repaid/outstanding.
- (8) Other related particulars/Remarks.

The Metropolitan Commissioner assured the Committee that the desired information would be placed before the special meeting of the Executive Committee.

3.6 In conclusion, the Committee decided that the Metropolitan Commissioner should not lend or deposit funds with any of the bodies specified in the Agenda Note without the approval of the Committee.

Item No. 4: **Proposed allotment of a plot in IFBC, 'G' Block to set up a German Centre for Industry & Trade in Mumbai.**

The Committee noted the latest development as regards this Item. In view of the persistent inquiries from the Indian Ambassador in Germany and the Ministry of External Affairs, Government of India, the Committee desired the Metropolitan Commissioner to have a further dialogue with Indo-German Chamber of Commerce and the sponsoring German banks and then make appropriate recommendation in this respect for the consideration of the Authority.

Item No. 5: **Rationalising the boundaries of the notified area of Bandra-Kurla Complex.**

The consideration of the Item was deferred.

Item No. 6 : **Oshiware District Centre – Rationalising the jurisdiction of Special Planning Authority.**

The consideration of the Item was deferred.

Item No. 7 : **Approval to the tender for the work of "Construction of Kurla Side approach road to the New Vakola Bridge in GN block of Bandra Kurla Complex."**

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

RESOLUTION NO.764 :

"Resolved that in exercise of the powers conferred under clause (iii) sub-section (3) of section 7 of MMRDA Act, 1974 and all other powers enabling it in this behalf, the Executive Committee hereby accords its ex-post facto approval to the acceptance by the Metropolitan Commissioner the lowest tender of M/s Shyam Narayan & Bros. amounting to Rs. 57,92,735.40 which was 59% below the modified estimated cost of Rs.1,41,28,263/- for the work of construction of Kurla side approach road to New Vakola Bridge in G/N Block of Bandra-Kurla Complex, as proposed.

Item No. 8 : **Inland Water Transport Around Mumbai**

8.1 The Committee noted the historical background and role played by MMRDA in preparation of Inland Waterway development project related to Thane Creek - Ulhas River - Vasai Creek - Dharamtar Creek which was first identified by a Committee appointed by Government of India in 1959 and that the Maharashtra Maritime Board (MMB) intended to revive the same. The Committee also noted that the MMB had presented a draft Water Transport Policy at a Meeting held under the Chairmanship of the Chief Secretary to Government of Maharashtra on the 6th June, 1998 and that a Committee comprising (1) the Chief Executive Officer, Maharashtra Maritime Board; (2) the Member (Technical), Inland Waterway Authority of India and (3) the Chief, Town & Country Planning Division, MMRDA constituted at that meeting recommended five studies reported in para.8 of the Item Note, to reassess the financial feasibility of the proposal along with agencies that could be engaged

for carrying out those studies. The Committee further noted the summarised advice given by Shri R.Y. Tambe, Member of the Executive Committee, who was associated with this project for a long time and also heard him at the Meeting.

8.2 At the outset of his participation in the discussion, Shri Tambe disclosed to the Committee that at times he acts as the Consultant to WAPCOS which is Government of India Undertaking and a potential consultant for one of the studies under consideration. Shri Tambe advised that it would be useful to first establish the physical/engineering feasibility of the waterway as many new structures have been erected across the waterway. Other studies could be carried out only after such feasibility is established. The Committee also noted that waterway development may not be financially attractive for private investment in BOT form. However, in view of other economic and indirect benefits, the Committee after discussion decided to make available required funds to the MMB to undertake the 1st of the five recommended studies, viz. "geotechnical, structures and terminal study" through WAPCOS and authorised the Metropolitan Commissioner to take further action in the matter.

Item No. 9 : **Mumbai Urban Rehabilitation Project (MURP).**
- Appointment of Social Development Consultant to
Urban Rehabilitation Division (URD) under Urban
Development Department of Government of
Maharashtra.

The consideration of the Item was deferred.

Item No. 10 : **Regulations for holding elections of Member of Mumbai Metropolitan Region Iron & Steel Market Committee, Kalamboli, under Section 10 of the Mumbai Metropolitan Region Specified Commodities Markets (Regulation of Location) Act. 1983 (Maharashtra Act No.XLII of 1983)**

10.1 In connection with this Item, Shri B.B. Srivastava, Chief Executive Officer, MMR Iron & Steel Market Committee, Kalamboli was present at the meeting by invitation.

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

RESOLUTION NO 765 .

"RESOLVED THAT the Executive Committee in exercise of its powers under Section 10 of the Mumbai Metropolitan Region Specified Commodities Markets (Regulation of Location) Act, 1983, (Maharashtra Act No.XLII of 1983) hereby approves the draft of the Mumbai Metropolitan Region Iron and Steel Market Committee, Election Regulations, 1998, appended as Annexure 'A', Annexure I and Annexure II to the Item Note, as proposed.

