

Minutes of the Meeting of the Appellate Committee held on
24th September, 2013

Reference Min. 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 24th September, 2013;

The following Committee members were present:-

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|----|---------------------|---|-------------------|
| 1. | Sh. V. Somasundaram | - | Member (ANS), AAI |
| 2. | Sh. J.S.Rawat | - | Jt. DGCA |
| 3. | Sh. K. Gohain | - | Technical Expert |

The Committee was assisted by Shri V.K. Dutta, ED (ATM) and Sh. A.K. Bhardwaj, GM (ATM-NOC) of Airports Authority of India (AAI).

The Committee took the following decisions w.r.t processing of the cases:

1. The files pertaining to NOC cases shall be on the name of builder / owner of the project as entered in the NOCAS format.
2. The plot area of the proposed building should be given along with other details.
3. The name of the Consultant etc. who would present the case in front of the Committee to be indicated
4. Name of all those persons who represent a case on behalf of applicant must be mentioned along with their organization in the minutes.
5. It was observed that a number of consultants engaged by the applicants are not familiar with Obstacle Limitation Surfaces (OLS), their safeguarding procedures & regulations. While assisting the applicants, they are not able to guide the applicant properly in the process. Therefore, it would be appropriate to provide suitable training to the Consultants and implement registration of Consultants in AAI. Registered Consultants may be engaged by applicants if they need any assistance.
6. Permitting construction of a large numbers of buildings penetrating AGA surfaces through Aeronautical Studies may lead to a cluster of buildings. The Committee is of the opinion that extent of penetration of AGA surfaces may be restricted to ensure certain uniformity and symmetry in permitting such penetration in the overall interest of safety of operations.



The following decisions were taken for the Appeal cases that were brought up in this Committee Meeting:

1. M/s Reliance Industries, Mumbai✓

CHQ File No.: AAI/20012/453/2006-ARI
Site Address: Plot No. C-64, Village Bandra (East),
Bandra-Kurla Complex, Mumbai.

Aeronautical Study of the above site was conducted by ICAO and the applicant was given permission for top elevation of 56.27 m AMSL vide AAI letter dated 25th March, 2008. Subsequently, the case was reviewed by a Committee consisting of AAI officials and DGCA and accordingly permission of top elevation of 65 m AMSL was issued by AAI on 7th July, 2008. The factors taken into consideration by above committee for recommending top elevation of 65 m AMSL were that the site is not in the approach funnel, VOR criteria and top elevation of 65 m AMSL is not affecting PANS-OPS procedures.

The applicant had requested for a height of 107 m AMSL which was considered in the earlier meeting of 23/25th July 2013, followed by their presentation in the meeting of 16th August, 2013 wherein it was decided that the applicant, if they so desire may submit a fresh proposal as per their presentation for examination to determine the height permissible at the location.

During their earlier presentation it was informed that their earlier project of 2006 in which they were permitted a height of 65m AMSL could not take off due to litigation and that the present request is for a larger project for setting up a world class Business & Convention Centre.

Dr. Shankar, President, Corporate Affairs present in the meeting on behalf of applicant expressed that they may be given a height of 73.55 m AMSL same as given to other buildings near their plot like Sofitel, Shri Naman Hotels and they will plan their project accordingly. All those who were present from applicant's side expressed their consent to it.

The applicant divided their plot in smaller segments in order to get higher height as per distance of segment from CNS facility. Sh. Pan Singh, GM(N&S) was asked to re-examination the case as per the segments provided by the applicant.

Committees' Decision: The re-examination for CNS Criteria as carried out by Sh. Pan Singh revealed that the height which can be cleared as per CNS criteria ranges for 62 m to 79.62 m AMSL. The outcome is attached as Annexure-I to this report. The heights are to be examined from PANS OPS criteria to complete the study. It was directed that as per applicant's division of their plot in smaller segments the study may be completed in 3 days time. The applicant was informed that apparently heights as mentioned above may be admissible to them. It will be confirmed after 3 days when the study of PANS OPS criteria is also completed. The applicant is expected to complete due procedure for this new aeronautical study at the earliest so that the aeronautical study process may be completed and the final findings is communicated to them.

2. M/s Wadhwa Residency Pvt. Ltd. ✓

CHQ File No. : AAI/20012/149/2010
Case No.: MUM/10/365 (Mr. Navin Makhija, C/o Bhupendra Patrawala)
Site Address: CTS No. 50(pt.), 50/1, 50/2(pt.), Sector II of Village Vikhroli at L.B.S. Marg, Ghatkopar (W), Mumbai.

The case was earlier put up for consideration for the Appellate Committee in its meeting held on 9th January, 2013.

The present Appellate Committee had earlier on 24th August, 2013 provided the applicant an opportunity to present their case after having received the Sub-Committee report.

In their presentation in this Appellate Committee the applicant stressed the fact that their site is in the conical surface, and not in the funnel of ILS approach. They also stated that their site lies in the secondary area of the basic ILS surface. They further stated that in the Aeronautical Study report of February, 2011 submitted by AAI, the basic ILS surface permits elevation of 125.25 m AMSL. The same report while considering the GP Inoperative procedure restricted the permissible height to 87.5 m AMSL.

The Committee taking into consideration the Sub-Committee's report had observed that the earlier requested height of 132.97 m AMSL for which the Aeronautical Study was carried out penetrates the basic ILS surface of Rwy 27 by 17.07 m. The applicant's revised request of 109 m however, does not penetrate the basic ILS surface of Rwy 27. The contention of the applicant was that their site lies in the secondary surface of the basic ILS surface and therefore glide path inoperative procedures are not required to be considered. The applicant was informed by the Committee in the earlier meeting of 24th August, 2013 that the ICAO documents referred by them are for designing IAL procedures and do not lay down any standard for calculating heights permissible to objects under the obstacle limitation surfaces.

