

Ministry of Civil Aviation
Rajiv Gandhi Bhawan, New Delhi-110003

Minutes of the Meeting of the Appellate Committee for height clearance held on
17th August, 2018

Reference Ministry of Civil Aviation letter No. AV.20036/66/2000-AAI dated 15-10-2012 read with letters dated 31-12-2012 and dated 04-01-2013, the Appellate Committee constituted to consider appeal/grievance made by different applicants with regard to the height allocated to them by AAI for their construction vis-à-vis the height sought by them, held its meeting under the Chairmanship of Joint Secretary, Ministry of Civil Aviation (MOCA) on 17th August, 2018.

The following Committee members were present:-

1. Sh. Vineet Gulati - ED (ATM) on behalf of Member (ANS), AAI
2. Sh. J S Rawat - Jt. DGCA

The cases were presented by Mr. R K Singla GM (NOC), AAI.

Aeronautical Study Cases:

The Aeronautical Study were conducted for the following appeal cases as per the Guidelines for Aeronautical Study dated 11.07.2014 and Guidelines on Allowable Penetration of OLS dated 26th March 2015 approved by the Competent Authority. The Appellate Committee while arriving at their decision in each case has considered recommendations of the Aeronautical Study Reports.

1. M/s Sejal Shakti realtors LLP, Mumbai.

CHQ File No.: AAI/20012/180/2017
NOCAS ID: SNCR/WEST/B/012317/193837
Site Address: C.S. no. 6(pt), 16(pt) to 21(pt) of Salt Pan Division and C.S. no. 12(pt) of Sion Division, Mumbai.

The proposed site lies in Conical Surface at a distance of 919m from IHS of Santa Cruz Airport. The applicant had been granted an elevation of 102.86m AMSL vide AAI letter dated 20.03.2017. The applicant requested an elevation of 139.38m AMSL vide letter dated 25.09.2017.

On the approval of the competent authority, the Aeronautical Study was carried out. The Committee was informed that Aeronautical Study has indicated that the requested elevation is restricted to 134.38m AMSL for Rehab-A Wing, 134.23m AMSL for Rehab-B Wing, 134.11m AMSL for Rehab-C Wing and 129.87m AMSL for Sale Building, due to allowable penetration of OLS. The Committee observed that the above mentioned permitted top

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elevations are the minimum as derived from allowable penetration of OLS (through Aeronautical Study), CNS and PANS-OPS criteria.

Committees' Decision:

The permitted top elevation (P.T.E.) of 134.38m AMSL for Rehab-A Wing, 134.23m AMSL for Rehab-B Wing, 134.11m AMSL for Rehab-C Wing and 129.87m AMSL for Sale Building, is approved.

2. M/s Satara Co-operative Housing Society Ltd., Mumbai.

CHQ File No.: AAI/20012/227/2017
NOCAS ID: SNCR/WEST/B/092817/248993
Site Address: CTS No. 125(part) of Village Chembur, Vithal Narayan Purav Marg, Chunabhatti (East), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 3021m from Rwy 32 of Santa Cruz Airport. The applicant had been granted an elevation of 56.9m AMSL vide AAI letter dated 10.10.2017. The applicant requested an elevation of 89.34m AMSL vide letter dated 06.12.2017.

On the approval of the competent authority, the Aeronautical Study was carried out. The Committee was informed that Aeronautical Study has indicated that the requested elevation is restricted to 75.07m AMSL for Building 1 and 74.29m AMSL for Building 2, due to allowable penetration of OLS. The Committee observed that the above mentioned permitted top elevations are the minimum as derived from allowable penetration of OLS (through Aeronautical Study), CNS and PANS-OPS criteria.

Committees' Decision:

The permitted top elevation (P.T.E.) of 75.07m AMSL for Building 1 and 74.29m AMSL for Building 2, is approved.

3. M/s New Bake Bihari CHS Ltd, Mumbai.

CHQ File No.: AAI/20012/10/2018
NOCAS ID: JUHU/WEST/B/062217/227977
Site Address: CTS No. F/118 of Village Bandra, F P No. 477 of TPS III of Bandra at 24th Road, Khar (West), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 2882m from Rwy 09 of Santa Cruz Airport. The applicant had been granted an elevation of 56.9m AMSL vide AAI letter dated 18.07.2017. The applicant requested an elevation of 68.38m AMSL vide letter dated 19.11.2017.

