

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

**Minutes of the Meeting of the Appellate Committee for height clearance held on
06th November, 2015**

Reference Ministry of Civil Aviation letter No. AV.20036/66/2000-AAI dated 15-10-2012 read with letters dated 31-12-2012 and dated 04-01-2013, the Appellate Committee constituted to consider appeal/grievance made by different applicants with regard to the height allocated to them by AAI for their construction vis-à-vis the height sought by them, held its meeting under the Chairmanship of Joint Secretary, Ministry of Civil Aviation (MOCA) on 06th November, 2015.

The following Committee members were present:-

1. Sh. A K Dutta - Member (ANS), AAI
2. Sh. K. Gohain - Technical Expert

Shri J.S. Rawat, Jt. DGCA was not present.

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

1. M/s Kesar Realty Pvt. Ltd., Navi Mumbai

Case No.: MUM/10/N.MUM/1008
CHQ File No.: AAI/20012/164/2010-ARI(NOC)
NOCAS ID: NAVI/WEST/B/100112/011
Site Address: Plot No. 264, 265 & 266 Sector-10, Khar Ghar, Navi Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 3684m from Rwy 26R of Navi Mumbai Airport.

The applicant had initially requested a height of 61.84 m AMSL vide their letter dated 16.06.2010 against which they were initially authorized a height of 50.50m AMSL vide letter dated 10.08.2010 and that was subsequently revised to 53.00 m AMSL in letter dated 21.09.2011(after review at AAI, CHQ). The applicant has requested a revised height of 61.54 m AMSL vide letter dated 07.03.2011 and online dated 01.10.2012. The applicant thereafter revised their request to 61.84 m AMSL vide letter dated 28.11.2013 and subsequently revised to 61.95 m AMSL vide letter dated 31.01.2014.

The applicant has desired higher height under shielding criteria from adjacent buildings. The matter was examined in AAI wherein it was observed that shielding benefit is not applicable in accordance with the existing provisos of SO 84 (E).



The case was initially listed in Appellate Committee meeting of 9th January, 2013 wherein it was decided to defer the case in view of the fact that the setting up of the Navi Mumbai airport at its present location has already been finalized. The applicant thereafter submitted request for Aeronautical study vide letter dated 28.11.2013.

The Case was thereafter heard in Appellate Committee meeting held on 27th December, 2013 wherein it was decided that a meeting to be convened with CIDCO representative with regard to heights cleared by CIDCO in all cases where the site is located within the Obstacle Limiting Surfaces of Navi Mumbai Airport.

CIDCO vide letter No. CIDCO/CP/2014/150 dated 31.01.14 has informed that in principle CIDCO had no objection in granting permission for G+17 but due to restriction they had approved upto G+14(53.00 m AMSL) as early as on 21.05.2009. In the instant case CIDCO had stated that to consume balance FSI on site, the applicant has no options but to raise the building to 61.95m AMSL.

The case was subsequently listed for Appellate Committee meeting held on 12th May, 2014 wherein the applicant was absent for which it was decided that applicant may be given opportunity to present his case in subsequent meeting only after fresh request is received from him. The applicant thereafter submitted his fresh request vide letter dated 17.06.2014.

The case was again heard in the Appellate Committee meeting of 11th July, 2014 and the Committee decided that the applicant needs to submit to AAI original documents indicating date on which this project with height was initially approved by CIDCO. AAI also to take up with CIDCO and fix the cut off date, which should be the date when Rwy location was frozen in 2010. This date should be the base for giving approval of height as per OLS of Navi Mumbai airport. On receipt of information and fixing of cut off date, AAI to authorize the requested height if it was approved by CIDCO before the cut off date.

The applicant submitted the documents. As desired by Appellate Committee a letter was written to CIDCO dated 02.09.2014 regarding height permitted by CIDCO at the site before shifting of airport location and the date when location of Rwy was frozen in 2010.