In this meeting the applicant reiterated their request for height of 109 m AMSL stating that the height will not affect the ILS procedures as the proposed building is in the conical surface and also not on the primary area of the ILS procedure.

The Committee after deliberation concluded that the site lies in the basic ILS surface and that during PANS OPS examination the glide path inoperative procedure which is constituent of the total ILS procedure cannot be ignored and that OCA/OCH published for the airport has to be safeguarded. The applicant was briefed on the above.

Committees' Decision: The AAI conducted Aeronautical Study and cleared a height of 83.97 m AMSL on 3rd August, 2012 which was subsequently revised 87.5 m AMSL on 24th Sept. 2012. It is expected that another study by AAI will not leave to any result favourable to the applicant. Hence, in order to examine applicant's



contention it was suggested that another Aeronautical Study may be conducted by any agency other than AAI, for which the applicant agreed.

3. M/s Wadhwa Residency Pvt. Ltd. ✓

CHQ File No.: AAI/20012/147/2010
Case No. : MUM/10/362 (Mr. Navin Makhija, C/o Bhupendra Patrawala)
Site Address: CTS No. 50(pt.), 50/2(pt.), 50/3, 50/4, 50/5(pt), 50/7 (Pt.)
Sector IV of Village Vikhroli at L.B.S. Marg, Ghatkopar (W),
Mumbai

The case was earlier put up for consideration for the Appellate Committee in its meeting held on 9th January, 2013.

The present Appellate Committee had earlier on 24th August, 2013 provided the applicant an opportunity to present their case after having received the Sub-Committee report.

In their presentation in this Appellate Committee the applicant stressed the fact that their site is in the conical surface, and not in the funnel of ILS approach. They also stated that their site lies in the secondary area of the basic ILS surface. They further stated that in the Aeronautical Study report of February, 2011 submitted by AAI, the basic ILS surface permits elevation of 125.25 m AMSL. The same report while considering the GP Inoperative procedure restricted the permissible height to 87.5 m AMSL

The Committee taking into consideration the Sub-Committee's report had observed that the earlier requested height of 132.97 m AMSL for which the Aeronautical Study was carried out penetrates the basic ILS surface of Rwy 27 by 17.07 m. The applicant's revised request of 109 m however, does not penetrate the basic ILS surface of Rwy 27. The contention of the applicant that their site lies in the secondary surface of the basic ILS surface and therefore glide path inoperative procedures are not required to be considered. The applicant was informed by the Committee in the earlier meeting of 24th August, 2013 that the ICAO documents referred by them are for designing IAL procedures and do not lay down any standard for calculating heights permissible to objects under the obstacle limitation surfaces. In this meeting the applicant reiterated their request for height of 109 m AMSL stating that the height will not affect the ILS procedures as the proposed building is in the conical surface and also not on the primary area of the ILS procedure.

The Committee after deliberation concluded that the site lies in the basic ILS surface and that during PANS OPS examination the glide path inoperative procedure which is constituent of the total ILS procedure cannot be ignored and that OCA/OCH published for the airport has to be safeguarded. The applicant was briefed on the above. Applicant was offered an opportunity to apply for another Aeronautical Study through ICAO.

Committees' Decision: The AAI conducted Aeronautical Study and cleared a height of 78.57 m AMSL on 26th July, 2012 which was subsequently revised 87.5 m AMSL on 24th Sept. 2012. It is expected that another study by AAI will not leave to any result favourable to the applicant. Hence, in order to examine applicant's contention it was suggested that another Aeronautical Study may be conducted by any agency other than AAI, for which the applicant agreed.

4. M/s L&T Realty Pvt. Ltd., Mumbai. ✓

Case No. : MUM/NOCAS/025/12
CHQ File No.: AAI/20012/111/2012-ARI
NOCAS ID: SNCR/WEST/B/062112/002
Site Address: C.S No. 117 B of Village Tungwa, Taluka Kurla, Mumbai.

The case was earlier heard in the Appellate Committee Meeting of 19th August, 2013, wherein it was decided that the applicant be called to make their presentation in the subject case. The applicant during their presentation in the subsequent meeting of 24th August, 2013 requested for Aeronautical Study as their plot is close to MHADA building which has been granted a height of 114 m AMSL. The Committee had then decided that for considering the request the applicant needs to provide letter from state authorities justifying the height requested.

The applicant in this meeting referred to and submitted a letter from the MCGM wherein in view of the land required for various MCGM requirements like open space, environment, etc. the FSI permitted is 2.7 on the remaining plot size of 14500 sq mtrs. which is 50% of the total size of plot. The Committee took note of the letter from the Municipal authorities.

Committees' Decision: Aeronautical Study be conducted to determine whether the applicant's request for a height of 136 m AMSL at the site is permissible or not.

5. Shri Mahendra J. Shah (M/s Square Consultants) ✓

Case No.: MUM/12/NOCAS/013
CHQ File No.: AAI/20012/102/2012
NOCAS ID.: JUHU/WEST/B/061412/024
Site Address: CTS No. 458-A of Village Ville Parle (East), Mumbai.

The case was earlier discussed in the Appellate Committee meeting of 19th August, 2013 wherein the applicant though called for making their presentation was not present. It was then decided that the applicant may be given another opportunity to present their case in this meeting.



The applicant was not present in this meeting. The Committee deliberated on the case and as the site lies in the approach surface of Rwy 14 of Santa Cruz airport, no Aeronautical Study is permitted in such cases.

Committees' Decision: The applicant's request for Aeronautical Study for a height of 34.62 m AMSL is rejected as no Aeronautical Study can be conducted for site under the approach surfaces. Moreover, the applicant failed twice to appear before the Committee.

