

No. EXC/MTG/72.

BOMBAY METROPOLITAN REGION
DEVELOPMENT AUTHORITY
Griha Nirman Bhavan
5th Floor
Bandra (East)
Bombay 400 051

September 23, 1982.

The minutes of the Seventy-second
Meeting of the Executive Committee of the Bombay
Metropolitan Region Development Authority,
held on the 16th September, 1982 are enclosed.

S. V. Asgaonkar
(S. V. ASGAONKAR)^{23/9/82}
SECRETARY,
EXECUTIVE COMMITTEE

To:

- The Chief Secretary to the Govt. - Chairman
of Maharashtra, General Admini-
stration Department, Mantralaya,
Bombay 400 032.
- The Metropolitan Commissioner, - Vice Chairman
B.M.R.D.A.
- The Chairman, T&C Board, BMRDA. - Member
- The Chairman, WRM Board, BMRDA. - Member
- The Chairman, HURE Board, BMRDA. - Member
- The Municipal Commissioner, - Member
B.M.C., Bombay.
- The Managing Director, - Member
C.I.D.C.O., Bombay.
- The Secretary to the Govt. of - Member
Maharashtra, Urban Development
Department, Mantralaya, Bombay.

INVITEES :

- The Financial Adviser, B.M.R.D.A.
- The Dy. Metropolitan Commissioner, BMRDA.
- The Member-Secretary, T&C Board, BMRDA.
- The Member-Secretary, WRM Board, BMRDA.
- The Member-Secretary, HURE Board, BMRDA.
- The Chief Engineer, Execution Wing, BMRDA.
- The Legal Adviser, B.M.R.D.A.
- The Senior Urban Planner, B.M.R.D.A.
- The Senior Planning Officer and
Deputy Secretary, HURE Board, B.M.R.D.A.
- The Chief Accounts Officer, B.M.R.D.A.

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SEVENTY-SECOND MEETING OF THE EXECUTIVE COMMITTEE

B.M.R.D.A.

DATE : 16th September, 1982(Thursday),

TIME : 10.00 A.M.

PLACE : Special Committee Room,
Mantralaya (5th Floor).

MEMBERS PRESENT :

- Shri R.D. Pradhan, Chief Secretary - Chairman.
to the Government of Maharashtra.
- Shri L.C. Gupta, Metropolitan Commissioner, - Vice-Chairman.
B.M.R.D.A.
- &
- Secretary, Urban Development Deptt. - Member.
- Shri D.M. Sukthankar, Municipal - Member
Commissioner, Bombay Municipal
Corporation, Bombay.
- Shri S.P. Mohoni, Managing Director, - Member.
C.I.D.C.O., Bombay.

INVITEES :

- The Financial Adviser, BMRDA.
- The Member-Secretary, T&C Board, BMRDA.
- The Member-Secretary, WRM Board, BMRDA.
- The Member-Secretary, HURE Board, BMRDA.
- The Chief Engineer, Execution Wing, BMRDA.
- The Director (Engineering Services and
Projects), Municipal Corporation of
Greater Bombay.
- The Legal Adviser, B.M.R.D.A.
- The Senior Urban Planner, B.M.R.D.A.
- The Senior Planning Officer and Deputy
Secretary, HURE Board, B.M.R.D.A.
- The Chief Accounts Officer, B.M.R.D.A.
- Shri S.V. Asgaonkar, Secretary, Executive Committee, B.M.R.D.A.

Item No. 1 : Confirmation of the minutes of
the last (71st) Meeting.

The Metropolitan Commissioner stated that minutes
in respect of Item No.9 (BMRDA Office Building - Appointment
of agency for supervision and execution of -) were not

correctly.....

correctly recorded. The Executive Committee had then decided that the suggestion viz. Execution Wing of the BMRDA should supervise the superstructure work of the building, should be re-examined, which had not been brought out in the minutes.

After some discussion, the Chairman, Executive Committee suggested that the said minutes be recorded as follows, to which the Committee agreed :-

"During the course of discussion on this item, one of the suggestions was that the Execution Wing of the BMRDA should itself supervise its own building project.

After further discussion, it was decided that the Public Works Department may be asked to complete the work of foundation only. For supervision of superstructure work, quotations from organizations like B.M.C., M.I.D.C., C.I.D.C.O. etc. and private engineering and architectural firms be obtained and the proposal, including supervision by B.M.R.D.A., be submitted for Executive Committee's consideration at an early date."

