

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

Minutes of the Meeting of the Appellate Committee for height clearance held on 22nd July 2021

As per Ministry of Civil Aviation Letter No. AV.20036/66/2000-AAI dated 15-10-2012 and GSR-751(E), Rule-11, the Appellate Committee, constituted to consider appeal/grievance of the appellants against the decision of the Designated Officer of AAI for issue of NOC for a specific permissible height under GSR-751(E), held its meeting on 22nd July, 2021 chaired by Smt. Rubina Ali, Joint Secretary, Ministry of Civil Aviation (MoCA). Shri D. C. Sharma, Jt. DG, DGCA and Shri M Suresh, Nodal Officer (ANS), AAI attended the meeting as members of the committee.

The Committee was assisted by the following officers:

- i) Shri Kalyan Chaudhary, ED (ATM), AAI-CHQ
- ii) Shri B. V. K. Pillai, GM (ATM-FPD), AAI-CHQ
- iii) Shri J. B. Singh, GM (CNS), AAI-CHQ
- iv) Shri Shiv Lal, Jt. GM (CNS), AAI-CHQ
- v) Shri L. D. Mohanty, Jt. GM (ATM-FPD), AAI-CHQ
- vi) Shri M.P. Aggarwal, Jt. GM (ATM-DoAS), AAI-CHQ
- vii) Shri N.K. Talukdar, Jt. GM (ATM-DoAS), AAI-CHQ
- viii) Shri Sanjay Kumar, Head, Airside Planning, DIAL

The meeting was attended by following officers through video-conferencing:

- i) Shri Prabhat Mahapatra, Sr. Vice President, Airside Management, MIAL
- ii) Ms. Aman Saini, Airport Director, AAI, Surat Airport
- iii) Shri Pawan Tagde, AGM (ATM), AAI, Surat Airport

A detailed case-by-case presentation was made by Shri Satyajit Dutta, GM (ATM-DoAS), AAI-CHQ before the Committee for due appraisal. The decisions are listed as below:

A. AERONAUTICAL STUDY CASES:

The Aeronautical Studies were conducted for the following appeal cases as per detailed guidelines contained in ADSAC 05 of 2020 on "Guidelines for the conduct of Aeronautical Study" dated 3rd July, 2020. The Appellate Committee has considered recommendations made in the Aeronautical Study Report of each case and decided as follows:

1. Jasmatbhai Nanubhai Vidiya, Surat

CHQ File No.: AAI/20012/124/2019
NOCAS ID: SURA/WEST/B/032319/38106
Site Address: F.P. No.-12, 13, 14, 15, O.P.No.-36, R.C.S.No.-4/1/2, 12/4/paikee 1, 12/3/ paikee 3, 12/3/paikee 1, 12/3/paikee 2, 12/3/paikee 3, T.P.No.-3 (Rundh), Moje-Rundh, Taluka-Majura, District-Surat, Majura, Surat, Gujarat.
Plot Size: 28861 sqm



Suresh

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The proposed site lies in Inner Horizontal Surface at a distance of 1382m from end of Transitional Surface of runway 04/22 of Surat Airport. The appellant had been granted NOC for 53.90 m AMSL vide AAI letter dated 01.04.2019. The appellant requested an elevation of 105.00 m AMSL vide online appeal application dated 10.05.2019.

After the approval of the Competent Authority, the Aeronautical Study was carried out on plot coordinates. The case was last heard in Appellate Committee meeting dated 24.03.2021 wherein the Committee directed that the Authorization letter will only be issued after the submission of undertaking which states that the permissible top elevation obtained through Aeronautical Study conducted on plot coordinates would be final and acceptable to the appellant, on submission of geo-coordinates of individual buildings.

The Committee was apprised that the appellant had submitted the requisite undertaking and geo-coordinates of individual buildings, and the height granted through Aeronautical Study as per plot coordinates is acceptable to him.

The Committee was informed that through Aeronautical Study process, the elevation of 71.45 m AMSL was recommended, as derived from allowable penetration of OLS, CNS and PANS-OPS criteria.

