

No. EXC/MTG/21.

BOMBAY METROPOLITAN REGION  
DEVELOPMENT AUTHORITY,  
18th Floor, New Administrative  
Building, Madame Cama Road,  
Opp. Mantralaya, Bombay-400 032.

Date : 3rd February, 1978.

The minutes of the twenty-first meeting of the  
Executive Committee of the B.M.R.D.A. held on the  
27th January, 1978, are enclosed.

*S. D. Sule*

( S. D. Sule )  
Secretary,  
Executive Committee.

To:

- Shri S.V. Bhave, Chief Secretary to the Govt. of Maharashtra, General Administration Deptt., Mantralaya, Bombay-400 032 - Chairman.
- Shri P.V. Nayak, Metropolitan Commissioner and Vice-Chairman, Executive Committee, BMRDA.
- Shri B.N. Adarkar, Chairman, Transport & Communications Board, BMRDA- Member.
- Shri C.M. Correa, Chairman, Housing, Urban Renewal and Ecology Board, BMRDA - Member.
- Shri N.G.K. Murti, Chairman, Water Resources Management Board, BMRDA - Member.
- Shri B.G. Deshmukh, Municipal Commissioner, Municipal Corporation of Gr. Bombay - Member.
- Shri G.H. Lalwani, Secretary to the Govt. of Maharashtra Urban Development and Public Health Deptt., Mantralaya, Bombay-400 032-Member.
- Shri B.S. Dhavale, Managing Director, CIDCO, Bombay.

INVITEES :

- The Financial Adviser, BMRDA
- The Deputy Metropolitan Commissioner, BMRDA.
- The Member-Secretary, Housing, Urban Renewal & Ecology Board, BMRDA.
- The Member-Secretary, Transport & Communications Board, BMRDA.
- The Member-Secretary, Water Resources Management Board, BMRDA.
- The Legal Adviser, B.M.R.D.A.
- The Consultants.

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MINUTES OF THE TWENTY FIRST MEETING OF THE  
EXECUTIVE COMMITTEE OF BMRDA

Date : 27th January, 1978.

Place : Special Committee Room,  
5th Floor, Mantralaya.

Member present :

Shri S.V. Bhave, Chief Secretary to the  
Govt. of Maharashtra - Chairman.

Shri P.V. Nayak, Metropolitan Commissioner,  
B.M.R.D.A. - Vice-Chairman.

Shri N.G.K. Murti, Chairman, W.R.M. Board,  
B.M.R.D.A. - Member.

Shri G.H. Lalwani, Secretary to the Govt.  
of Maharashtra - Member.

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

Invitees :

The Financial Adviser, B.M.R.D.A.

The Member-Secretary, T. & C. Board.

The Member-Secretary, H.U.R.E. Board

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

The Deputy Municipal Commissioner  
(Engineering), B.M.C.

Shri B.N. Adarkar, Chairman, T. & C. Board,  
and Shri C.M. Correa, Chairman, H.U.R.E. Board, had  
intimated their inability to attend the meeting. They  
were granted leave of absence.

Item No. 1 : Confirmation of the minutes of  
the last (Twentieth) meeting.

The minutes of the Twentieth meeting of the  
Executive Committee, held on the 27th January, 1978,  
were confirmed.

Item No. 2 : Action taken on the minutes of the  
last (Twentieth) meeting.

Action taken on the minutes of the Twentieth  
meeting of the Executive Committee held on the 27th  
January, 1978, was noted.

Item No. 3 : Applications for permission under  
Section 13 of the BMRDA Act, 1974.

The applications bearing the following  
registration numbers were placed on the Table :-

- |                 |                 |
|-----------------|-----------------|
| (1) 72/12/12/77 | (2) 73/12/12/77 |
| (3) 75/17/12/77 | (4) 76/22/12/77 |
| (5) 77/28/12/77 | (6) 78/7/1/78   |
| (7) 79/7/1/78   |                 |

The....

The Committee considered each application, and decided as follows :-

Application No.72/12/12/77 (Shri V.S. Ketkar, Makrand Co.Op.Housing Society Ltd.).

The applicant had sought permission for reconstruction of building with F.S.I. of 1.33. The new tenants proposed to be accommodated include a bank on the ground floor. Prior permission of the Authority is necessary as the proposal to accommodate a bank in the new building attracted the provisions of part (A) of the BMRDA Notification No.MC/RDM/3285/77, dated the 10th June, 1977. The Committee noted that the bank, which would occupy 225.46 sq.m. on the ground floor, would replace a factory, which occupied an area of 231.60 sq.m. in the plot. In view of this, and also keeping in view the locality involved and the nature of the institution, which was proposed to replace the factory, the Committee decided that the permission applied for should be granted.

Application No.73/12/12/77 (Shri Girish Harshad Shah).

