

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

Minutes of the Meeting of the Appellate Committee for height clearance held on
24th June 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 24th June, 2015.

The following Committee members were present:-

1. Sh. J.S. Rawat - Jt. DGCA
2. Sh. K. Gohain - Technical Expert
3. Shri A K Dutta, ED (ATM) - ED (ATM)

Since Shri V. Somasundaram, Member (ANS), AAI member of the Committee was not available for this meeting, the Chairman of the Committee Co-opted Shri A K Dutta, ED (ATM) who is also looking after NOC Section in ATM Directorate to act as Member in this Committee meeting in place of Member (ANS).

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

1. M/s Bengal Unitech Universal Infrastructure Pvt. Ltd., Kolkata

Case No.: ER/336/2014
CHQ File No.: AAI/20012/22/2015
NOCAS ID: KOLK/WEST/B/091914/64355
Site Address: Plot no.III B/2, Action Area-III, New Town, Kolkata.

As per NOCAS, the proposed site lies in **Outer Horizontal Surface** and is 11040m from the ARP of Kolkata Airport.

The applicant had initially requested a height of 151.10m AMSL vide letter dated 19.9.2014 against they were granted a height of 128m AMSL vide letter dated 06.01.2015. The applicant in its letter dated 10.2.2015 has requested for reduced height of 145.10m AMSL.

Applicant was earlier issued NOC for 137.65m AMSL dated 09.11.05 with site address plot No. AA-III/ BLK-1, New Town, Kolkata and site elevation 2.55m. Applicant applied for renewal of above NOC with different site address as Plot no.III B/2, Action Area-III, New Town, Kolkata with different site elevation as 10m. Since, rules do not permit

renewal of earlier issued NOC with changed site elevation and site address, applicant subsequently applied for fresh NOC on dated 19.09.14(On-line) and was granted height of 128m AMSL vide letter dated 06.01.15.

The applicant had submitted West Bengal Housing Infrastructure Development Corporation Ltd letter dated 05.03.10 which was Not in Original.

The case was earlier heard in the Appellate Committee meeting held on 28.5.2015. The applicant was present in that meeting and had confirmed that they have already constructed 135 m. AMSL comprising G+39 floors, which was within the permissible height of the NOC issued earlier in 2005. The Committee also noted that on receiving fresh request from the applicant in September 2014, they were granted height of 128m AMSL. The Committee observed that the height which was granted to the applicant earlier is restricted due to PANS-OPS Criteria. The Committee then advised AAI to re-examine the case w.r.t. PANS-OPS Criteria at CHQ and place the facts in front of the Committee.

The case was re-examined w.r.t. PANS-OPS criteria in Corporate Hqr. and the observations were submitted in this Appellate Committee meeting. It was confirmed in this meeting by AAI that on re-examination a height of 145.10m AMSL is permissible.

Committees' Decision:

Authorisation of 145.10m AMSL to be issued.

2. M/s Lodha Pranik Landmark Developers Pvt. Ltd., Mumbai.

Case No.: MUM/10/597
CHQ File No.: AAI/20012/14/2012-ARI (NOC)
NOCAS ID.: JUHU/WEST/B/060313/13441
Site Address: CTS No. 586/1 of Village Pahadi, Goregaon and CTS No. 257/G of Village Goregaon at Goregaon (East), Mumbai.

As per NOCAS, the proposed site lies in **Conical Surface** and is at a distance of 6070m from Runway 14 of Santa cruz Airport.

The applicant had initially requested a height of 262.250m AMSL vide letter dated 14.09.2010 and 202 m AMSL vide letter dated 04.09.2013. The applicant were initially granted authorization of 147.47 m AMSL vide letter dated 09.02.2011 which was subsequently changed to 148.77 m AMSL vide letter dated 27.03.2012. The applicant had requested for Aeronautical Study for a height of 202m AMSL which was conducted by AAI on the basis of the Committee's decision of 7.3.2014 and an authorization letter dated 9.09.2014 was issued for Tower 'D' as for the said Aeronautical Study the applicant had made specific request for Tower 'D' which was within the coordinates provided.

Based on the above Aeronautical Study which was ordered on 7.03.2014, the applicant was issued authorization for 168.94 m AMSL on 9.9.2014 as an interim measure and a height of 171.11m AMSL authorized after the Kalina gate radar is operationalised.

Subsequent to the above, the applicant vide letter dated 07.10.2014 and 18.02.2015 had requested to issue revised authorization letter for the above heights to cover the entire plot.

The Committee on its meeting of 14.8.2014 took note that the Aeronautical study was carried out for Tower D only which was co-ordinate specific. This height, therefore, cannot be permitted for entire plot as is subsequently claimed by the applicant. The Committee also noted that the height of 160.43 m AMSL granted earlier by AAI vide letter dated 08.08.2011 holds good for rest of the plot.