CIDCO vide letter No. CIDCO/CP/2014/478 dated 12.09.14 has responded that their recommendation towards consideration of height relaxation hereby stands withdrawn.

The Case was heard in Appellate Committee meeting dated 16th January, 2015 wherein the Committee, in view of the clarification received from CIDCO, decides that no further height shall be admissible. The appeal for higher height was rejected.

Applicant vide letter dated 18.08.15 again requested for reconsideration of their proposal for additional height and revocation of order passed in the Appellate Committee meeting dated 16.01.15.

The case was thereafter again put up in the Appellate Committee meeting held on 27.8.2015 wherein the Committee heard the applicant. This Committee was informed that subsequently CIDCO vide letter dated 22.07.15 has informed in this particular case that to consume balance FSI on the site, the applicant has no option but to raise height of the building from 53m AMSL to 61.95m AMSL.

This Committee took note of the CIDCO letter dated 12.9.2014 and background information as given above. The Committee then decided that AAI to discuss this case with CIDCO with reference to their letter dated 22.7.2015 and earlier CIDCO letter dated 12.9.2014 and inform the Committee on its outcome.

The Committee was informed by AAI that a letter was written to CIDCO dated 30.09.15 asking them to clarify their stand regarding the permitted height at this site.

Applicant vide mail dated 30.10.2015 has forwarded a copy of response from CIDCO.

This Committee also examined the letter from CIDCO and observed that Aeronautical Study as requested by the applicant cannot be carried out at this stage as the CNS aids have not yet been positioned at the airport and that the response from CIDCO to AAI letter of 30.9.2015 does not clarify their present stand in the subject case. The applicant informed the existence of Kharghar Hills closed to their site.

Committees' Decision:

AAI to depute their representative to visit the proposed site to determine if shielding benefit with respect to Kharghar Hills can be available to this site in light of changes in shielding criteria in GSR751(E).

2. M/s Vibhavana Properties, Coimbatore (TN).

Case No.: MM/466/2014
CHQ File No.: AAI/20012/60/2015
NOCAS ID: COIM/SOUTH/B/091614/63476
Site Address: 55 & 56 Vilankuruchi, Coimbatore.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3198m from Rwy 05 of Coimbatore Airport.

The applicant had initially requested a height of 465.37m AMSL online dated 16.09.14 against they were granted a height of 448.55m AMSL vide letter dated 05.1.2015. The applicant in its letter dated 13.7.2015 has requested a reduced height of 457.87m AMSL.

Applicant requested higher height to make project commercially viable.

The case was put up to the Appellate Committee meeting held on 29.9.2015 wherein the applicant was given opportunity to present their before this Committee however the applicant was absent. The Committee then decided that the case may be put up to the Committee only after formal request for revised date is received from the applicant. The applicant requested hearing for the Appeal Committee in their mail dated 24.10.2015

Applicant during their presentation to this Committee referred Coimbatore Local Planning Authority letter dated 08.07.2015 (In Original) and presented their case that their project with the reduced height of 457.87m AMSL involves the structure G+8 which will then make their project commercially viable and requested for Aeronautical Study. They further stressed that the site elevation is high.

The Committee considered the letter from Local Planning Authority of Coimbatore which recommends the height and the applicant was informed that for Aeronautical Study they have to make a formal request with other formalities completed.

Committees' Decision:

Aeronautical Study to be conducted, for applicability of height of 457.87m AMSL, only after formal request with requisite formalities completed by the applicant for the study.

3. M/s. Dheeraj Housing Pvt. Ltd., Mumbai.

Case No.: MUM/13/NOCAS/250
CHQ File No.: AAI/20012/73/2015 Old file No.20012/126/14
NOCAS ID: JUHU/WEST/B/040813/023
Site Address: Plot No CTS C/597 & C/598, Village Bandra, Bandra West, Mumbai

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3837m from Rwy 09 of Mumbai Airport.