6. Joy Builders, Mumbai ✓

Case No.: MUM/09/587
CHQ File No.: AAI/20012/145/2012
NOCAS ID.: JUHU/WEST/B/102312/017
Site Address: CTS No. E/86/10 of Village Bandra (West) at 19th Road Khar(West), Mumbai.

The case was earlier examined in the Appellate Committee Meeting of 19th August, 2013 and 24th August, 2013 wherein it was decided that the applicant may be called for presenting their case.

During the presentation, the applicant had requested for higher height as their project is for Slum Rehabilitation. The applicant has submitted supporting letter from Slum Rehabilitation Authority for considering maximum permissible height. The applicant further informed that they have to accommodate another 71 families if the height as requested by them is given by AAI. The committee had then decided that the applicant given an opportunity to provide within 15 days supporting letter from the local state authorities indicating that they have to accommodate additional 71 families.

The applicant while appearing before this Committee had mentioned that they require some reference from the authorities to present before the local state authorities (Slum Rehabilitation) for issuance of letter justifying the height requested by them.

Committees' Decision: The Committee decision of 24th August, 2013 that the applicant to provide within 15 days supporting letter, justifying the required height from local state authorities, to be communicated to the applicant.

7. M/s Charmee Nirman etc. [Mr. Vinod Nisar (Director),] ✓

Case No.: MUM/12/10/679
CHQ File No.: AAI/20012/143/2012
NOCAS ID.: JUHU/WEST/B/081812/010
Site Address: CTS No. 81/1 to 148, 81/188 of Village Gundavali, Andheri(East), Mumbai.

The case was earlier discussed in the Committee meeting of 19th August, 2013 wherein the applicant though called for the meeting did not appear to present his case. Based on the application submitted, it was observed that the request for the project did not have the details and justification for the height request from the local state authorities regard Slum rehabilitation. The Committee had then observed that the applicant had been authorized earlier the height which they had initially requested i.e. 56 m AMSL.

The applicant had in this meeting during the presentation informed that he had requested for aeronautical study for the additional height to make the top elevation as 73.75 m AMSL.

Committees' Decision: The applicant be given the last opportunity to provide supporting letter within 15 days from the local state authorities justifying the requirement of the height for 73.75 m AMSL under SRA scheme.

8. M/s Square Consultants (Shri D.P. Jain) ✓

Case No.: MUM/12/NOCAS/40
CHQ File No.: AAI/20012/123/2012
NOCAS ID.: SNCR/WEST/B/070312/006
Site Address: CTS No. 124(Pt), 125(Pt.), 126~~9~~ (Pt.) of Village Marol at Military Road, Andheri (East), Mumbai.

The case was earlier discussed in the Committee Meeting of 16/19th August, 2013 wherein it was decided that the applicant be given an opportunity to provide detailed justification with letter from the local authorities justifying the requested height of 80 m AMSL.

The applicant during presentation in this meeting had given details of the project and the various percentages of the plot area required to be given in accordance with the local development rules thereby reducing the available plot area for construction of a 17 floor building from 19906 sq m to less than 11000 sq m also they require to consume full FSI of 2. The Committee noted that the above is supported by the letter issued by the MCGM, however there is no support provided in the said letter justifying the height of 77.71 m AMSL as requested by them in the meeting. It was observed that the applicant had requested for 80 m AMSL and now asking for 77.71 m AMSL. Applicant was asked to freeze their plan and communicate accordingly.

Committees' Decision: The applicant to submit letter from the MCGM justifying the height of 77.71 m AMSL sought within 15 days.

9. M/s L.V Prasad Eye Institute, Hyderabad ✓

Case No.: HY/131/12
CHQ File No.: AAI/20012/21/2013
NOCAS ID.: HYDE/SOUTH/111712/007
Site Address: Plot No.8-2-269/19 CTS No.2(Pt.), Survey No.403/18 of Banjara Hills, Shaikpet Village, Hyderabad, A.P.

The case was earlier discussed in the Committee's meeting of 16/19 August, 2013 wherein it was decided that the applicant may be given an opportunity to make their presentation to clarify their submission.

The applicant during the presentation in the meeting informed about of other buildings in their vicinity which have been given higher heights than the height requested by them in this case. The applicant did not have information on the issuance of NOC for those other buildings.

The Committee after deliberating on the presentation took the following decision.

Committees' Decision: The applicant to obtain and submit NOC issued for the other buildings from the local state authorities and AAI to confirm whether NOCs for these buildings referred by the applicant have been given under what circumstances.

10. M/s Catapult Realty Consultants, Mumbai ✓

Case No.: MUM/12/NOCAS/022
CHQ File No.: AAI/20012/04/2013
NOCAS ID.: JUHU/WEST/B/102312/017
Site Address: CTS No. 126 of Village Chembur, Mumbai.

The case was earlier examined in the Appellate Committee Meeting of 19th August, 2013 and the applicant had made their presentation in subsequent Committee meeting of 24th August, 2013 wherein it was decided that the applicant to provide revised support letter within 7 days from the local state authorities justifying for the requested height of 129.65 m AMSL height sought.

The applicant during their presentation in this meeting had provided the requisite letter from the Slum Rehabilitation Authority justifying the request for the height of 129.65 m AMSL which was noted by the Committee.

Committees' Decision: Aeronautical Study be conducted to determine whether the height of 129.65 m AMSL as requested is permissible or not at the site.