The Committee considered the application, and noted that the proposal envisaged reconstruction of a building wholly for residential purpose after demolishing two dilapidated structures (which were situated in the set back area to be handed over to the B.M.C. for road widening), and one more structure to provide recreation space. The F.S.I. of the building before partial demolition was 1.53, and it was proposed to be increased to 1.66, which is the F.S.I. under the Development Control Rules. Having regard to the facts that the proposed development envisaged a marginal increase over the pre-existing F.S.I., and that besides providing better accommodation to the residential tenants in the demolished buildings, it would also result in the general improvement of the area by facilitating road widening and creating open space, the Committee decided that permission applied for should be granted.

Application No.75/17/12/77...

Application No.75/17/12/77 (Shri. Girish Harshad Shah)

The Committee noted that the proposed development envisaged increasing the floor area by 463.34 sq.m., raising the F.S.I. from 1.38 to 1.64, and providing accommodation for 6 additional tenants. The Committee considered the plea of the applicant that no non-permissible users were proposed, and that the tenement density would also be less than the limits specified in the Development Control Rules. The Committee, however, felt that the proposed addition would aggravate the congestion in the area, and that if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

Application No.76/22/12/77 (Shri Shiv Vaibhav Madhyavarti Sahakari Grahak Bhandar Ltd.)

The Committee noted that the proposed development consisted of change of use to office on the ground floor, branch of a Bank on the first floor and office of Bank on the 2nd floor. The office developments proposed on the ground floor and the 2nd floor are not permissible under the Development Control Rules. The Committee further noted that the proposed developments were likely to accommodate 50 new workers, as per the information furnished by the applicant. The Committee felt that this would lead to an increase in the congestion in the area. The Committee considered the plea of the applicant that they were constrained to allot the area to the Bank, whom they had approached to finance the completion of the Building, but did not consider the plea relevant. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

Application No.77/28/12/77 (Adwait Co-Operative Housing Society Ltd.)

The Committee noted that the proposal for reconstruction of a building envisaged increasing the floor area, raising the F.S.I. from 1.45 to 1.80. Though it was proposed to provide accommodation only

for the.....

for the existing tenants, it was noted that not only the proposed F.S.I. but even the existing F.S.I. was in excess of the F.S.I. permissible under the Development Control Rules. The Committee also noted that the number of tenements, existing and proposed, were in excess of the limit specified in the Development Control Rules. The Committee felt that, if the desired permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

Application No. 78/7/1/78 (Bombay Central Sahara Co-Operative Housing Society Ltd.).

The Committee considered the application for reconstruction of building for the purpose of providing tenements to 20 members of the Co-Operative Housing Society in addition to the 4 existing tenants. The Committee noted that the proposal envisaged construction of 18 dwelling units of 600 sq.ft. each and 6 units of 450 sq.ft. each, raising the F.S.I. to 1.66 from that of 1.00 consumed at present. The Committee also noted that the proposal for reconstruction was mainly aimed at housing 20 new tenants (in addition to the existing 4 occupants). The Committee felt that this would add to the congestion of the area, and that, therefore, it was not desirable to permit any development in excess of an F.S.I. of 1.33 prescribed by the Authority's Notification dated the 10th June, 1977. The Committee felt that, if such permission were granted, the overall development of the Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

Application No. 79/7/1/78 (M/s New Great Eastern Spg. and Wvg. Co. Ltd.).

The Committee desired some additional information in respect of the proposed development. The consideration of the application was, therefore, deferred.

The Committee then passed the following

resolution :-

Item No. 5 : Cases of houses in Greater Bombay, which had been destroyed during the last 5 years.

The Committee considered the Agenda Note, and endorsed the views contained in the Agenda Note.

Item No. 6 : Delegation of powers to engineering officers of H.U.R.E. Board for execution of work programme.

The Committee considered the Agenda Note. The Legal Adviser confirmed that the powers in question vested in the Ex. Committee under the BMRDA Act, and that the proposed delegation of powers is legally feasible. It was agreed that the proposed delegation of powers should be approved, subject to the works in question being administratively approved by the competent authority and the availability of provision in the budget for the proposed works. The Committee then passed the following resolution :-

RESOLUTION NO. 83 :-

Resolved that, in exercise of the powers conferred by clauses (vi) and (vii) of sub-section (2) of Section 7 of the B.M.R.D.A. Act, 1974, and all other powers enabling it in this behalf, the Executive Committee hereby approves the delegation of the following powers to the Engineering Officers of the H.U.R.E. Board for executing the work programme of the Board, subject to the conditions that (i) the scheme or project in question should have received the administrative approval of the competent authority, and (ii) budget provision should be available for the execution of the scheme or work :-

(I) Power to entrust work of survey and/or designing and/or estimating for a specific work; and

(II) Power to entrust works on consultancy basis to private agencies for supervising execution of works :

Two separate Short Lists for (I) and (II) above should be prepared by the Chairman and Member-Secretary, H.U.R.E. Board, from amongst the Consultants, who had earlier responded to

the.....

resolution :-

RESOLUTION NO.82 :- Resolved that, in exercise of the powers conferred on it by clause (v) of sub-section (2) of Section 7 of the B.M.R.D.A. Act, 1974, read with Sub-Section (1) of Section 13 of the said Act, and all other powers enabling it in this behalf, the Committee hereby -

(I) refuses permission on behalf of the Authority under Sub Section (3) of Section 13 of the said Act, to persons or authorities, who have presented applications, bearing the following registration numbers, for the reasons recorded in this minute.