The applicant had initially requested a height of 85.055m AMSL vide letter dated 20.5.2013 against which they were granted a height of 56.90m AMSL vide letter dated 09.10.2013. The applicant vide letter dated 18.8.2015 has requested for reduced height of 73.905m AMSL.

This Committee heard the applicant and noted that they had submitted letter from MCGM dated 9.6.2015 (in original) which has recommended the project height as 66.60m AGL. The applicant also informed that their project is for constructing 08 floors to utilize the FSI granted to them by the Local Authorities and had requested for conduct of Aeronautical Study.

The Committee considered the letter from MCGM which recommends the height and the applicant was informed that the permissibility of the height can be assessed through conduct of Aeronautical Study only.

Committees' Decision:

Aeronautical Study to be conducted, for applicability of height of 73.90m AMSL only after requisite formalities are completed by the applicant for the study.

4. M/S. Navkar Greens Builder & Developer, Mumbai.

Case No.: MUM/15/NOCAS/52
CHQ File No.: AAI/20012/78/2015
NOCAS ID.: SNCR/WEST/B/121914/82560
Site Address: CTS No. 8 (part) of Village Marol at Marol Maroshi Road, Andheri (East), Mumbai

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3636m from Rwy 14 of Mumbai Airport.

The applicant had earlier applied for a height of 81.824m AMSL vide their letter dated 19.12.2014 against which they were granted a height of 56.90m AMSL vide AAI letter dated 06.4.2015. The applicant has reiterated the same height of 81.824m AMSL vide their Letter dated 04.9.2015. Applicant requested Aeronautical Study to consume the available FSI.

Scanned copy of MCGM letter dated 02.09.2015 submitted by the applicant.

This Committee heard the applicant who mentioned that their project involve 11 story building and that their site elevation is high. The Committee also noted that the MCGM letter has recommended a height of 42.50m AGL which is corresponding to 73.78m AMSL which is lower than the height requested by the applicant.

Committees' Decision:

Aeronautical Study to be conducted to determine permissibility of height of 73.78m AMSL after all formalities for the conduct of study are completed by the applicant.

5. M/S. Bengal Greenfield Housing Development Co. Ltd, Kolkata.

Case No.: ER/229/2015
CHQ File No.: AAI/20012/82/2015
NOCAS ID: BEHA/EAST/B/060515/130306
Site Address: Shibrapur, Holding No- E-3/398, Ward No-14, Maheshtala, West Bengal.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 2257m from Rwy 36 of Behala Airport.

The applicant had initially requested a height of 64m AMSL vide letter dated 05.6.2015 against which they were granted a height of 48.32m AMSL vide AAI letter dated 28.7.2015. The applicant has requested for a height up to 60m AGL vide letter dated 25.08.15

This Committee heard the applicant who explain their project on a site of 46 acres and that they have been granted FAR 2.25. Their planned layout of the project involved series of buildings and that the construction is in progress. The applicant also submitted letter from Maheshtala Municipality dated 27.08.2015 recommending their project. The applicant also informed in the meeting that there are other tall buildings in their area and that the nearest airport to their site Behala is non-functional except some flying training aircraft operating.

The Committee was informed by AAI that as per undertaking given by the applicant on Rs.10 non-judicial stamp-paper dated 10.09.2015, the construction work is in progress and the said building has been constructed up to an elevation of 60 (sixty) mts (AMSL), **which is 11.68mts more than the granted height.** At this stage, the applicant informed that the requirement of higher height is in one corner of the plot only as per the drawing shown by him in the meeting.

The Committee considered the functionality of the Behala Airport at present and also any plan of developing the Airport in future for operations considering the land constraint in that area. The Committee also noted that the existing NSCBI Airport at Kolkata is about more than 20 K.M. from the site. The Committee informed the applicant that permissibility of higher height can only be evaluated through conduct of aeronautical study which involves certain formalities like fee etc. to be completed by the applicant. The Committee desired that the specific building for which higher height is required may be examined after obtaining coordinates of the building and also whether if any benefit of the distance from Behala Airport accrues to this building.

