

Municipal Corporation of Greater
Mumbai

Reconstitution of Technical Committee
for High Rise Buildings.

GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya, Mumbai 400 032

Government Resolution No. TPB 4313/CR-41/2013/UD-11
Dated 9th June, 2014.

Read:

- 1) Government in the UDD's Resolution No. TPB 4303/49/CR-4/03/UD-11, dated 28th July, 2004.
- 2) Government in the UDD's Resolution No. TPB 4307/1024/CR-155/07/UD-11, dated 27th July, 2007.
- 3) Government in the UDD's Resolution Resolution No. TPB 4303/49/CR-4/03/UD-11, dated 3rd September, 2010.
- 4) Government in the UDD's Resolution Resolution No. TPB 4313/CR-41 / 2013 /UD-11, dated 19th October, 2013.
- 5) Order of the Hon'ble Supreme Court of India dated 17th December 2013 in Civil Appeal No.11150/2013 in Special Leave Petition (Civil) NO.33402/2012.

ORDER

The Government in the Urban Development Department, vide above cited Resolution dated 28th July, 2004, had constituted for a period of three years, a Technical Committee for scrutiny of proposals of High Rise Buildings, having height more than 70 mt and defined the terms of reference of the said Committee. Thereafter, upon expiry of the tenure of the said Technical Committee, the Government reconstituted the said Technical Committee vide above cited Resolutions dated the 27th July, 2007 and the 3rd September 2010 on the same terms of reference, each time for period of three years. Subsequently, when the tenure of the said Technical Committee expired on the 2nd September, 2013, the Govt. in Urban Development Department, vide above cited Resolution dated the 19th October, 2013, extended the term of the Technical Committee constituted vide above cited Resolution dated 3rd September, 2010 for a period of one year with effect from the 3rd Sept 2013.

However, the Hon'ble Supreme Court of India in Civil Appeal No.11150/2013 in Special Leave Petition (Civil) NO.33402/2012, vide para no.56 of its Order dated 17th December 2013, has directed the State Government to reconstitute the Technical Committee as per the directives contained in paras 56,57 and 58 of the said Order. Therefore, in supersession of the above cited Resolution dated 19th October, 2013, the Govt. hereby reconstitutes the Technical Committee for High Rise Buildings as

follows in accordance with the directions of Hon'ble Supreme Court in paras 56, 57 and 58 of its aforesaid order dated 17th December, 2013 :-

- | | |
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| 1) Chairman | Mr. Justice P. S. Patankar
Former Judge of the High
Court of Bombay |
| 2) Member Secretary | Chief Engineer(D.P.)
Municipal Corporation of
Greater Mumbai. |
| 3) Member
(Structural Engineering Expert) | Prof. Department of Civil
Engineering, IIT Bombay,
Pawai.
(Presently Professor R. S. Jangid
or any other Professor, with the
required qualifications, nominated
by the Director IIT Pawai.) |
| 4) Member
(Soil Mech.Geo Tech.Expert) | Prof. and Head of the Structural
Engineering Department, VJTI
Matunga.
(Presently Prof. Abhay
Bambole or any other professor,
with the required qualifications,
nominated by the Principal VJTI) |
| 5) Member
(Environmental Expert) | Director Gr. Scientist and Head
NEERI Regional Centre
(Presently Dr. Rakesh Kumar) |
| 6) Ex-Officio Member | Chief Fire Officer of MCGM |
| 7) Member
(Architect & Urban Researcher) | Mr. Pankaj Joshi
(Architect Urban Researcher and
Consultant to the MCGM) |

02. In specific cases, if the Chairman desires, any expert from other fields may be invited for the meeting of the Committee.

03. The terms of reference of the said Technical Committee, including the additional terms of reference mentioned in para 57 of the aforesaid order dated 17th December 2013 of Hon'ble Supreme Court of India shall be as follows:-

- (i) The Committee shall be of advisory nature and it will advise the Municipal Commissioner regarding the feasibility of development proposals that might be referred to it by the Commissioner. All new building proposals where the height of the buildings exceeds 70 mts. or where the Slenderness Ratio (i.e. Ratio of minimum width of the building to its height) is more than 1:9 shall be referred to the Committee. However, it will be open for the

Commissioner to overrule the recommendations of the Committee, after giving proper and reasonable justification in writing. Such powers shall not be delegated to any subordinate officer.

- (ii) The Committee will also look into the grievances regarding construction and technical requirements of the development schemes under DCR 33(7), 33(8), 33(9) and 33(10) whenever brought to the notice of the Committee by the concerned persons.
- (iii) The Committee may as well make recommendations to the State Government with respect to the new Development Plan which is under drafting.

04. The responsibilities of the MCGM regarding functioning of the said Technical Committee shall be as follows :-

- (1) The Municipal Corporation will make available necessary secretarial staff and an appropriate room at the Municipal Headquarters for the working of the said Committee.
- (2) The Municipal Corporation will pay an honorarium of Rs.50,000/- per month to the Chairman and the other members will be provided with the conveyance charges and attendance charges for attending the meetings of the said Committee and for site inspections, as per the municipal rules.
- (3) Municipal Commissioner may charge and recover such scrutiny fee per proposal at the time of submission of the proposal, as he finds necessary.

The tenure of the said Technical Committee shall be till further orders regarding reconstitution of the Committee.

By order and in the name of Governor of Maharashtra,



(Sanjay Banait)

Under Secretary to Government

Copy to -

- 1) The Principal Secretary to the Hon'ble Chief Minister, Mantralaya, Mumbai.
- 2) The Chief Secretary to the Government of Maharashtra, Mantralaya, Mumbai.
- 3) The Municipal Commissioner, Municipal Corporation of Gr. Mumbai, Mahapalika Marg, Mumbai.
- 4) The Principal Secretary (Housing Deptt.), Mantralaya, Mumbai.
- 5) The Principal Secretary (Environment Deptt.), Mantralaya, Mumbai.
- 6) The Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority, Plot No.C-14, Bandra Kurla Complex, Bandra (E), Mumbai 400 051.

- 7) The Chief Executive Officer, Slum Rehabilitation Authority, Griha Nirman Bhavan, Bandra (E), Mumbai.
- 8) The Director of Town Planning, Maharashtra State, Pune.
- 9) The Dy. Director of Town Planning, Gr. Mumbai, Mumbai.
- 10) Shri. P. S. Patankar, former judge of Bombay High Court
- 11) Shri. R. S. Jangid, Professor Department, Civil Engineering, IIT Pawai/Director IIT, Pawai.
- 12) Professor Shri. Abhay Bambole , Professor & Head of Structural Engineering, VJTI, Mumbai/Principal, VJTI, Mumbai.
- 13) Scientist in-charge NEERI Regional Lab, Mumbai.
- 14)
- ~~15)~~ Chief Fire Officer, MCGM, Mumbai, Member of Technical Committee.
- ~~16)~~ Mr. Pankaj Joshi, Architect, Urban Researcher and consultant to MCGM.
- ~~17)~~ The Chief Engineer, DP, MCGM, Member Secretary of Technical Committee.
- ~~18)~~ Select File.