

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

MINUTES OF THE APPELLATE COMMITTEE MEETING FOR HEIGHT CLEARANCE
March 20, 2019

As per the decision of the Hon'ble Bombay High Court dated 14th Feb., 2019 in the Writ Petition No. 79 of 2019 and other Writ Petitions, Chamber Summons No. 248 of 2018, the Appellate Committee in its meeting dated 26th February 2019 decided that copy of Aeronautical Study report be provided to all 21 applicants and to meet all the 21 appellants on 16th March 2019 in Mumbai in the office of Regional Executive Director, AAI. Accordingly, the Committee met all the 21 applicants on 16th March 2019 in Mumbai along with their representatives. The committee listened to the oral submissions of each applicant and also received written submission from 20 applicants. All documents received are made as part of the record.

The Appellate Committee met again on 20th March 2019 to consider the oral and written submissions made by all the 21 applicants and decide on the Permissible Top Elevation (PTE) with respect to these cases.

The meeting was chaired by Mrs. Usha Padhee IAS, Joint Secretary Ministry of Civil Aviation along with committee members Shri J S Rawat, Jt. DGCA and Shri Vineet Gulati, Member (ANS) AAI.

The following officers were also present with the permission of the Committee in the meeting to assist the Appellate Committee:

- i) Shri Prabhat Mahapatra, Sr. Vice President Airside Management MIAL;
- ii) Shri Sulakshan Chadha, Executive Director (ATM) AAI;
- iii) Shri B.V.K. Pillai General Manager (FPD) AAI;
- iv) Shri Ravi Kant, General Manager, (CNS) AAI;
- v) Shri Satyajit Dutta Jt. General Manager (NOC) AAI;
- vi) Shri D. Moitra, Jt. General Manager (FPD) AAI;
- vii) Shri D. Guha Roy Dy. General Manager (NOC) AAI.

The cases were presented by Shri R. K. Singla, General Manager (NOC) AAI, member secretary to the committee.

The committee considered the submissions (oral as well as written) made by the applicants during personal hearing. Three points have been repeated by 15 applicants. These points were discussed and it was decided to list them along with the views of the Appellate Committee at the outset instead of repeating them in each case.

- i) Letter of DGCA on the meeting held on 7th August 2018, regarding interpretation of Guidelines on Allowable penetration of OLS in Aeronautical Study Report based on the presentation made by AAI and CREDAI was referred. In the said letter, DGCA had opined that - "*the interpretation on part of CREDAI to consider the distance of the obstacles from the transition surface on a radial from the center of runway*

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extremity is more logical and would restrict the obstacles below the gradually rising surface.”

This issue was examined earlier by the experts in AAI & same was not considered based on the report of committee of three GMs constituted by Member (ANS) and the report of sub-committee constituted by the Appellate Committee. So, the Committee is of the considered opinion that the revised methodology of implementation of “the guidelines on allowable penetration of OLS through Aeronautical Study” i.e., the calculation of shortest distance of the site from the End of Transitional Surface is correct. Calculation of the height in the Transitional Surfaces is also done similarly. Hence, the submission of the applicants is rejected and the calculation is to be made as per the revised methodology which is being followed since January 2018 for Aeronautical Study cases.

- ii) DGCA CAR Series ‘B’ Part I was referred stating that power to interpret any standard and reference guidance rests with DGCA.

The committee is of the opinion that since the Guidelines on Allowable Penetration of OLS in Aeronautical Study Reports dated 26th March 2015 are not part of the DGCA CAR Series ‘B’ Part I, hence the submission of the applicants is rejected.

- iii) It was mentioned that while carrying out Aeronautical Study by ICAO for BKC plots of MMRDA old calculation methods was used and height clearance by the Appellate Committee was as per old calculations.

The Top elevations permitted by the Appellate Committee to the MMRDA plots are in compliance with the revised interpretation of the guidelines. Hence, the submission of the applicants is rejected.