"RESOLVED FURTHER THAT the Metropolitan Commissioner be and is hereby authorised to do and perform all deeds and things as may be necessary for the purpose of effectuating the foregoing resolution."

Item No.11: **Damages to Sea-wall between Girgaum Chowpatty and Nariman Point – Arranging Funds for strengthening of- Revised Funding Procedure-**

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

RESOLUTION NO. 766:

"RESOLVED THAT the Executive Committee hereby recommends to the Authority to approve under section 21-A of the MMRDA Act, 1974, the proposal to share Rs.6 crores being 50% of the total revised cost of Rs.12 crores of the

work of carrying out repairs to the sea wall between Girgaum Chowpatty and Nariman Point, with the Brihanmumbai Municipal Corporation, as proposed.

"RESOLVED FURTHER that the Executive Committee also recommends to the Authority to sanction a soft loan of Rs.3.5 crores to the Brihanmumbai Municipal Corporation at an interest rate of 13% per annum to be paid in 10 equal instalments and on half yearly basis and the first instalment becoming due after the construction is completed.

"RESOLVED FURTHER that the Executive further recommends to the Authority to authorise the Metropolitan Commissioner to make payment of the abovesaid sum of Rs.6 crores to the State Government in the Public Works Department as and when the demand is raised by that Department."

Item No. 12 : **MUDP-RF**
Grant of Rs.18.98 lakhs to Thane Municipal
Corporation for carrying out the study of
Sanitation Services.

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

RESOLUTION NO.767:

"RESOLVED THAT in exercise of the powers under Section 21A of the MMRDA Act, 1974 delegated to the Executive Committee by the Authority under Resolution No. 422, dated 31st March, 1990, the Executive Committee hereby sanctions an amount of Rs. 18.98 lakhs as grant-in-aid to the Thane Municipal Corporation from the MUDP-RF for carrying out the technical study on Sanitation Services, as proposed.

"RESOLVED FURTHER that the Metropolitan Commissioner be and is hereby authorised to advance the grant-in-aid to the Thane Municipal Corporation and to carry out actions as may be necessary for monitoring and timely completion of the study."

- ITEM NO.13(A) :** **Quarterly Accounts of the MMRDA for the quarter ending 30.6.1998.**
- ITEM NO. 13(B):** **Quarterly Accounts of the MMRDA for the quarter ending 30.09.1998.**

Accounts for both the quarters ending 30.6.1998 and 30.9.1998, respectively were noted by the Committee.

- Item No.14 :** **MUDP-Revolving Fund - Quarterly Management Report from 1st April, 1998 to 30th June, 1998.**

The Quarterly Management Report was noted by the Committee.

- Item No.15 :** **Payment of ex-gratia to the Non-Gazetted officers/staff in the pay scale of Rs.2000-3500/- and Rs.2375-3500/-.**

The contents of the Item Note were noted by the Committee.

- Item No.16:** **Special Medical Claim of Shri A. G. Borkar, Technical Adviser to the Metropolitan Commissioner**

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

RESOLUTION NO.768:

"RESOLVED THAT the Executive Committee hereby accords its approval to Shri A. G. Borkar, Technical Adviser to the Metropolitan Commissioner being reimbursed the medical expenses of Rs.2,34,698/- incurred by him for by-pass Surgery or the expenses which would have been incurred in the Government listed hospitals for the said treatment, whichever are less, as a special case, as proposed.

"RESOLVED FURTHER THAT the Executive Committee hereby authorises the Metropolitan Commissioner to implement and deal with similar cases and other diseases of medical reimbursement of MMRDA employees hereafter considering the merits of the claims, as proposed in para. 6 of the Item Note."

Item No. 17 : **Appointment of Selection Committee for the post of the Chief Engineer, MMRDA.**

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

RESOLUTION NO.769:

"RESOLVED THAT the Executive Committee hereby appoints a Selection Committee consisting of (i) the Chief Secretary to Government and Chairman, Executive Committee, MMRDA; (ii) The Secretary to Government, Public Works Department and (iii) the Metropolitan Commissioner for the selection of candidate for the post of Chief Engineer, MMRDA".

Item No.18 : **Consultancy services for sale of commercial plots in G block of Bandra-Kurla Complex**

The consideration of the Item was deferred.

Item No. 19 : **Consultancy Services for Landscape design in the Pedestrian Plaza in 'E' block of Bandra-Kurla Complex.**

19.1 While generally endorsing the proposals contained in the Item Note, the Committee desired that senior reputed landscape architects at New Delhi, Bangalore, etc. be also short listed for the purpose and for that matter, if necessary, the Urban Art Commission, New Delhi be also consulted. Taking into consideration the fact that senior reputed architects usually do not quote, the

Committee desired that the selection may be done on the basis of reputation rather than fees required to be paid.

19.2 The Committee accordingly passed the following Resolution :-

RESOLUTION NO.770:

"RESOLVED THAT the Executive Committee hereby authorises the Metropolitan Commissioner to select consulting Landscape Architect on the basis of suggestions made in para.19.1 of these minutes.