Committees' Decision:

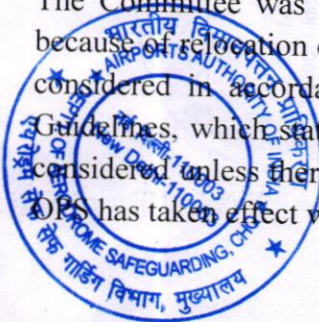
The permissible top elevation (P.T.E.) of 71.45 m AMSL is approved.

2. M/s BKC Properties Pvt. Ltd., Mumbai

CHQ File No.: AAI/20012/30/2019
NOCAS ID: SNCR/WEST/B/072812/001
Site Address: C-62 G-Block, Bandra Kurla Complex, Kole-Kalyan, University, Bandra (East), Mumbai.

The proposed building lies in Inner Horizontal Surface (IHS) at a distance of 1222m from end of Transitional Surface of runway 14/32 of Santa Cruz Airport. The appellant had been granted NOC for 59.43 m AMSL through Aeronautical Study vide AAI letter dated 20.10.2014, which was further revalidated up to 19.10.2022. The appellant requested an elevation of 67.35 m AMSL vide offline appeal application dated 18.11.2019.

The case was last heard in Appellate Committee meeting wherein it was decided to defer the case. The Committee was informed that the appellant had requested a second Aeronautical Study because of relocation of ASR. The subsequent appeal for the conduct of Aeronautical Study was considered in accordance with Para 6.3.1.4 of ADSAC 05 of 2020 on Aeronautical Study Guidelines, which states that subsequent appeal for conduct of Aeronautical Study shall not be considered unless there is a change in Aerodrome Ground Aids, CNS facilities or in the PANS-OPS has taken effect which permits higher height.



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After the approval of the Competent Authority, the Aeronautical Study was carried out. The Committee was informed that through Aeronautical Study process, the elevation of 66.97 m AMSL for building was recommended, as derived from allowable penetration of OLS, CNS and PANS-OPS criteria.

Committees' Decision:

The permissible top elevation (P.T.E.) of 66.97 m AMSL for building is approved.

3. M/s. Kalpataru Properties Pvt Ltd, Mumbai

CHQ File No.: AAI/20012/167/2019
Case No.: MUM/13/NOCAS/55
Site Address: CTS No. 629 (Pt), Village Bandra at Bandra (East), Mumbai.

The proposed building lies in Inner Horizontal Surface (IHS) at a distance of 2628 m from end of Transitional Surface of runway 09/27 of Santa Cruz Airport. The appellant had been granted NOC for 77.67 m AMSL for Building-C through Aeronautical Study vide AAI letter dated 12.02.2016. The appellant requested an elevation of 93.00m AMSL vide offline appeal application dated 25.11.2019.

The case was last heard in Appellate Committee meeting wherein it was decided to defer the case. The Committee was informed that the appellant had requested a second Aeronautical Study because of relocation of ASR. The subsequent appeal for the conduct of Aeronautical Study was considered in accordance with Para 6.3.1.4 of ADSAC 05 of 2020 on Aeronautical Study Guidelines which states that that subsequent appeal for conduct of Aeronautical Study shall not be considered unless there is a change in Aerodrome Ground Aids, CNS facilities or in the PANS-OPS has taken effect which permits higher height.

After the approval of the Competent Authority, the Aeronautical Study was carried out. The Committee was informed that through Aeronautical Study process, the elevation of 90.50 m AMSL for Building-C was recommended, as derived from allowable penetration of OLS, CNS and PANS-OPS criteria.

Committees' Decision:

The permissible top elevation (P.T.E.) of 90.50 m AMSL for Building-C is approved.