11. M/s H.J Thakur Architects Pvt. Ltd., Mumbai ✓

Case No.: MUM/12/NOCAS/050
CHQ File No.: AAI/20012/29/2013
NOCAS ID.: SNCR/WEST/B/070512/003

Site Address: CTS No. 189-A,189-B,189-C,190A(Pt),190A/1 to 5,190B,191A,191A/1 to 7,191B,Village Tungwa at Saki Vihar Road ,Kurla(West),M.S.D., Mumbai.

The case was earlier examined in the Appellate Committee Meeting of 19th August, 2013 and subsequently on 24th August, 2013 wherein it was decided that applicant is to provide supporting letter within 30 days from the local state authorities justifying height of 97.30 m AMSL as sought by them

During the presentation in this meeting the applicant had sought a reference to approach the local state authorities for the requisite supporting letter from them.

Committees' Decision: The Committee decision of 24th August, 2013 that the applicant to provide within 30 days supporting letter, justifying height of 97.30 m AMSL from local state authorities, to be communicated to the applicant.

12. M/s Spenta Housing Corporation, Mumbai. ✓

Case No.: MUM/11/288
CHQ File No.: AAI/20012/114/2012
NOCAS ID.: SNCR/WEST/B/012613/001
Site Address: CTS No. 343(pt.) Village Chembur, Mumbai.

The case was earlier heard in the Committee's meeting of 19th August, 2013 wherein based on the presentation of the applicant it was decided that the applicant be given an opportunity to provide a letter from the local state authorities justifying the height of 90 m AMSL before a decision can be taken for conduct of Aeronautical Study.

The applicant during their presentation in this meeting had provided the requisite letter from the Slum Rehabilitation Authority justifying a height of 100 m AMSL for the said project. The applicant on being queried as to why their letter of 2nd August, 2012 had requested for 90 m AMSL explained that after submission of their request letter to SRA for 100 m AMSL their subsequent examination of the case as per Govt. notification S.O 84 (E) reveal that the maximum height permissible cannot exceed 90 m AMSL.

Committees' Decision: Aeronautical Study be conducted to determine whether the height sought 90 m AMSL is permissible or not at the site.

13. M/s Axayraj Buildwell Pvt. Ltd., Mumbai. ✓

Case No.: MUM/09/621
CHQ File No.: AAI/20012/180/2010
NOCAS ID.: JUHU/WEST/B/072512/047
Site Address: CTS No. 195(Pt.),Old D.N. Nagar, Andheri West, Mumbai-400053.

The case earlier heard in the Committee Meeting of 19th-August, 2013 wherein the Committee decided to give opportunity to the applicant to present their case in the



next meeting. The applicant has requested for exemption from attending the meeting and requested to be considered in subsequent meeting.

The applicant did not turn up in the meeting. The Committee while reviewing the case noted that the site lies in the approach funnel of Rwy 14 Santa Cruz and that no Aeronautical Study is conducted in such areas.

Committees' Decision: The appeal for height of 83.75 m AMSL is rejected as no aeronautical study can be conducted as the site lies in the approach surface of the airport.

14. M/s YMS Consultants, Mumbai. ✓

Case No.: MUM/12/NOCAS/085
CHQ File No.: AAI/20012/43/2013
NOCAS ID.: SNCR/WEST/B/071612/009
Site Address: CTS No. 30 of Village Majas Jogeshwari(East), Mumbai.

The case was earlier discussed in the Committee's meeting of 19th August, 2013 wherein it was decided that the applicant be given an opportunity to provide detailed justification with supporting letter from the local state authorities justifying for the 125.88 m AMSL height sought.

It was informed that the applicant has already completed their project for the height of 73.94 m AMSL permitted by AAI vide NOC letter dated 15th Oct., 2012. Accordingly, the appeal may be treated as settled.

Committees' Decision: The case is disposed off.

15. M/s Griha Rachna, Mumbai of Mr. Tushar S. Parulekar ✓

Case No.: MUM/12/NOCAS/016
CHQ File No.: AAI/20012/126/2012
NOCAS ID.: SNCR/WEST/B/052612/007
Site Address: CTS No. 706, 706/1 to 10 of Village Marol, Andheri(East), Mumbai.

The case was earlier heard in the Committee Meeting of 19th August, 2013 and subsequently on 24th August, 2013 wherein it was decided that the applicant be given an opportunity to provide support letter within 7 days from local state authorities justifying the height 86 m AMSL as sought by them.

The applicant had submitted in this meeting a letter from the Slum Rehabilitation Authority, Mumbai giving details of the project on Slum Rehabilitation and justifying the height of 86 m AMSL requested by the applicant. The Committee took note of the letter from SRA.

Committees' Decision: Aeronautical Study be conducted to determine whether the height sought 86 m AMSL is permissible or not at the site.

16. M/s Wilfred Pereira & Co. ✓

Case No.: MUM/11/64
CHQ File No.: AAI/20012/45/2012
NOCAS ID.: JUHU/WEST/B/012813/009
Site Address: CTS No. C/1356 of Village Bandra(W), Mumbai.

The proposed site is 3154 m from Rwy 09 of Santa Cruz Airport and is in the IHS. The applicant had requested for a height of 108.435 m AMSL in their letter 24th January, 2011 against which an NOC was granted for 56.27 m AMSL in AAI's letter dated 15th February, 2012.

The applicant presenting the case in this meeting informed that this being a private property a new building is being constructed after demolishing the dilapidated building for residential purpose. The applicant had submitted an MCGM letter which has approved the building height upto 70 m AGL(Site Elevation 37.535 m AMSL) and had further submitted that the adjacent buildings to the plot are of higher heights than what has been sought. The applicant had submitted an affidavit undertaking that the project is purely for the family's residence and no commercial activity will be taken up from it. The Committee took note of the above presentation. The applicant had also requested conduct of Aeronautical Study to consume the full FSI granted.