The case was again heard in the Appellate Committee meeting of 26.3.2015 wherein during the presentation, the applicant clarified that there would be a complex of four separate Towers on that plot including Tower 'D' and that if required he is prepared for Aeronautical Study for the remaining Towers. The Committee then clarified to the applicant that for the other towers there has to be separate Aeronautical Study for each tower for which specific coordinates for each of the remaining tower has to be provided. The applicant agreed to provide data and make separate request for Aeronautical Study for each remaining individual tower. The Committee then decided that the applicant's request for Aeronautical Study for the remaining towers to be decided only after receipt of formal application for the same.

The applicant vide subsequent letter dated 24.3.15 has applied for Aeronautical Study and requested to consider & process the appeal application for the towers as below:

Tower-A for a height of 159.75 m AMSL;
Tower-B for a height of 172 m AMSL; and
Tower-C for a height of 175 m AMSL.

This Committee heard the applicant in the meeting on 24.6.2015 and based on his appeal for Aeronautical Study as at above, for the Towers A, B & C respectively informed that aeronautical study shall be conducted for the said towers after the applicant completes the formalities of providing co-ordinates specific for the towers and completes the formalities of fee payment and agreement signing within a period of 7 days. The applicant had agreed to do so.

Committees' Decision:

Aeronautical study to be conducted for the specific towers A, B & C for the respective heights as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.

3. M/s Anik Industries Limited, Shri Shivam Asthana, Kolkata.

Case No.: ER/367/2014
CHQ File No.: AAI/20012/12/2015
NOCAS ID: KOLK/EAST/B/080514/54668
Site Address: 30-1111,Plot No.BG-9,Mouza-Thakdari, Newtown, Kolkata.

As per NOCAS, the proposed site lies in outer **Conical Surface** and is 6992m from Rwy 01R of Kolkata Airport.

The applicant had initially requested a height of 106.45m AMSL online dated 05.08.2014 against which they were granted a height of 51m AMSL vide letter dated 09.12.2014. The applicant in its letter dated 07.01.2015 has requested for a reduced height of 83.45m AMSL requesting higher height quoting that the other buildings in the said area have been provided a greater height than which they have been granted.

This Committee was informed that the applicant had submitted New Town Kolkata Development Authority Letter dated 05.01.15 (In Original).

The case was earlier heard in the Appellate Committee meeting held on 30.4.2015. The Committee then examined the letter submitted by the Local Authority and also took note that the site is in the outer conical surface nearly 7 Km. from Rwy 01R of Kolkata Airport. The Committee sought clarity as to whether the site is within or outside the ILS procedure for Rwy 01R. It was decided by the Committee that AAI to review the case to determine whether the site is within or outside the ILS procedure for Rwy 01R and the matter to be brought up in the next meeting.

It was confirmed by AAI that the site was re-examined as per FPD criteria and that the site falls outside basic ILS Surface. AAI also confirmed that the requested Top Elevation of 83.45 m AMSL is permissible at the site from FPD criteria.

Committees' Decision:

Authorisation of 83.45m AMSL to be issued.

4. Shri Peshumal Jamatmal Thawani, Ahmedabad.

Case No.: AH/75/2011
CHQ File No.: AAI/20012/121/2014-ARI(NOC)
NOCAS ID: AHME/WEST/B/010114/19652
Site Address: CS No.3550-3551 Opp. J.P. Park, Bunglows, Kubernagar, Sardarnagar, Ahmedabad.

As per NOCAS, the proposed site lies in **Transition Surface** and is 232m from Rwy 14 of Centre-line of Ahmedabad Airport.

The applicant had initially requested a height of 76.404 m AMSL vide letter dated 18.02.2011 against which they were granted a height of 59.345 m AMSL vide letter dated 05.05.2012. The applicant in its letter dated 03.09.2012 has reduced the height requirement to 64.343m AMSL and again later revised to 65.154m AMSL vide letter dated 11.07.2013.

Applicant requested for reconsideration of height approved by AAI stating that there are buildings which are very close to runway having three or more storey on it and the applicant want to construct building for residence use.

The case was earlier heard in the Appellate Committee meeting held on 26.3.2015 and then noted that as per the Planning Directorate, AAI, the plot under reference appears to be falling within the land requested from State Government for provision of 300m basic strip and sought confirmation from Airport Director, Ahmedabad whether the site is forming a part of Airport Master Plan or not. Later it was informed, as per ION dated 08.10.2014 of Land Management, Ahmedabad, the proposed site falls in the CST 3550 + 3551 which may be required for construction of patrolling road. Planning Directorate, AAI, CHQ vide letter dated 28.11.2014 sought the status on land acquisition (approx. 67 acres) or provision of 300m basic strip and parallel taxi track from Airport Director, Ahmedabad and reply from him was awaited.