4. DLF Cybercity Developers Ltd, Gurgaon

CHQ File No.: AAI/20012/153/2018
NOCAS ID: PALM/NORTH/B/012518/276084
Site Address: Building C, Cybercity Colony, Sector 24,25 and 25A, DLF Cyber City, Gurgaon, Haryana.
Plot Size: 7900.07 sqm



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The proposed building lies in Conical Surface at a perpendicular distance of 1008 m up to IHS boundary. The IHS boundary point is at a distance of 3477 m from IHS boundary point up to the transitional Surface of runway 11R/29L of I.G.I. Airport. The appellant had been granted NOC for 322.66 m AMSL vide AAI letter dated 26.02.2018. The appellant requested an elevation of 361.92 m AMSL vide offline appeal application dated 17.05.2019.

After the approval of the Competent Authority, the Aeronautical Study was carried out. The Committee was informed that through Aeronautical Study process, the elevation of 356.00 m AMSL for Building-C was recommended, as derived from allowable penetration of OLS, CNS and PANS-OPS criteria.

Committees' Decision:

The permissible top elevation (P.T.E.) of 356.00 m AMSL for Building-C is approved.

B. SHIELDING CRITERIA STUDY CASES:

5. Mr. Amitesh Shah, Mumbai

CHQ File No.: AAI/20012/62/2020
NOCAS ID: SNCR/WEST/B/051220/463742
Site Address: CTS No. 24,24/1,24/2,24/3 of village Chandivali, Chandivali Road, L Ward, Mumbai, Chandivali, Mumbai suburban, Maharashtra.

The proposed plot lies in Inner Horizontal Surface of Santa Cruz Airport. The appellant had been granted NOC for 57.13 m AMSL vide AAI letter dated 30.06.2020. The appellant requested an elevation of 100.00 m AMSL vide online appeal application dated 16.07.2020.

The Committee was informed that the Shielding Committee has submitted its recommendations through Shielding Criteria Study report as per provisions of Para 4 of Schedule II of GSR 751 (E). However, Shri Prabhat Mahapatra from MIAL pointed out that hill cutting has been going on around the Chandivali Hill area for a long time. Therefore, it will be more appropriate to obtain the latest contour of the Hill. MIAL was requested to obtain the same. The Chairperson, Appellate Committee decided to defer the case.

Committees' Decision:

The case is deferred to the next meeting.

Other Issues:

Timeline for issuance of NOC after issuance of authorization letter by CHQ

The Committee was apprised that it has been observed that there is no time limit for issuance of NOC letters by nine NOC offices on receipt of authorization from CHQ. On some occasions, NOC letter has been issued as late as six months after receipt of authorization letter from CHQ.



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Committee decision: The Committee directed AAI to internally examine the matter and issue necessary orders to all Designated Offices for timely issuance of NOC letters.

7. Timeline for payment of Aeronautical study fee by the applicants

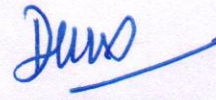
The Committee was apprised that it has been observed that several appellants do not respond to the email intimating that an Aeronautical study has been approved for his/her case and to deposit the requisite fee within 2 months. Such appellants sometimes approach AAI even after one or two years for conduct of Aeronautical study. These cases remain pending with DoAS section in absence of any timeline/deadline for receipt of Aeronautical study fee.

Committee decision: This needs further examination with complete data of such cases and analysis of the delay in submission of Aeronautical study fee by the appellants.

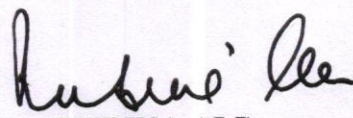
8. The Committee was apprised that some appellants are pointing out that all appeal cases are not presented to the Appellate Committee inspite of the fact that appellants are appealing to the Chairman of the Appellate Committee and as per Rule 11 of GSR 751 (E). Appellate Committee was apprised that those cases which do not qualify for grant of higher height through Aeronautical study/Shielding criteria are disposed of by AAI, in accordance with procedures published in the relevant ADSAC as amended from time to time. The Committee took note of it and directed to continue the existing practice.



M. SURESH
Nodal Officer (ANS)
Airports Authority of India



(D. C. SHARMA)
Jt. Director General
Directorate General of Civil Aviation



(RUBINA ALI)
Joint Secretary
Ministry of Civil Aviation
Chairperson, Appellate Committee

Place: New Delhi.

Date: 04/08/2021