Committees' Decision: Aeronautical Study be conducted to determine whether the height sought 108.435 m AMSL is permissible or not at the site.

17. M/s Suranjan Holding & Estate Developers Pvt. Ltd., Mumbai. ✓

Case No.: MUM/11/290
CHQ File No.: AAI/20012/173/2011
NOCAS ID.: JUHU/WEST/B/020713/001
Site Address: CTS No.G/164-A(Pt.), G/164-B(Pt.) and G/626 of village Bandra (W) at Santa Cruz, Mumbai.

The site is 2328 m from Rwy 09 end of Santa Cruz Airport and lies in the IHS. The applicant had earlier requested for a height of 93.75 m AMSL in their letter of 9th May, 2011 against which they were issued NOC for 56.27 m AMSL vide AAI letter of 13th January, 2012. Subsequently, the applicant had requested for 70.52 m AMSL in their letter of 13th February, 2013.

The applicant during the presentation claim that their project involves rehabilitating slum dwellers and that they have 369 such eligible slum dwellers. They have further stated that because their project is under Special Development Control Regulation DCR(3)10 of Mumbai and that they have been allotted FSI of 3

The Committee took note of above presentation.



Committees' Decision: The applicant is to provide supporting letter from the local state authorities justifying the requirement of the height for 70.52 m AMSL and also clarifying that the project involves specifically rehabilitation of slum dwellers under State Authorities Regulations.

18. M/s Kumar Housing Corporation Ltd., Mumbai. ✓

Case No.: MUM/11/124
CHQ File No.: AAI/20012/188/2011
NOCAS ID.: SNCR/WEST/B/101912/007
Site Address: CTS No. 74(Pt.) of Village Ghatkopar(West), Mumbai.

The site is about 3152 m from Rwy 27 end of Santa Cruz Airport and lies in IHS of Santa Cruz Airport. The applicant had earlier requested a height of 121.60 m AMSL in their letter 22nd February, 2011 against which they were granted NOC for a height of 56.27 m AMSL.

In their appeal, the applicant had sought a height of 93.85 m AMSL in the letter of 13 June, 2012. During the presentation, the applicant had submitted that their site qualifies for shielding benefit w.r.t the natural terrain which has higher contours than the height sought by the applicant. The applicant also submitted that there are other buildings in the vicinity of the site which are having higher heights. Exact height and location of these buildings were not furnished by the applicant.

The Committee took note of the presentation.

Committees' Decision: A physical verification of the site with respect to natural terrain be carried out by AAI to determine the extent of shielding benefit from natural terrain against the height sought.

19. M/s Kumar Housing Corporation Ltd., Mumbai. ✓

Case No.: MUM/11/234
CHQ File No.: AAI/20012/189/2011
NOCAS ID.: SNCR/WEST/B/101912/009
Site Address: CTS No. 74(Pt.) of Village Ghatkopar, Mumbai.

The site is about 3088 m from Rwy 27 end of Santa Cruz Airport and lies in IHS of Santa Cruz Airport. The applicant had earlier requested a height of 121.37 m AMSL in their letter 7th April, 2011 against which they were granted NOC for a height of 56.27 m AMSL.

In their appeal, the applicant had sought a height of 161.51 m AMSL in their letter of 19th October, 2012. During the presentation, the applicant had submitted that their site qualifies for shielding benefit w.r.t the natural terrain which has higher contours than the height sought by the applicant. The applicant also submitted that there are other buildings in the vicinity of the site which are having higher heights. Exact height and location of these buildings were not furnished by the applicant.

The Committee took note of the presentation.

Committees' Decision: A physical verification of the site with respect to natural terrain be carried out by AAI to determine the extent of shielding benefit from natural terrain against the height sought.

20. M/s Foremost Realtors Pvt. Ltd., Mumbai. ✓

Case No.: MUM/74/11 ✓
CHQ File No.: AAI/20012/74/2011
NOCAS ID.: SNCR/WEST/B/101912/007
Site Address: CTS No. 7643(Pt.), 7643/1, 7643/2(Pt.), 7643/3(Pt.), 7716 & 4207 (Pt.) of Kolkalyan, Bandra(East), Mumbai.

The site lies at 2667 m from Rwy 09 end of Santa Cruz Airport and lies in IHS. The applicant had initially requested a height of 76.75 m AMSL in their letter of 13-09-2010 against which they were given NOC for a height of 56.27 m AMSL the applicant had subsequently appealed a height of 113.95 m AMSL in their letter of 12th June, 2013.

The applicant had submitted that their project is under the rehabilitation scheme and they had submitted a letter dated 18-06-2013 from the Slum Rehabilitation Authority giving details of the project and also justifying the height sought by the applicant.

The Committee took note of the above.

Committees' Decision: Aeronautical Study be conducted to determine whether the height sought 113.95 m AMSL is permissible or not at the site.

21. M/s. Indiabulls Real Estate Co. Pvt. Ltd., Mumbai. ✓

Case No.: MUM/10/447
CHQ File No.: AAI/20012/36/2011
NOCAS ID.: SNCR/WEST/B/072012/009
Site Address: F.P No. 612 & 613 T.P.S. – IV Mahim Division in G/North Ward of Senapati Bapat Marg, Mumbai.

The site lies at 8624 m from Runway 09 end and lies in Outer Conical Surface of Santa Cruz Airport. The applicant had initially requested a height of 315.879 m AMSL vide their letter dated 18.06.2010 against which they were given NOC for a height of 166.00 m AMSL vide letter dated 21.12.2010, which was further reviewed at CHQ and permissible top elevation came out to be 167.01 m AMSL. The applicant had subsequently appealed a height of 326.779 m AMSL vide their letter dated 7th Feb., 2011.