A detailed case by case presentation was made before the committee for appraisal. After exhaustive deliberation on each case, the decisions were taken which are listed below with case-wise details:

1. M/s Rare Township Pvt Ltd, Mumbai.

CHQ File No.: AAI/20012/58/2015
NOCAS ID: SNCR/WEST/B/042716/127075
Site Address: CTS. No.194 B of Village Ghatkopar E, Mumbai, Maharashtra.

The proposed site lies in Inner Horizontal Surface at a distance of 1636.98m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 07.06.2016. The applicant requested an elevation of 112.57m AMSL vide letter dated 26.06.2015.

The Appellate Committee in its meeting dated 29.09.2015 decided that the Aeronautical Study is to be conducted for the height of 112.57m AMSL. The Aeronautical Study report was prepared and as per the Court’s directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon’ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of “Guidelines on Allowable Penetration of OLS dated 26th March, 2015”. As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon’ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant during the meeting. The applicant requested the Chairman Appellate Committee to approve the height of 77.68 m AMSL as per the Aeronautical Study report provided to the applicant and issue NOC at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 77.68m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 77.68m AMSL is approved.

2. M/s Neuzen Realtors LLP, Mumbai.

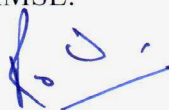
CHQ File No.: AAI/20012/22/2016
Case No.: MUM/14/NOCAS/519
NOCAS ID: JUHU/WEST/B/110314/69887
Site Address: FP No. 64 of TPS II of Santacruz, at Junction of Green Street and Tagore Road, Santacruz (West), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 168m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 06.02.2015. The applicant requested an elevation of 78.72m AMSL vide letter dated 31.03.2015.

The Appellate Committee in its meeting dated 23.06.2016 decided that the Aeronautical Study is to be conducted for the height of 61.32m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting to issue NOC for the height of 59.03m AMSL. The applicant requested the Chairman Appellate Committee to approve the height of 59.03 m AMSL as per the Aeronautical Study report provided to the applicant and issue NOC at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 59.03m AMSL.



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Committees' Decision:

The permissible top elevation (PTE) of 59.03m AMSL is approved.

3. M/s Starwing Developers Pvt.Ltd., Mumbai..

CHQ File No.: AAI/20012/76/2012
Case No.: MUM/12/NOCAS/002
NOCAS ID: JUHU/WEST/B/012914/20990
Site Address: CTS No. 198,198/1 to 11,199,199/1 to 21,213,214,214/1 to 12,215(Part),215/1 to 12 ,215/23 to 32,215/48 to 65 of Village Mogra ,Parsi Panchayat Road ,Andheri Road, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1415m for Structure-1, 1452m for Structure-2, and 1455m for Structure-3, from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 70.15m AMSL through Aeronautical study vide AAI NOC letter dated 13.07.2015. The applicant requested an elevation of 89.50m AMSL vide letter dated 21.04.2016.

The Appellate Committee in its meeting dated 05.05.2016 decided that the second Aeronautical Study is to be conducted for the height of 89m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March,2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March,2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. Unviability of the project as a result of change in height was also mentioned by the applicant. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. He also opined that NOC may be issued at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 74.87m AMSL for Structure 1, 75.34m AMSL for Structure 2 and 75.37m AMSL for Structure 3.

Committees' Decision:

The permissible top elevations (PTE) of 74.87m AMSL for Structure 1, 75.34m AMSL for Structure 2 and 75.37m AMSL for Structure 3, are approved.

4. Mr Anil Shah Partner of Zire Rushi Construction,Mumbai.

CHQ File No.: AAI/20012/39/2016
Case No.: MUM/123/NOCAS/671
NOCAS ID: JUHU/WEST/B/102813/17531



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Site Address: C.T.S No.-328 & 329(pt) Village Gundavali, Andheri(E) Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 350m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.90 vide AAI NOC letter dated 19.03.2014. The applicant requested an elevation of 69.70m AMSL vide letter dated 15.02.2016.

The Appellate Committee in its meeting dated 05.05.2016 decided that the Aeronautical Study is to be conducted for the height of 69.70m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. Unviability of the project as a result of change in height was also mentioned by the applicant. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. He also opined that NOC may be issued at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 61.34m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 61.34m AMSL is approved.