"RESOLVED FURTHER THAT the Executive Committee, in exercise of powers conferred under sub-Section (5) of section 7 of the MMRDA Act, 1974, authorises the Metropolitan Commissioner to exercise its power under clause (iii) of sub section (3) of section 7 of the Act, for award of work in the present case and authorises the Metropolitan Commissioner to negotiate and execute appropriate agreement with the selected consultants."

Item No. 20: **Transfer of vacant plot admeasuring 12427 Sq.Mtrs. out of CTS No.531 of Dharavi Division along with fencing work etc.done by MMRDA to Government of Maharashtra for development as Sports Complex cum Park**

The Item was, with permission, withdrawn.

Item No 21: **Redevelopment of Bandra and Kurla Stations and the adjacent areas - selection of consultants for the study.**

The consideration of the Item was deferred.

Item No. 22 : **Appointment of a consultant for the telecommunication system for the International Finance and Business Centre in Bandra-Kurla Complex.**

The consideration of the Item was deferred

Item No. 23 : **Action taken report on appointment of a consultant for preparation & implementation of Resettlement Action Plan (RAP) and Community Environmental Management Plan (CEMP) for Anik-Panjrapol Link Road.**

The Committee noted the contents of the Item Note and approved the proposal contained therein and accordingly passed the following Resolution :-

RESOLUTION NO.771:

"RESOLVED THAT in exercise of the powers conferred under clause (iii) of sub-Section(2) of Section 7 of the MMRDA Act, 1974 the Executive Committee hereby accords ex-post facto approval to the appointment of M/s.G.D.Sambhare & Co. for preparation and implementation of the Resettlement Action Plan (RAP) and the Community Environmental Management Plan (CEMP) for the Anik-Panjrapol Link Road (APLR) at a total consultation fee of Rs.136 lakhs plus 5% service tax, as proposed in the Item Note and the Report of the Negotiation Committee annexed thereto.

"RESOLVED FURTHER THAT the Executive Committee also accords sanction to meet the cost of the abovementioned study, in the first instance, from the MMRD Fund, subject to reimbursement thereof by the State Public Works Department, as proposed."

Item No 24 : **Consultancy study for Traffic, Economic and Environmental Feasibility of Flyovers project being taken up by MSRDC.**

24.1 In connection with this Item, the Metropolitan Commissioner informed the Committee that the Chairman and Managing Director, Maharashtra State Road Development Corporation (MSRDC) had contacted him (the Metropolitan Commissioner) on phone and requested to release further instalment of loan sanctioned by the Authority under its Resolution No.780, dated the 12th March, 1998 for construction of flyovers. The Metropolitan Commissioner also invited

attention of the Committee to the contents of para.5.1 of the Item Note wherein it was inter alia reported that the MSRDC had not till then complied with the conditions set by the Authority for release of loan amount, including obtaining Government guarantee, signing of agreement, etc.

24.2 The Committee after discussion approved the proposal contained in the item note and desired that until the study concerning these flyovers is completed, the balance amount of loan should not be released to the MSRDC. The Committee accordingly passed the following Resolution :-

RESOLUTION NO. 772 :

"RESOLVED THAT in exercise of the powers conferred under section 7(3) (ii) of MMRDA Act, 1974 the Executive Committee hereby accords its approval to take up the study for Traffic, Environment and Economic Feasibility of the flyover program as desired by the World Bank, as proposed.

"RESOLVED FURTHER THAT in exercise of the powers conferred under section 7(3) (iii) of MMRDA Act, 1974 read with section 7(5) thereof, the Executive Committee hereby authorises the Metropolitan Commissioner to finalise the Terms of Reference, shortlist, select and appoint suitable consultants for the study and to take all the necessary steps for successful implementation of this Resolution, as proposed."

Item No. 25:

**Mumbai Urban Transport Project-II (MUTP-II) and
Mumbai Urban Rehabilitation Project (MURP) -
Provision of counterpart funds by MMRDA for the
schemes of Govt. of Maharashtra**

The consideration of the Item was deferred

Item No. 26: MUDP-RF Loan Assistance to Panvel Municipal Council for augmentation of water supply to Panvel – Appraisal Report

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

RESOLUTION NO 773 :

"RESOLVED THAT in exercise of the powers conferred under section 21A of the MMRDA Act, 1974, delegated to the Executive Committee by the Authority vide Resolution No. 422, dated March 31, 1990, the Executive Committee hereby sanctions a loan assistance of Rs. 12.137 crores from the MUDP-RF to the Panvel Municipal Council, for augmenting the water supply to Panvel using Dehrang Dam as source as proposed.

"RESOLVED FURTHER that the Metropolitan Commissioner be and is hereby authorised to take all necessary steps to advance the loan assistance and to take necessary actions for the timely completion of the project and compliance of the conditions of the loan."

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