The case was heard in the AC meeting held on 24th, 27th and 28th May, 2013. Applicant was asked to submit a letter from concerned local Govt. authorities within



10 day indicating actual FSI granted and justifying the height as requested by the applicant. The applicant had submitted letter from MCGM on 26.07.2013.

In the presentation, the applicant informed that high rising committee has cleared their building upto 290 m and informed that they have positioned their building in such a way that it is not restricted due Com. Criteria, therefore, they may be given clearance as requested by them.

Committee Decision: The applicant was advised to submit their revised building plans and their calculations for CNS simulation for re-examination.

22. M/s. Indiabulls Real Estate Co. Pvt. Ltd., Mumbai. ✓

Case No.: MUM/10/449
CHQ File No.: AAI/20012/37/2011
NOCAS ID.: SNCR/WEST/B/072012/004
Site Address: CTS No. 841 of Lower Parel Division in G/South Ward, Mumbai.

The site lies at 8968 m from Runway 09 end and lies in Outer Conical Surface of Santa Cruz Airport. The applicant had initially requested a height of 319.379 m AMSL vide their letter dated 18.06.2010 against which they were given NOC for a height of 170.33 m AMSL vide letter dated 06.01.2011. The applicant had subsequently appealed a height of 327.529 m AMSL vide their letter dated 7th Feb., 2011.

The case was heard in the Appellate Committee meeting held on 24th, 27th and 28th May, 2013. Applicant was asked to submit a letter from concerned local Govt. authorities within 10 days indicating actual FSI granted and justifying the height as requested by the applicant. The applicant had submitted letter from MCGM on 26.07.2013.

In the presentation, the applicant informed that high rising committee has cleared their building upto 275 m and informed that they have positioned their building in such a way that it is not restricted due Com. Criteria, therefore, they may be given clearance as requested by them.

Committee Decision: The applicant was advised to submit their revised building plans and their calculations for CNS simulation for re-examination.

23. M/s. LGW Ltd., Narayanpur, Kolkata. ✓

Case No.: ER/601/2012
CHQ File No.: AAI/20012/70/2013
NOCAS ID.: KOLK/EAST/B/120512/006
Site Address: R.S Drag No. 3235, 3280, 3284-86, 3289-91, 3293-3300, 3302-3304, 3310-332, 3322-3329(P), 3331, 3332, 3344, 3545, 3351,

LR Kh. No. 4835, JL No.2, RS No. 140, Ward No. 5, Holding No. RGM3/3, Block-I, PS Airport, Dist-24 PGS(N), Kolkata.

The proposed site is about 1403 m from Rwy 01R of Kolkata Airport and lies in IHS. The applicant had initially requested a height of 54 m AMSL against which they were given NOC for a height of 28.85 m AMSL vide authorization letter dated 08.03.2013. The applicant had subsequently appealed a height of 54 m AMSL vide their letter dated 7th May, 2013.

The applicant did not turn up in the meeting.

Committee Decision: The Committee decided that the case may be re-examined at CHQ.

24. M/s. Vaishali Power Generation Co. Ltd., Bihar. ✓

CHQ File No.: AAI/20012/576/2008
NOCAS ID.: MUZA/EAST/B/022513/003
Site Address: Muzaffarpur Thermal power project, Kanti Village, Bihar

The proposed site is about 8302 m from Runway 11 end and lies in Outer Conical Surface of Muzaffarpur Airport. The applicant had initially requested a height of 331.50 m AMSL vide their letter dated 25.02.2013 against which they were given NOC for a height of 313.18 m AMSL vide AAI letter dated 01.04.2013. The applicant had subsequently appealed a height of 331.50 m AMSL vide their letter dated 10.08.2013.

The applicant in this meeting informed that a chimney height of 275 m AGL is a crucial importance for installation of 660 MW capacity due to improved plant efficiency, less heat rate, decrease in coal consumption, reduction in ash dyke land and consumptive water and cost of power generation. This is also in order to meet the guidelines issued by Ministry of Environment and Forest for Projects of 500 MW and above.

Committee Decision: Committee was of the view that permission may be granted as Muzaffarpur is a VFR airport, which is rarely in operation. Committee decided that views from ATM & CNS Planning Directorate for any future development of the airport may be obtained before reaching at a final decision.

25. Fantasy Buildwell Pvt. Ltd., Gurgaon. ✓

Case No.: NR/2012/352
CHQ File No.: AAI/20012/146/2012
NOCAS ID.: PALM/NORTH/B/103012/015
Site Address: 10.09 acres Vilage Gwalphari, Sector-2, Gurgaon.

The site lies at 14598 m from ARP and is in Outer Conical Surface of IGI Airport. The applicant had initially requested a height of 448 m AMSL vide their letter dated



28.08.2012 against which they were given NOC for a height of 357 m AMSL vide letter dated 09.09.2012. The applicant had subsequently appealed a height of 448 m AMSL vide their letter dated 01.11.12.

The case was earliest listed for hearing in the AC meeting scheduled on 13th Feb., 2013, but could not be heard as the meeting was deferred.

In the presentation, the applicant requested higher height to make his project viable.

Committees' Decision: It was decided to re-examine the case in respect to procedures and by doing simulation study then decide accordingly.

26. M/s. Rustomjee Reality Pvt. Ltd., Mumbai. ✓

Case No.: MUM/11/263
CHQ File No.: AAI/20012/171/2011
NOCAS ID.: JUHU/WEST /B/013013/020
Site Address: CTS No. 195(Pt.) of Village Andheri, Mumbai.