Committees' Decision:

AAI to re- examine the case on receipt of coordinates of the building for which higher height is required and submit the report to Appellate committee.

6. M/s Parinee Developers Pvt. Ltd, C/o Mr. Ashok Ekbote, Mumbai.

Case No.: MUM/11/356
CHQ File No.: AAI/20012/82/2014
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.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 2594m from Rwy 34 of Juhu Airport.

The applicant had initially requested a height of 147.15m AMSL vide letter dated 29.6.2011 against which they were granted 56.27m AMSL vide letter dated 20.5.2015. The applicant had subsequently increased the height requirement to 116.75m AMSL vide letter dated 27.3.2014 requesting Aeronautical Study stating the need to plan the building vertical.

The applicant was heard by this Committee and examined the letter, submitted in the meeting, from the Local Authorities and observed that the letter does not specifically recommend the project nor the height requested. The applicant informed the Committee that they will bring revised letter from MCGM.

Committees' Decision:

The case to be placed before the Committee on receipt of revised justification letter from MCGM.

7. Mr.Tajdin M.Maredia of M/s.Cordcon Builders P.Ltd,Mumbai.

Case No.: MUM/15/NOCAS/156
CHQ File No.: AAI/20012/84/2015
NOCAS ID: JUHU/WEST/B/041015/108115
Site Address: CTS No-254-A (PT) of Village Andheri, Bldg No-3 at Gilbert Hill, Andheri(W), Mumbai

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 2293m from Rwy 26 of Juhu Airport.

The applicant had initially requested a height of 81.2m AMSL vide letter dated 10.4.2015 against which they were granted 56.90m AMSL vide letter dated 03.6.2015. The applicant had subsequently reduced height of 78.90m AMSL vide letter dated 20.9.2015 requesting Aeronautical Study to consume full FSI and pointed out the presence of the adjoining hill of height greater than 99m.

This Committee heard the applicant and also examined MCGM letter dated 18.09.2015 submitted (in original). The MCGM letter does not categorically recommend the project neither the height requested. The applicant informed the Committee that they will bring revised letter from MCGM.

Committees' Decision:

The case to be placed before the Committee on receipt of revised justification letter from MCGM.

8. M/s Nimrana Developers, Jaipur.

Case No.: NR/188/2015
CHQ File No.: AAI/20012/85/2015
NOCAS ID: JAIP/NORTH/B/050215/111883
Site Address: Plot No.1, Airport Plaza Scheme, Tonk Road, Jaipur.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 2349m from Rwy 09 of Jaipur Airport.

The applicant had initially requested a height of 449.1m AMSL vide letter dated 19.6.2015 against which they were granted 429.96m AMSL vide letter dated 29.6.2015. The applicant had subsequently increased height of 447m AMSL vide letter dated 19.9.2015 requesting Aeronautical Study for higher height.

This Committee heard the applicant who informed that their project is mixed use of commercial purpose and residential purpose and that their site elevation is quite high. The applicant submitted copy of JDA letter dated 6.11.2015.

The Committee further observed that the height requested may be admissible which however needs to be confirmed by an Aeronautical Study.

Committees' Decision:

Aeronautical Study to be conducted to determine whether the height requested 447m AMSL is admissible at the site.

9. M/s Aqua Space Developers Pvt Ltd., Hyderabad.

Case No.: HY/125/2015
CHQ File No.: AAI/20012/83/2015
NOCAS ID: HYDE/SOUTH/B/041914/34346
Site Address: Commercial Block 1 Plot No 30/A in Survey No 83/1 in Hyderabad Knowledge City, Raidurg Panmaktha Village Serilingampally Mandal, Hyderabad, Andhra Pradesh.

As per NOCAS, the proposed site lies in **Conical Surface** and is 8454m from Rwy 09 of Hyderabad Airport.