The minutes as amended were then confirmed.

Item No. 2 : Action taken on the minutes of the last (71st) Meeting.

After some discussion on the action taken report in respect of Item No.6, the action taken report was noted by the Committee.

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 :-

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|------------------|------------------|
| (1) 386/20/07/82 | (3) 389/02/08/82 |
| (2) 388/30/07/82 | (4) 390/18/08/82 |

- (1) Application No.386/20/07/82 (Hotel Corporation of India Ltd.)

The Committee considered the application and noted

that the.....

that the proposal was for addition of 9,321.15 square metres floor area to the existing building of the Centaur Hotel at Vile Parle (East), in 'K' (East) Municipal Ward. The Government in Urban Development and Public Health Department had by its letter, No.BMRDA.3580/CR.196-UD-4, dated 4/6/5/1982 had inter alia allowed F.S.I. of 1.39 for the proposed extension of the Centaur Hotel, under Rule 10(2) of the Development Control Rules for Greater Bombay. The additional area was proposed to be utilised for additional 82 guest rooms, a laundry, sports club, etc. to cater to the tourists' demand. The Committee recapitulated that at its 51st meeting held on 14.8.1980, it had recommended to the Government a proposal for granting 50% extra F.S.I. over and above the permissible D.C. Rules F.S.I. for tourists'hotels in Suburbs only. The application under consideration was thus in conformity with Committee's earlier recommendation. The Committee, therefore, decided to grant the permission applied for.

(2) Application No.388/30/07/82 (The Indian National Theatre.)

The Committee considered the application and noted that the proposal was for construction of a building with floor area of 7,666.108 square metres, with F.S.I. 2.20 at Plot No.38, Chowpatty (West) Estate, known as Chowpatty Municipal Market at Dady Seth Road in 'D' Municipal Ward. The land in question was leased by the Municipal Corporation of Greater Bombay to the applicant on certain conditions. One of the conditions of the lease required the applicant to demolish the present Chowpatty Municipal Market occupying 14,000 sq.ft. area and to construct a new market/shopping centre at the applicant's cost for being handed over to the lessor free of cost. The applicant had, therefore, requested to grant F.S.I. of 2.20 (1.66 for Theatre Complex + 0.54 for Market/Shopping Centre). The Committee further noted that under the sanctioned Development Plan of 'D' Ward, the land in question is earmarked as existing Chowpatty Market where no other development except a public market can be

located.....

located. Besides, the F.S.I. of 2.2 requested by the applicant was much in excess of the permissible D.C. Rules F.S.I. of 1.66. As per explanation added by the BMRDA's Notification, No.C/RDM 1080/2118(A), dated 7.10.1980 to the Original Notification, dated 10.6.1977, the Committee has no powers to grant any permission which may be in excess of or contrary to any provisions of the D.C. Rules in Greater Bombay for the time being in force. The application was, therefore, rejected being ultra vires of the Committee's powers and, therefore, not maintainable.

(3) Application No.389/02/08/82 (Shah Manshuklal Kanji Storage Co.)

The Committee considered the application and noted that the proposal was for construction of five permanent vegetable oil storage tanks in lieu of temporary tanks at Survey No.145 (Part) of Parel-Sewri Division, Plots Nos.1, 1A, Coal Depot, Mazgaon-Sewri Reclamation Estate (BPT), in 'F-South' Municipal Ward. The plot under reference is in I-2 Zone and the F.S.I. proposed to be consumed was also within the restricted F.S.I. of 1.33. The Committee, however, noticed that permission for 5 square type mild steel removable tanks was granted by the Municipal Corporation of Greater Bombay by taking a deposit of Rs.25,000/- and by insisting upon a registered undertaking to the effect that tanks would be removed within a period of two years i.e. by 29.4.1980. This permission was granted to facilitate the work of raising the existing tank No.1, which was since then completed and occupation for the said tank was also granted by the Municipal Corporation of Greater Bombay. The applicant had requested permission on the ground that in the course of their business, they were required to store various types of vegetable oils, and ~~therefore~~ otherwise, they would be required to restrict storing of only four categories of vegetable oils. The Committee further noted that a study on warehousing and transport linkages in the Bombay Metropolitan Region has indicated that there is already a surplus capacity in the storage of vegetable oils with the private traders and that even in the coming decade, the situation would remain the same. Besides, the overseas trade in all vegetable oils is canalised through the State Trading Corporation. The Committee, therefore, felt that if the desired permission.....

permission were granted, the overall development of the Bombay Metropolitan Region is likely to be affected adversely. The application was, therefore, rejected.