The site lies at 3537 m from basic strip of Runway 14 of Santa Cruz airport and lies in Approach Surface of Runway 14. The applicant had initially requested a height of 94.25 m AMSL vide their letter dated 04.05.2011 against which they were given NOC for a height of 49.87 m AMSL, which was subsequently revised to 56.27 m AMSL vide letter dated 23.01.2012 through Juhu IHS Study. The applicant had appealed for a height of 84.75 m AMSL vide their letter dated 30.01.13.

The case was listed in the AC meeting scheduled on 13.02.13 but could not be heard due deferment.

In the presentation, the applicant requested that it is re-development project under MHADA Scheme and the existing tenants are facing lot of hardship from last more than 5 years. The case was deliberated in the meeting but even Aeronautical Study is not possible due to its location in Approach Surface of Runway 14.

Committees; Decision: Since, no additional height can be given, the case is disposed off.

27. CEO, Annapurna Studios Pvt. Ltd., Hyderabad. ✓

Case No.: 773/08-HY
CHQ File No.: AAI/20012/52/2010
NOCAS ID.: HYDE/SOUTH/B/071712/08.
Site Address: Open Land in Old Survey No. 403(Part), New Survey No. 120, Shaikpet Village, Hyderabad.

The proposed site is about 4200 m from Runway 09 of Hyderabad Airport and lies in conical surface. The applicant had initially requested a height of 648.0 m AMSL vide their letter dated 10.12.2008. The case was rejected vide AAI letter dated 23.03.2009 and the site elevation is more than the permissible top elevation. The

applicant had subsequently appealed a height of 633 m AMSL vide their letter dated 16.04.2010.

The case was listed in the AC meeting but the applicant showed its inability to attend the meeting and requested for another opportunity.

Committees' Decision: The applicant may be called in the next meeting.

28. M/s. Abhinandan Buildtech Pvt. Ltd., Navi Mumbai. ✓

Case No.: MUM/12/NOCAS/040
CHQ File No.: AAI/20012/11/2013
NOCAS ID.: NAVI/WEST /B/122612/025
Site Address: Plot No. 248-A & 249, Sector-10 at Khargarh, Navi Mumbai.

The site lies at 2678 m from Runway 26 and is in IHS of Navi Mumbai Airport. The applicant had initially requested a height of 55.70 m AMSL vide their letter dated 18.05.2012 against which they were given NOC for a height of 53 m AMSL vide letter dated 23.07.2012. The applicant had subsequently appealed for a height of 55.5 m AMSL vide their letter dated 26.12.12.

In the presentation, the applicant requested for a height of 2.5 m only to accommodate water tank and lift mummy. The applicant also informed that there are other buildings near to its site closer to airport which has been given a height of 58 m AMSL.

The case was deliberated in the meeting and it was informed that height of 58 m to other building might have been given by CIDCO. The information on criteria followed by CIDCO for this site is not available in AAI, CHQ.

Committees' Decision: It was decided to depute an Officer from AAI, Mumbai office to examine how a height of 58 m has been given to other building and report within 7 days.

29. M/s. Ambience Projects & Infrastructure Pvt. Ltd., Gurgaon. ✓

Case No.: NR/2012/58
CHQ File No.: AAI/20012/41/2012
NOCAS ID.: PALM/NORTH/B/082213/15946
Site Address:

The site lies at 4439.76 m from Runway 14 of IGI Airport and is in Conical Surface of IGI Airport. The applicant had initially requested a height of 310 m AMSL vide their letter dated 10.02.2012 against which they were given NOC for a height of 281.20 m AMSL vide letter dated 29.02.2012. The applicant had subsequently appealed a height of 310 m AMSL vide their letter dated 18.09.2013.

In the presentation, the applicant requested for height of 310 m AMSL in order to develop a Group Housing Complex of international standards. The applicant was



informed that the earlier site elevation taken into consideration for issuing NOC was 225 m AMSL whereas in their revised request the elevation certificate submitted ranges from 226 to 231 m AMSL, which may further reduce their effective height above ground.

Committees' Decision: The case will be examined in a week's time from communication point of view, whether 303.78 m AMSL of height can be granted.

Aeronautical Study Cases

The following decisions, were taken for the Appeal cases in which Aeronautical Study was carried out and brought up in this Committee Meeting:

1. M/s Darvesh Properties. ✓

CHQ File No.: 20012/63/2012
NOCAS ID.: JUHU/WEST/B/090312/010
Case No. MUM/10/453

Site Address: CTS No. C/509 of Village Bandra (West) at Bandra (West), Mumbai.

The earlier Appellate Committee of 20th March, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 71.136 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determine that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 71.136 m AMSL and from CNS criteria the proposed structure may be cleared up to 71.136 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 71.136 m AMSL.

Committees' Decision: The applicant's request for 71.136 m AMSL is approved. Authorization for maximum permissible top elevation of 71.136 m AMSL at the location may be issued to the applicant.

2. M/s Pashmina Realty

CHQ File No. : AAI/20012/143/2011
NOCAS ID.: SNCR/WEST/B/101912/005
Case No. MUM/11/152

Site Address: CTS No. 11/H, 11/C, Village Chandivali, Mumbai.

The earlier Appellate Committee held on 20th March, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 138.80 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 138.80 m AMSL and from CNS criteria the proposed structure may be cleared up to 112.74 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 112.74 m AMSL.

Committees' Decision: The applicant's request for 138.80 m AMSL is not permitted at that site. Authorization for maximum permissible top elevation of 112.74 m AMSL at the location may be issued to the applicant.

3. M/s Transcon Developers ✓

CHQ File No.: AAI/20012/169/2011
NOCAS ID.: JUHU/WEST/B/082312/017
Case No. MUM/11/108

Site Address: CTS No. F/1133 to F/1136, Village Bandra, Bandra (West),
Mumbai.