The applicant had initially requested a height of 694m AMSL vide letter dated 19.4.2014 against which they were granted 649m AMSL vide letter dated 03.6.2014. The applicant had subsequently increased height of 704m AMSL vide letter dated 28.9.2015 requesting Aeronautical Study for higher height.

This Committee heard the applicant and considered the Greater Hyderabad Municipal Corporation letter dated 24.9.2015 (in original). The said letter recommends the project indicating that the various concessions and land setbacks as per the State Laws and Bylaws for construction has to be abided by the applicant.

The Committee also noted that the applicant has requested for conduct of Aeronautical Study.

Committees' Decision:

Aeronautical Study to be conducted to determine whether the height requested 704m AMSL is admissible at the site.

10. M/s Antariksh Infra Projects LLP, Mumbai.

Case No.: MUM/14/NOCAS/353
CHQ File No.: AAI/20012/74/2015
NOCAS ID: JUHU/WEST/B/05271
Site Address: CTS 838 (PT), Village Ambivali, Azad Nagar, Andheri, Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3361m from Rwy 14 of Juhu Airport.

The applicant had initially requested a height of 90.29m AMSL vide letter dated 03.7.2014 against which they were granted a height of 60.93m AMSL vide letter dated 09.10.2014. The applicant had subsequently reduced height of 79.43m AMSL vide letter dated 04.7.2015 requesting Aeronautical Study to utilize full FSI.

MCGM letter dated 26.08.2015 submitted (in original).

This Committee heard the applicant and examined the MCGM letter dated 26.8.2015 which recommends the project and also recommends the height of 74.18m AGL (79.43m AMSL).

Committees' Decision:

Aeronautical Study to be conducted to determine whether the height requested 79.43m AMSL is admissible at the site.

11. M/s Sunshine Builders & Developers, Mumbai.

Case No.: MUM/10/702
CHQ File No.: AAI/20012/113/2011-ARI(NOC)
NOCAS ID: JUHU/WEST/B/110513/17769
Site Address: CTS No.78 & 79 of Village Gundavali, off Western Express Highway, Andheri(East), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 2347 m from Rwy 14 of Santacruz Airport.



The applicant had initially requested a height of 75.75 m AMSL vide letter dated 10.11.2010 against which they were granted a height of 56.27 m AMSL vide letter dated 30.05.2011. The applicant in its letter dated 16.09.2013 has appealed to Appellate Committee for an increased height of 80 m AMSL which was revised to 110m AMSL vide letter dated 06.08.2014. The applicant requested Aeronautical Study to consume full FSI and to make project viable.

The case was earlier heard in the Appellate Committee held on 27.12.2013 wherein the applicant was to submit the documents/information sought by AAI vide letter dated 20.09.2013 and the case to be placed before Appellate Committee for consideration.

The applicant subsequently submitted the documents including Slum Rehabilitation Authority (SRA) letter dated 01.03.2014 (in original). Applicant stated that his project is a rehabilitation project involving 1776 tenements. A revised SRA letter dated 05.08.2014(in original) was also submitted.

During examination of the documents by AAI, it was revealed that while NOC dated 30.05.2011 was issued based on BMC site elevation certificate of 5.750M dated 15.09.2010, another BMC site elevation certificate for the same site as 18.55M dated 06.09.2010 was also submitted by the applicant. To resolve the doubt, a physical verification of the site was conducted by MIAL.

According to the MIAL report, the measured site elevation is 20.46m AMSL, confirming that the NOC was issued based on the wrong data filed by the applicant. MIAL also reported that at the site six buildings are under construction, of them three buildings have been constructed up to 63.32m AMSL, violating the permitted top elevation of 56.27 M and three buildings have been constructed up to 43.35m AMSL.

In view of the above, the NOC issued by AAI vide letter dated 30.05.2011 was cancelled vide AAI letter dated 20.10.2014. The matter was also referred to Municipal Commissioner, MCGM, Mumbai vide AAI letter dated 13.10.2014 to investigate the circumstances of issuance of two site elevation certificates with varying heights and take suitable corrective action.