On the approval of the competent authority, the Aeronautical Study was carried out. The Committee was informed that Aeronautical Study has indicated that the requested height of 68.38m AMSL is admissible. The Committee observed that the above mentioned permitted

top elevation is the minimum as derived from allowable penetration of OLS (through Aeronautical Study), CNS and PANS-OPS criteria.

Committees' Decision:

The permitted top elevation (P.T.E.) of 68.38m AMSL is approved.

4. M/s Emerald Developers, Mumbai.

CHQ File No.: AAI/20012/11/2018
NOCAS ID: JUHU/WEST/B/111916/182871
Site Address: CTS No. 9(pt),20(pt),21(pt), and 21/1 to 5 of Village Ambivali at Veera Desai Road, Andheri(W), Mumbai.

The proposed site lies in Conical Surface at a distance of 243m from IHS of Santa Cruz Airport. The applicant had been granted an elevation of 69.09m AMSL vide AAI letter dated 26.12.2016. The applicant requested an elevation of 90m AMSL vide letter dated 24.11.2017.

On the approval of the competent authority, the Aeronautical Study was carried out. The Committee was informed that Aeronautical Study has indicated that the requested elevation is restricted to 88.52m AMSL, due to allowable penetration of OLS. The Committee observed that the above mentioned permitted top elevation is the minimum as derived from allowable penetration of OLS (through Aeronautical Study), CNS and PANS-OPS criteria.

Committees' Decision:

The permitted top elevation (P.T.E.) of 88.52m AMSL is approved.

Other Cases:

5. M/s B.R. Shetty, Trivandrum.

CHQ File No.: AAI/20012/30/2015
Case No: MM/268/2014, TV/22/2014
NOCAS ID: THIR/SOUTH/B/031814/23597
Site Address: 530/23, 530/24, 530/8-1, 530/9-1, 530/9-2, Attipra/Akkulam, Thiruvananthapuram.

The case was heard in Appellate Committee meeting of 29.09.2015 wherein the Appellate Committee rejected the appeal as the constructed elevation was observed to be 6.44m more than the granted elevation of 49.26m AMSL. The Committee also directed AAI to follow up action with the State Authorities for taking action as per the prevalent Rules for the violation of exceedence of permitted height.

The Hon'ble High Court of Kerala (Ref. WP(C) No.13572 of 2015 filed by B. Raghuram Shetty, Chairman cum M.D. of M/s God's Own Country Health Resorts International Pvt. Ltd.) in its judgment dated 23.05.2018 directed the 2nd respondent appellate authority to reconsider the appeal preferred by the petitioner and pass fresh orders thereon, after hearing the petitioner or its representatives within a period of three months from the date of receipt of a copy of this judgment.

The case was recently heard in Appellate Committee meeting of 31.07.2018, wherein the Appellate Committee directed the applicant to present their case to the Appellate Committee on 17.08.2018 at 1200 noon in the O/o Joint Secretary (Airports), Ministry of Civil Aviation.

The applicant as well as the advocate of applicant (Sh. S Sreekumar) vide their e-mails dated 16.08.2018 stated their inability to reach New Delhi to attend their case hearing on 17.08.2018 due to adverse weather conditions in Kerala. They also requested to postpone the hearing date to a convenient date.

The Appellate Committee was appraised of the above facts.

Committees' Decision: The Applicant may be called on 7th September, 2018 at 11.00 hrs. to present his case to the Appellate Committee.

6. The Appellate Committee, in their meeting dated 22.05.2018, had decided that “21 nos. of cases, wherein there was variance of permitted height in the revised Aeronautical Study reports when compared with the old Aeronautical Study reports will be submitted to the Hon'ble High Court of Bombay for record purpose.”

AAI informed the Appellate Committee that the same has been complied with by AAI.

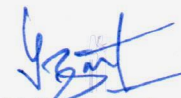
The Appellate Committee took note of the above action of AAI.

7. Since the Airport Operator is responsible for control and monitoring of obstacles in and around the airport, it was decided that the Airport CEO / Airport Director or his suitable representative should be present in the meetings of Appellate Committee, whenever Aeronautical Study cases are being taken up for the concerned airport.

AAI to inform the concerned Airport CEO / Airport Director accordingly.



(Vineet Gulati)
ED (ATM)



(J S Rawat)
Jt. DGCA



(ARUN KUMAR)
JT. SECY, MOCA
CHAIRMAN, APPELLATE COMMITTEE

Place: New Delhi.