(1) 75/17/12/77

(2) 76/22/12/77

(3) 77/28/12/77

(4) 78/7/1/78

and

(II) grants permission on behalf of the Authority under sub-section (3) of Section 13 of the said Act to -

(i) Makrand Co-Operative Housing Society Ltd. (Registration No.72/12/12/77) for reconstruction of a building with an F.S.I. of 1.33, containing, besides shops (117.74 sq.mt.) and residential tenements (2058.10 sq.mt.), a bank (on the ground floor) in an area of 225.46 sq.mt., in C.S. No.88, Plot No.1164 of T.P. Scheme No.IV, Mahim, on Cadell Road, in Municipal Ward G-North, Bombay;

and(ii) Shri Girish Harshad Shah (Registration No. of application 73/12/12/77) for reconstruction of building with the floor area 4212.20 having F.S.I. 1.66 for residential use in city survey No.369, Urankarwadi on Mughhat Street, in Municipal Ward 'E', Bombay.

Item No. 4 : Accounts of the Bombay Metropolitan Region Development Authority for the quarter ending 31st December, 1977.

The Committee noted the quarterly report of the Accounts for the quarter ending the 31st December, 1977.

Item No. 5 .....

to the advertisement issued by the H.U.R.E. Board on the 4th and 5th March, 1977, and the Short Lists so prepared should then be used by the Member-Secretary, H.U.R.E. Board, for inviting bids for undertaking the above activities for each specific work. These short lists shall be revised annually by the Chairman and Member-Secretary, H.U.R.E. Board. The power for acceptances of bids so received shall be as under :

(i) Executive Engineer :

(a) To accept the lowest bid from amongst the bidders in the approved Short List where the total fees do not exceed Rs.5,000/- and

(b) to accept bids upto Rs.5,000/- other than the lowest, with the prior sanction of Superintending Engineer.

(ii) Superintending Engineer :

(a) To accept the lowest bid from amongst the bidders in the approved Short List where the total fees do not exceed Rs.25,000/-; and

(b) to accept bids upto Rs.25,000/- other than the lowest, with the prior sanction of the Member-Secretary.

(iii) Member-Secretary :

To accept the lowest bid, or any other bid (with approval of Tender Committee), from the bidders amongst the approved Short List, where the amount of fees does not exceed Rs. 2 lakhs.

(III) Power to entrust the work of survey and/or designing and/or estimating and/or execution to any of the public organisations at standard, or reduced (if any), centage charges of these organisations :

The Member-Secretary, H.U.R.E. Board, shall have full powers in this respect upto Rs. 50/lakhs, and these powers should not be delegated to the lower officers.

(IV) As regards powers for other miscellaneous matters connected with execution of works when carried out by the Board's engineers or through private consultants and agencies, these shall be on the lines delegated to engineers in the P.W.D. of the Government of.....



of Maharashtra (Member-Secretary to have powers of Chief Engineers in the State Public Works Department), and till a separate Manual is evolved by the B.M.R.D.A. the provisions of Maharashtra Public Works Manual should be generally followed for dealing with all allied issues, e.g. Schedule of Rates, technical sanction, approval to excess, splitting up of works for convenience of execution, actions against contractors, work charged establishment, contingencies, approval to draft tender papers, invitation and acceptance of tenders, applying various checks, accounting, passing and paying of bills, etc. The Tender Committee for accepting tenders other than the lowest, as mentioned in the Maharashtra Public Works Manual, at Executive Engineer's level, shall consist of the Executive Engineer and Superintending Engineer, at Superintending Engineer's level it shall consist of Superintending Engineer and Member-Secretary, and at Member-Secretary's level it shall consist of Member-Secretary, Metropolitan Commissioner and Financial Adviser.

Further resolved that the Member-Secretary is hereby delegated power to accept or reject tenders in respect of works upto Rs.50 lakhs (provided the prescribed procedure is followed and revised administrative approval, if necessary, is obtained in advance from the competent authority) and also the power of making recommendations about acceptance or rejection of tenders to the Standing Committee where the value exceeds Rs.50 lakhs.

Item No. 7 : Reporting cases of exercise of powers delegated by the Executive Committee.

The Committee considered the Agenda Note and passed the following resolution :-

RESOLUTION NO. 84 : Resolved that the case of exercise of powers delegated by the Executive Committee reported in the Agenda Note is noted.

Item No. 8 : Traffic Study & Cost Benefit Analysis for proposed Pilot Project for construction of an Inland Water Transport Terminal at Vashi New Bombay.

The Agenda item was noted by the Committee.