5. M/s R S Builders, Mumbai.

CHQ File No.: AAI/20012/46/2016
Case No.: MUM/15/B/180
NOCAS ID: JUHU/WEST/B/041015/108120
Site Address: CTS. No. 624/6 OF Village Bandra-G at Santacruz (W) in H/W ward plot no. J-4, 16th Road, SantaCruz (West), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 775m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.90m AMSL vide AAI NOC letter dated 03.07.2015. The applicant requested an elevation of 82.35m AMSL vide letter dated 12.04.2016.

The Appellate Committee in its meeting dated 20.06.2016 decided that the Aeronautical Study is to be conducted for the height of 82.35m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per

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revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting to issue NOC for the height of 66.74m AMSL. The applicant requested the Chairman Appellate Committee to approve the height of 66.74m AMSL as per the Aeronautical Study report provided to the applicant and issue NOC at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 66.74m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 66.74m AMSL is approved.

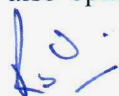
6. M/s Supreme Constructions & Developers Pvt. Ltd., Mumbai.

CHQ File No.: AAI/20012/59/2016
Case No.: MUM/14/NOCAS/508
NOCAS ID: SNCR/WEST/B/102814/69156
Site Address: CTS No. 128 A/3 of village Chembur, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1522m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 06.02.2016. The applicant requested an elevation of 120m AMSL vide letter dated 30.04.2016.

The Appellate Committee in its meeting dated 20.06.2016 decided that the Aeronautical Study is to be conducted for the maximum height in meters AMSL permissible at that location. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that safety is not to be compromised at any cost. He also opined that NOC may be issued at the earliest as work of the project has stopped.



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Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 76.22m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 76.22m AMSL is approved.

7. M/s Silver Land Developers Pvt. Ltd., Mumbai.

CHQ File No.: AAI/20012/69/2016
Case No.: MUM/13/NOCAS/300
NOCAS ID: SNCR/WEST/B/050713/020
Site Address: CTS No. 4647, village Ghatkopar, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 463m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 19.11.2013. The applicant requested an elevation of 80.70m AMSL vide letter dated 02.06.2016.

The Appellate Committee in its meeting dated 20.06.2016 decided that the Aeronautical Study is to be conducted for the height of 80.70m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. He also opined that NOC may be issued at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 62.78m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 62.78m AMSL is approved.

8. M/s Mahindra LifeSpace Developers Ltd, Mumbai. (For Built Up Area 1 & 2)

CHQ File No.: AAI/20012/61/2016
Case No.: MUM/13/480
NOCAS ID: SNCR/WEST/B/091115/160784

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Site Address: CTS No. 243 B, 243 C & 248 of village Gundavali at Andheri East, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1090m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 23.11.2015. The applicant requested an elevation of 76.13m AMSL vide letter dated 25.05.2016.

The Appellate Committee in its meeting dated 20.06.2016 decided that the Aeronautical Study is to be conducted for the height of 76.13m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that safety is not to be compromised at any cost. He also opined that NOC may be issued at the earliest as work of the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 70.74m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 70.74m AMSL is approved.

9. M/s Mahindra LifeSpace Developers Ltd, Mumbai. (For Built Up Area 4)

CHQ File No.: AAI/20012/61/2016
Case No.: MUM/13/480
NOCAS ID: SNCR/WEST/B/091115/160784
Site Address: CTS No. 243 B, 243 C & 248 of village Gundavali at Andheri East, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1159m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 23.11.2015. The applicant requested an elevation of 76.13m AMSL vide letter dated 25.05.2016.

The Appellate Committee in its meeting dated 20.06.2016 decided that the Aeronautical Study is to be conducted for the height of 76.13m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 28.04.2017. The Aeronautical Study Report was re-prepared as per

revised methodology of implementation of “Guidelines on Allowable Penetration of OLS dated 26th March,2015”. As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon’ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon’ble High Court. It was categorically mentioned by the applicant that safety is not to be compromised at any cost. He also opined that NOC may be issued at the earliest as work of the project has stopped.