MCGM vide letter dated 31.10.2014 has informed that the matter pertains to the SRA and therefore they have forwarded the case to the Dy. Chief Engineer, SRA for initiating further necessary action.

On the request of the applicant vide letter 19.12.2014 requesting Aeronautical Study, this Committee heard the applicant who informed that the present developer Omkar (present in the meeting) had bought the project from its earlier developer Sunshine builders who had created confusion by giving two different sets of certificates from BMC giving different site elevations. The Committee took note of this along with the fact that the NOC had been cancelled on 20th October 2014. The committee also noted that MCGM instead of investigating the issuance of two different site elevation certificates

with varying heights, simply forwarded the case to SRA. Therefore, that Committee did not accept the appeal.

The case was heard in the Appellate Committee meeting held on 21.01.15 and it was decided the appeal is rejected. RED, WR, AAI to coordinate with MIAL (Airport Operator) to take up the matter with the State authorities for registering an FIR on the involved parties for producing certificates, issued by BMC, having different & wrong site elevation values.

SRA vide letter dated 31.08.2015 addressed to A.C., has requested for Civil Aviation NOC for this case in the interest of the slum dwellers, as per directives of meeting convened on 01.07.2015 & 13.08.2015 in presence of Hon'ble Speaker (Maharashtra Legislative Council). Mr. Anand V. Dhokay c/o M/s Omkar Realtors & Developers Pvt. Ltd. vide letter dated 16.09.2015 stated that a fresh application for NOC has been made dated 09.03.2015. The applicant also requested for Aeronautical Study and stated that they are willing to accept the height sanctioned after Aeronautical Study.

The case was put up to this Committee in view of the above changed circumstances and had permitted hearing to the Chief Executive Officer of SRA, Shri A Gupta (IAS) who was present with two of his officers from the State Government. The CEO informed the Committee that the site elevation was earlier misrepresented by the Builder, M/s Sunshine Builders & Developers and that penal and legal action has been taken against the erring builder and that he has been removed from the project. The CEO further explained that the Slum Rehabilitation Authority monitors the projects given to the builders for construction of accommodation primarily for the slum dwellers as per the State Govt. directives. The Committee was informed that the project is presently being handled by M/s Omkar Realtors & Developers. The developer has submitted the fresh application for revoking the NOC cancelled on October, 2014. The Committee was informed that 2 floors are admissible with the new site elevation as against the 14 floors already constructed and have therefore requested permission for allocating flats upto the 12 floors for rehabilitating the slum dwellers with simultaneous initiation of demolition of the higher 2 floors. The SRA representatives also requested for Aeronautical Study and assured that the height permissible to such study will be adhered.

The Committee after hearing the appeal of the CEO, SRA informed CEO, SRA that since a violation has taken place, severe action has to be taken against the defaulter by the State Govt. as per the law and that the additional height already constructed has to be reduced. A written clarification from the SRA will be needed.

Committee's Decision

On receipt of written clarification from the SRA regarding action against the defaulter and initiation of demolition of structure exceeding the NOC permitted height, the same to be put up to the Committee.

12. Shri Yogesh Shah, M/s Roseate Real Estate Pvt Ltd., Mumbai.

Case No.: MUM/13/NOCAS/649
CHQ File No.: AAI/20012/13/2015
NOCAS ID: SNCR/WEST/B/102113/17217
Site Address: F.P. Nos. 353/1A & 353/1B of T.P.S. III, Ghatkopar(E), Kiroli, Taluka Kurla, Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3085.40m from Rwy27 of SantaCruz Airport.

The applicant had initially requested a height of 75.14m AMSL vide letter dated 25.10.2013 against which they were granted a height of 56.9m AMSL vide letter dated 04.6.2014. The applicant in its letter dated 18.8.2015 requested for increased height of 79.09m AMSL.

Applicant requested aeronautical study to utilize eligible FSI. They had submitted MCGM Letter dated 11.08.15 which was not in original.