The earlier Appellate Committee held on 30th April, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 103 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 103 m AMSL and from CNS criteria the proposed structure may be cleared up to 95.93 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 95.93 m AMSL.

Committees' Decision: The applicant's request for 103 m AMSL is not permitted at that site. Authorization for maximum permissible top elevation of 95.93 m AMSL at the location may be issued to the applicant.



4. M/s Accord Builders

CHQ File No.: AAI/20012/47/2011
NOCAS ID.: SNCR/WEST/B/072412/025
Case No. MUM/10/520

Site Address: CTS No. 111, 111/1 to 46, 111/50 to 130, 112 (Pt), Village Kurla, Mumbai.

The earlier Appellate Committee held on 20th March, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 76.05 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, the height requested is restricted both from PANS OPS procedures and CNS parameters. The height permissible under PANS OPS is upto 57.60 m AMSL due proposed RNPR procedures of Rwy 32 and the permissible height from CNS parameters is 56.79 m AMSL for restrictions due VOR. The minimum of the heights permissible from the Aeronautical Study is 56.79 m AMSL.

Committees' Decision: The applicant's request for 76.05 m AMSL is not permitted at that site. Authorization for maximum permissible top elevation of 56.79 m AMSL at the location may be issued to the applicant.

5. M/s Lodha Impression Real Estate ✓

CHQ File No.: AAI/20012/13/2012
NOCAS ID.: SNCR/WEST/B/072312/010
Case No. MUM/08/142

Site Address: CTS No. 67, S.No. 59 of Village Mulgaon, Andheri (East), Mumbai.

The earlier Appellate Committee held on 20th March, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 63.545 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but

from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 63.545 m AMSL and from CNS criteria the proposed structure may be considered up to 63.545 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 63.545 m AMSL.

Committees' Decision: The applicant's request for 63.545 m AMSL is approved. Authorization for maximum permissible top elevation of 63.545 m AMSL at the location may be issued to the applicant.

6. M/s R.W Gudal & Associates, Mumbai ✓

CHQ File No.: AAI/20012/34/2011
NOCAS ID.: SNCR/WEST/B/100212/021
Case No. MUM/10/547

Site Address: CS No. 194 B (Pt.) of Village Ghatkopar, Mumbai.

The earlier Appellate Committee held on 20th March, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 105.7 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 88.00 m AMSL and from CNS criteria the proposed structure may be cleared up to 105.70 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 88.00 m AMSL.

Committees' Decision: The applicant's request for 105.7 m AMSL is not permitted at that site. Authorization for maximum permissible top elevation of 88.00 m AMSL at the location may be issued to the applicant.

7. M/s Gammon India Ltd., Mumbai

CHQ File No.: AAI/20012/23/2012
NOCAS ID.: JUHU/WEST/B/110912/016
Case No. MUM/11/107

Site Address: CTS No. 844/22, 844/26, 844/31, 844/32 of Village Ambivali at Andheri (West), Mumbai.



The earlier Appellate Committee held on 24th, 27th & 28th May, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 189.15 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 65.9 m AMSL and from CNS criteria the proposed structure may be considered up to 101.849 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 65.9 m AMSL.

Committees' Decision: The applicant's request for 189.15 m AMSL is not permitted at that site. Authorization for maximum permissible top elevation of 65.90 m AMSL at the location may be issued to the applicant.

8. M/s Pilot Constructions Pvt. ✓

CHQ File No.: AAI/20012/183/2010
NOCAS ID.: SNCR/WEST/B/101212/018
Case No. MUM/10/455

Site Address: CS No. 6 (Pt.) of Sion Division, Sion Bhandarwada, Mumbai.

The earlier Appellate Committee held on 24th, 27th & 28th May, 2013 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 204.17 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 204.5 m AMSL and from CNS criteria the proposed structure may be considered up to 139.58 AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 139.5 m AMSL.

Committees' Decision: The applicant's request for 204.17 m AMSL is not permitted at that site. Authorization for maximum permissible top elevation of 139.58 m AMSL at the location may be issued to the applicant.

9. M/s. Sapre & Associates, Mumbai. ✓

CHQ File No.: AAI/20012/107/2010
NOCAS ID.: JUHU/WEST/B/071212/011
CASE NO. 420-K.

Site Address: CTS No. C/1067 and C/1068 of Village Bandra (West),
Mumbai.

The Grievance Redressal Committee meeting held on 15th Nov., 2012 had directed that an Aeronautical Study be carried out in the subject case to determine whether the height 71.8 m AMSL requested by the applicant is permissible at that site.

The Aeronautical Study was carried out by GM (ATM-NOC), GM (CNS) & Jt. GM (ATM-IAL) of AAI and the report was submitted before the Committee on 24th Sept., 2013. The report was examined by this Committee. The Aeronautical Study report has determined that though the requested height is penetrating the AGA surface, but from PANS-OPS criteria the safety and regularity of aircraft operations are not affected adversely if the top elevation of the construction is restricted to 71.8 m AMSL and from CNS criteria the proposed structure may be cleared up to 71.8 m AMSL. Therefore, the permissible height at the site from PANS OPS procedures and CNS parameters is 71.8 m AMSL.

Committees' Decision: The applicant's request for 71.8 m AMSL is approved. Authorization for maximum permissible top elevation of 71.8 m AMSL at the location may be issued to the applicant.

The date of next Appellate Committee meeting has been fixed for 11th October, 2013.


(V. SOMASUNDARAM)
MEMBER (ANS)


(J. S. RAWAT)
JT. DGCA


(K. GOHAIN)
TECHNICAL EXPERT


(ANIL SRIVASTAVA)
JT. SECY, MOCA
CHAIRMAN, APPELLATE COMMITTEE

Place: New Delhi
Date: 24th September, 2013