Based on the applicant’s submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 71.61m AMSL.

Committees’ Decision:

The permissible top elevation (PTE) of 71.61m AMSL is approved.

10. Shri Surjit Singh R.Mokha, Mumbai.

CHQ File No.: AAI/20012/59/2015
NOCAS ID: SNCR/WEST/B/081716/168314
Site Address: C.T.S No. 188 of Village Tungwa at Powai, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 2469m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 04.06.2016. The applicant requested an elevation of 99.77m AMSL vide letter dated 17.08.2016.

The Appellate Committee in its meeting dated 23.03.2016 decided that the Aeronautical Study is to be conducted for the height of 96.90m AMSL. The Aeronautical Study report was prepared and as per the Court’s directive order dated 23rd March,2017 in PIL86 of 2014, submitted to the Hon’ble High Court of Bombay as per the MOM of the Appellate Committee dated 29.05.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of “Guidelines on Allowable Penetration of OLS dated 26th March,2015”. As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon’ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. The applicant was informed that a written submission may be given now or within two days’ time in addition to oral submission. The applicant requested the Chairman Appellate Committee to approve the height of 88.25m AMSL as per the Aeronautical Study report provided to the applicant and issue NOC at the earliest as work of the project has stopped.



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Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 88.25m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 88.25m AMSL is approved.

11. M/s Havemore Realty Pvt Ltd, Mumbai.

CHQ File No.: AAI/20012/113/2011
Case No.: MUM/10/702
NOCAS ID: JUHU/WEST/B/110216/179910
Site Address: C.T.S No. 78A to 78H, Village Gundavali, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 987m for Rehab Building Cluster (Buildings 1-9), 1038m for Sale Building Tower-1, 1105m for Sale Building Tower-2 & 1153m for Sale Building Tower-3, from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 15.11.2016. The applicant requested an elevation of 110.29m AMSL vide letter dated 02.11.2016.

The Appellate Committee decided the Aeronautical Study is to be conducted for the height of 110m AMSL. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 29.05.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that safety is not to be compromised at any cost.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 69.43m AMSL for Rehab Building Cluster (Buildings 1 - 9), 70.08m AMSL for Sale Building Tower 1, 70.93m AMSL for Sale Building Tower 2 and 71.54m AMSL for Sale Building Tower 3.

Committees' Decision:

The permissible top elevations (PTE) of 69.43m AMSL for Rehab Building Cluster (Buildings 1 - 9), 70.08m AMSL for Sale Building Tower 1, 70.93m AMSL for Sale Building Tower 2 and 71.54m AMSL for Sale Building Tower 3, are approved.

12. M/s Atul Projects India Ltd., Mumbai.

CHQ File No.: AAI/20012/95/2016
Case No.: MUM/12/NOCAS/296
NOCAS ID: SNCR/WEST/B/043016/127169
Site Address: CTS No,24/1/A & 24/1/B and 24/E Village Vyaravali, MIDC,
Andheri (East), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 2340m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 07.06.2016. The applicant requested an elevation of 87.985m AMSL vide letter dated 20.07.2016.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March,2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 04.07.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March,2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. Unviability of the project as a result of change in height was also mentioned by the applicant. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court and issue NOC at the earliest.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 86.61m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 86.61m AMSL is approved.

13. Mr.Keyur Ved, Mumbai.

CHQ File No.: AAI/20012/91/2016
NOCAS ID: SNCR/WEST/B/030116/122175
Site Address: Plot bearing CTS No. 36 A/7 of Village Chandivali in L ward,
Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1774m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 07.06.2016. The applicant requested an elevation of 90m AMSL vide letter dated 18.07.2016.



Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the Aeronautical study report. A written submission was given by the applicant in the meeting. It was mentioned by the applicant that it is a SRA project on a hillock and project will not be viable if there is a change in height. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 66.42m AMSL for Wing A, 64.83m AMSL for Wing B and 63.93m AMSL for Wing C.

Committees' Decision:

The permissible top elevations (PTE) of 66.42m AMSL for Wing A, 64.83m AMSL for Wing B and 63.93m AMSL for Wing C, are approved.