(4) Application No.390/18/08/82 (M/s. Amar Builders.)

The Committee considered the application and noted that the proposal was for change of use of area admeasuring 1,039.10 square metres from clinic and residential to the bank premises of the Saraswat Co-operative Bank Ltd. at Avanti Building, on Plot No.488 (Part), T.P.S.IV, Mahim, at Senapati Bapat Marg in 'G-North' Municipal Ward. As per the sanctioned Development Plan of the Ward, the land under reference is in Industrial Zone. The Committee was not aware whether user of the land was subsequently changed to Residential Zone by the Bombay Municipal Corporation. Eventhough, Development Control Rules permit branch office of a bank in Residential Zone for providing service to the locality, the area is restricted to 100.00 square metres only. The proposed area was however, much in excess of the permissible limit. As per explanation added by the BMRDA's Notification, No.C/RDM 1080/2118(A), dated 7.10.1980 to the Original Notification, dated 10.6.1977, the Committee has no powers to grant any permission which may be in excess of or contrary to any provisions of the D.C. Rules in Greater Bombay for the time being in force. The application was, therefore, rejected being ultra vires of the Committee's powers and, therefore, not maintainable.

Accordingly the Committee passed the following Resolution:-

RESOLUTION NO. 221 :

Resolved that in exercise of the powers conferred on it by clause (v) of the sub-section(2) of section 7 of the Bombay Metropolitan Region Development Authority 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) grants permission to Hotel Corporation of India Ltd.(Application bearing Registration No.386/20/7/82) for addition of 9,321.15 square metres floor area to the existing Building of The Centaur Hotel at Vile Parle (East) in 'K-East' Municipal Ward; and

(II) refuse.....

- (II) refuses permission, on behalf of the Authority, under sub-section(3) of section 13 of the said Act to Shah Manshuklal Kanji Storage Co. (Application bearing Registration No.389/2/8/82), for the reasons recorded in these minutes.

Resolved further that the following applications received in terms of Section 13(2) of the BMRDA Act, 1974, being ultra vires of the powers of the Committee, and, therefore, not maintainable, are hereby rejected :-

- (1) Indian National Theatre (Application bearing Registration No.388/30/7/82); and
- (2) M/s. Amar Builders (Application bearing Registration No.390/18/8/82).

Item No. 4 : Consultancy for preparing Report on the approach to housing schemes in the B.M.R. - Payment of out-of-pocket expenses to the consultants.

After discussion, the Committee rejected the proposal to pay Rs.500/- to the consultants as out-of-pocket expenses. The Committee further decided that the question of claiming damages from the consultants be examined.

Item No. 5 : Accounts of the Bombay Metropolitan Region Development Fund for the quarter ended on the 30th June, 1982.

Quarterly Accounts were noted by the Committee.

Item No. 6 : List giving details of appeals under Section 13(4) of the BMRDA Act, 1974.

Noted.

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

The Committee noted the appointment reported in the statement.

Item No. 8 :

Item No. 8 : Providing barbed wire fencing for protection of vacant land at Oshiware falling in the District Centre-
Protection of land against proliferation of unauthorised hutments and encroachments.

The Committee considered the item note and passed the following Resolution :-

RESOLUTION NO. 222 :

Resolved that the Executive Committee approves the proposal to provide barbed wire fencing for protection of Maharashtra Housing and Area Development Authority's vacant land, admeasuring approx. 15 Hectares at Oshiware, required for the proposed District Centre to be developed by the BMRDA and to incur expenditure to the extent of Rs.1,33,000/-, including agency charges, for execution of the fencing work.

Resolved further that the Executive Committee approves in principle the proposal regarding guarding of the land against proliferation of unauthorised encroachments.

The following item was then considered as Table Item, with the approval of the Chairman :-

Table Item : Development of Mahim Nature Park in Block 'H' of Bandra-Kurla Complex.

The Committee considered the item note and passed the following Resolution :-

RESOLUTION NO. 223 :

Resolved that the work of chain link fencing with brick wall, as mentioned in the agenda note, at the estimated cost of Rs.8.00 lakhs is approved.

Resolved further that the work of plantation of trees and its maintenance cost (including guarding) of Rs.40,000/- and Rs.25,000/- per annum, respectively, are also approved.

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

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