The Committee in its meeting held on 29.9.2015 heard the applicant and also noted the undertaking given on Rs.100/- non-judicial stamp-paper dated NIL which states that "the proposed building has been constructed up to an elevation of 79.09mts AMSL", **which is 22.19mts more than the NOC granted height of 56.9m AMSL.** The applicant contended that the affidavit has not reflected the factual position of the construction which however was signed by the applicant himself.

The Committee took a serious view on the above arguments of the applicant and opined that if necessary the applicant may submit revised affidavit when the case will be considered afresh.

The Committee then decided that the request of the applicant for a height of 79.09m AMSL is rejected and the appeal disposed. AAI to follow up action with the State Authorities for taking action as per the prevalent Rules for the violation of exceedence of permitted height.

Applicant vide letter dated NIL (received on 23.10.2015) requested to reconsider their case for Aeronautical Study and submitted fresh Appeal fee of Rs.2,28,000/- vide DD No.846993 dated 19.10.2015.

This Committee considered the request of the applicant for reconsideration of their case for Aeronautical Study only after site verification is carried out to ascertain the exact height of the construction.

Committees' Decision:

The site verification to be carried out to ascertain the exact height of the construction.



The committee also directs that where the appeals have to be reconsidered because of contesting the undertakings given on non-judicial stamp paper with regard to the height by the applicant himself, leading to rejection of such cases, the applicant has to submit appeal afresh with the requisite fee.

13. M/s Shreeniwas Cotton Mills Ltd., Mumbai.

Case No.: MUM/10/210
CHQ File No.: AAI/20012/125/10
NOCAS ID : JUHU/WEST/B/012414/20699
Site Address: CSNo.443, 444,445(Pt.), 446 & 453 of Lower Parel Division in G/South Ward at Senapati Bapat Marg, Mumbai.

As per NOCAS, the proposed site lies in OHS and is 10547m from Rwy32 of Santa Cruz Airport.

The applicant had earlier applied for a height of 501.339 m AMSL vide their letter dated 24.3.2010 against which they were granted 180.89 m AMSL vide AAI letter dated 19.07.2010 which was revised as 284.29 m AMSL vide letter dated 01.10.2010. The applicant subsequently revised height of 441m AMSL vide letter dated 10.12.2013 and further increased height of 454.29m AMSL vide letter dated 18.2.2015. Aeronautical Study conducted for 454.29m AMSL.

The Appellate Committee in its meeting held on 27.8.2015 considered the aeronautical study report and their permissible heights for the various buildings taking into consideration the AGA OLS criteria, IAL criteria and CNS criteria. The Committee observed that the permissible height for the proposed single structure is 285.06m AMSL within the specified geo coordinates as in the plan and for other structures in the said plot is 179.24m AMSL. The Committee decided that the permissible heights derived from the aeronautical study for the specific structures in the plot with respective geo coordinates to be communicated to the applicant.

Letter authorizing revised height clearance was issued on 30.9.2015 by CHQ, AAI for below mentioned heights

Plot & Tier ID	Max. Permissible Top Elevation
Building Tier 2 and Tier 3	285.06m AMSL
Building Tier 1	157.539m AMSL
Site Plot	179.24m AMSL

Applicant vide letter dated 9.10.2015 requested ICAO study for their project. MoCA letter dated 8.10.2015 addressed to Appellate Committee forwarding therewith PMO Reference was also put up to the Committee.

Committees' Decision:

The request by the applicant in their letter dated 9.10.2015 requesting ICAO study for the project cannot be entertained by this Committee.

The Committee also directs that cases in which higher height has been granted after conduct of Aeronautical Study by AAI, no fresh request to conduct the Aeronautical Study by ICAO will be considered.



**(A K Dutta)
MEMBER (ANS), AAI**



**(K.GOHAIN)
TECHNICAL EXPERT**



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

Place: New Delhi

Date: 06 November 2015