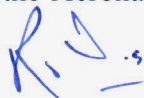
15. M/s Drishti Developers, Mumbai.

CHQ File No.: AAI/20012/55/2017
NOCAS ID: SNCR/WEST/B/100416/175596
Site Address: CTS No. 13/38/4, 13/1(pt) of Village Mulgaon and CTS No. 583(pt) of Village kondivita, Mahakali caves road, Andheri(E), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 2599m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 15.11.2016. The applicant requested an elevation of 90.45m AMSL vide letter dated 31.03.2017.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 21.09.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting to issue NOC for the height of 89.90m AMSL. The applicant requested the Chairman Appellate Committee to approve the height of 89.90m AMSL as per the Aeronautical Study report provided to the applicant and issue NOC at the earliest.



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Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 89.90m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 89.90m AMSL is approved.

16. M/s Maa Ashapura Developers, Mumbai.

CHQ File No.: AAI/20012/69/2017
NOCAS ID: SNCR/WEST/B/120816/185507
Site Address: CTS No. 343(pt), Lal Donger, M/W ward, Sion-Trombay road,
Village Chembur, Taluka-Kurla, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1026m from end of the Transitional surface of runway 14/32 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 26.12.2016. The applicant requested an elevation of 91.92m AMSL vide letter dated 22.04.2017.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 21.09.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. Unviability of the project was also mentioned by the applicant of there is a change in height. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that safety of aircraft operations is not to be compromised at any cost and issue NOC at the earliest.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 69.93m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 69.93m AMSL is approved.

17. M/s Vishwaroop Realty L.L.P., Mumbai.

CHQ File No.: AAI/20012/112/2016
NOCAS ID: JUHU/WEST/B/070715/14386



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Site Address: Original Plot Nos. 6 & 7, Final Plot No. 169 of SantaCruz TPS-IV and bearing CTS No. G-537 of Village Bandra(W), Taluka Andheri Mumbai, Situated at Central Avenue & East Sharat Chandra Chatterji Road Santacruz(W), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 848m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 31.03.2016. The applicant requested an elevation of 77.88m AMSL vide letter dated 05.04.2017.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 21.09.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting to issue NOC for the height of 67.66m AMSL. The applicant requested the Chairman Appellate Committee to approve the height of 67.66m AMSL as per the Aeronautical Study report provided to the applicant and issue NOC at the earliest as work on the project has stopped.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 67.66m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 67.66m AMSL is approved.

18. M/s Parinee Developers Pvt. Ltd, Mumbai.

CHQ File No.: AAI/20012/82/2014
Case No.: MUM/11/356
NOCAS ID: JUHU/WEST/B/060214/40006
Site Address: CTS No.E/116, f.p. no 653 & 654 of TPS III OF BANDRA AT KHAR WEST, MUMBAI.

The proposed site lies in Inner Horizontal Surface at a distance of 1378m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.27m AMSL vide AAI NOC letter dated 20.05.2015. The applicant requested an elevation of 160.25m AMSL vide letter dated 12.04.2016.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of

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Bombay as per the MOM of the Appellate Committee dated 21.09.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. It was also mentioned that it was a re-development project and about 40 members of the society have been provided with alternate accommodation by the applicant. Unviability of the project has also been mentioned by the applicant if there is any reduction in height as compared to the height submitted to Hon'ble Bombay High Court. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that safety is not to be compromised at any cost and issue NOC at the earliest.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 74.40m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 74.40m AMSL is approved.

19. M/s Shree Ahuja Property Pvt. Ltd., Mumbai.

CHQ File No.: AAI/20012/71/2017
NOCAS ID: JUHU/WEST/B/102816/179038
Site Address: CTS No. 1651, 1653 and 1654, Village Bandra-C situated at Ambedkar Road, Bandra (W), Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 1921m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 15.11.2016. The applicant requested an elevation of 126.01m AMSL vide letter dated 14.04.2017.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 08.11.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. It was mentioned by the applicant that it was a

residential project under re-development scheme and 84 families have been provided with rental accommodation. Unviability of the project has also been mentioned by the applicant if there is any reduction in height as compared to the height submitted to Hon'ble Bombay High Court. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that the project will not be viable if reduced height is granted.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 81.29m AMSL.

Committees' Decision:

The permissible top elevation (PTE) of 81.29m AMSL is approved.

20. M/s Satre Infrastructure Pvt. Ltd., Mumbai.

CHQ File No.: AAI/20012/73/2017
Case No.: MUM/13/NOCAS/163
NOCAS ID: SNCR/WEST/B/112913/18682
Site Address: CTS No. 32 A (pt) marked as A-B-C-D-E-F-G-H-I-A of Village Kirol, Ghatkopar, Mumbai.

The proposed site lies in Inner Horizontal Surface at a distance of 71m for Building A, 63m for Building B & 41m for Building C from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 27.05.2014. The applicant requested an elevation of 73.34m AMSL for Building A, B & C vide letter dated 13.09.2017.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 08.11.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant mentioned that it was a SRA project and it would become unviable if he is not able to use the full FSI as result of height restriction by the Appellate Committee. The applicant requested the Chairman Appellate



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Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court.

Based on the applicant's submissions to the Appellate Committee on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019. The Aeronautical Study report recommended the top elevation of 57.80m AMSL for building A, 57.70m AMSL for building B and 57.42m AMSL for building C.

Committees' Decision:

The permissible top elevations (PTE) of 57.80m AMSL for building A, 57.70m AMSL for building B and 57.42m AMSL for building C, are approved.

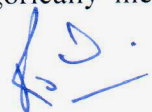
21. M/s Gamma Construction Pvt. Ltd., Mumbai.

CHQ File No.: AAI/20012/85/2017
NOCAS ID: SNCR/WEST/B/112116/183276
Site Address: CTS No. 193(Pt), 193/1 to 16 of Village Tungwe and CTS No. 2(Pt), of Village Saki, Saki Vihar Road, 'L' ward, Kurla West, Mumbai

The proposed site lies in Inner Horizontal Surface at a distance of 2319m from end of the Transitional surface of runway 09/27 of Santacruz Airport. The applicant was granted an elevation of 56.9m AMSL vide AAI NOC letter dated 26.12.2016. The applicant requested an elevation of 88.779m AMSL vide letter dated 15.05.2017.

The Competent Authority approved the Aeronautical Study is to be carried out for the said case. The Aeronautical Study report was prepared and as per the Court's directive order dated 23rd March, 2017 in PIL86 of 2014, submitted to the Hon'ble High Court of Bombay as per the MOM of the Appellate Committee dated 08.11.2017. The Aeronautical Study Report was re-prepared as per revised methodology of implementation of "Guidelines on Allowable Penetration of OLS dated 26th March, 2015". As per decision of the Appellate Committee meeting dated 22.05.2018, the revised Aeronautical Study report was submitted to Hon'ble High Court of Bombay for record purpose.

On 16.03.2019, during his submission to the Appellate Committee, the applicant confirmed receipt of the revised Aeronautical Study report. A written submission was given by the applicant in the meeting. The applicant mentioned that the project would become unviable if he is not able to use the full FSI as result of height restriction by the Appellate Committee. The applicant requested the Chairman Appellate Committee to approve the height as per the old Aeronautical Study report submitted in the Hon'ble High Court. It was categorically mentioned by the applicant that safety is not to be compromised at any cost.



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Based on the applicant's verbal and written submissions as per Appellate Committee meeting held on 16.03.2019, the case was discussed in the Appellate Committee meeting held on 20.03.2019.

Committees' Decision:

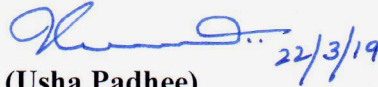
The permissible top elevation (PTE) of 86.35m AMSL is approved.



(Vineet Gulati)
Member (ANS), AAI
Member, Appellate Committee



(J. S. Rawat)
Jt. DGCA
Member, Appellate Committee



(Usha Padhee)
Joint Secretary, MoCA
Chairperson, Appellate Committee

Place: New Delhi

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