The case when brought up in the meeting of 26.3.2015 the applicant was absent and then the Committee decided that the case to be taken up after three months on receipt of application for new date from the applicant. In the intervening period AAI to obtain the necessary clarifications from APD, Ahmedabad with regard to the status of the site.

The case was brought up in this Committee based on the applicant's request dated 14.5.2015. The applicant gave a presentation to this Committee with the plan map of Ahmedabad Airport and the adjoining land including the plot location and its surroundings which included many dwellings. The Committee also took note of the Jt. GM (ATM), Ahmedabad Airport letter dated 12.12.2014 which states that AAI expect to take over the land by December, 2015. However, State Govt. is yet to notify the land acquisition. The Committee observed that as and when land acquisition fructifies at a later date for the requirement of Ahmedabad Airport, the process will include removal and compensation thereto for all the dwellings including the subject site falling within the Land Acquisition plan.

Committees' Decision:

Authorisation of 65.15m AMSL to be issued.

5. M/s. Space Consultants, Mumbai

Case No.: MUM/13/NOCAS/157
GHQ File No.: AAI/20012/204/2014
NOCAS ID.: SNCR/WEST/B/050212/001
Site Address: CTS No.123-B/1, TPS -III, Mahim, BMC ward G/North, J.K Sawant Marg, Matunga West, Mumbai.

As per NOCAS, the proposed site lies in **Outer Conical Surface** and is 2618m from IHS of Santa Cruz Airport.

The applicant had initially requested a height of 254.366m AMSL vide letter dated 18.4.2013 against which they were granted a height of 122.147m AMSL vide letter dated 23.10.2013. The applicant in its letter dated 22.11.2014 has requested a reduced height of 148.116m AMSL and requesting aeronautical study to consume full FSI and also quoting that there are two high rise towers of height 208.03m AMSL & 195m AMSL in the same vicinity.

MCGM Letter dated 22.10.14 submitted. (In Original)

This Committee heard the applicant in the meeting on 24.6.2015 and examined the MCGM letter which confirms application of State DC Regulations for the grant of FSI. The applicant has not submitted formal letter for conduct of Aeronautical Study at their site.

Committees' Decision:

Aeronautical study to be conducted for the height of 148.116m AMSL as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.

6. M/s Brighton Architects Pvt. Ltd., Mumbai.

Case No.: MUM/12/NOCAS/108
CHQ File No.: AAI/20012/103/2013-ARI(NOC)
NOCAS ID.: SNCR/WEST/B/052813/005
Site Address: CTS No. 465(Pt.) of Village-Mohile, "L" Ward, Kurla Ghatkopar Link Road, Mumbai.

As per NOCAS, the proposed site lies in IHS and is 1660 m from Rwy 27 of Santacruz Airport.

The applicant had earlier applied for a height of 82.65 m AMSL vide their letter dated 27.02.2012 against which they were granted a height of 56.90 m AMSL vide AAI letter dated 31.05.2013. The applicant has applied for a revised height of 82.50 m AMSL vide letter dated 19.07.2013 requesting Aeronautical Study as their project is a redevelopment project having commercial tenements.

The case was earlier heard in the AC meeting of 30.01.2014 wherein it was decided that the applicant shall submit support and justification letter for considering the case for aeronautical study. The case was subsequently heard in the meeting of 7.3.2014, wherein the Committee did not permitted aeronautical study as the letter submitted did not have justification / recommendations for the project and specific height requirement.

The case was again put up in the Appellate Committee meeting held on 12.5.2014, wherein it was decided that the applicant's request in this case for Aeronautical Study is rejected.

Subsequently, the applicant vide letter dated 19.5.2015 has again requested for Aeronautical Study for property **CTS No. 465 (pt) & Survey No. 53** enclosing therewith copy of MCGM letter dated 12.3.15 indicating property No. **CTS No. 465(pt) only**, which was in the earlier application. The applicant had submitted MCGM letter dated 12.5.2015 in original.

The case was heard in this committee meeting on 24.6.2015 wherein the MCGM letter was examined which justifies and recommends the project for the height of 46.10m AGL (i.e. 56.9m AMSL) for CTS No. 465(pt) and that the height requirement is to consume full FSI granted by the State Authorities for the redevelopment as envisaged in the project.

Committees' Decision:

Aeronautical study to be conducted for the height of 82.50m AMSL as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.

7. M/s Guru Prerna Corporation, M/s Space Moulders, Mumbai.

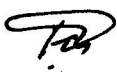
Case No.: MUM/14/NOCAS/286
CHQ File No.: AAI/20012/158/2014-ARI(NOC)
NOCAS ID.: SNCR/WEST/B/052914/39669
Site Address: CTS No. 115, 119A & 122A Village Marol at Marol Maroshi Road, Andheri (East), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 3692m from of Rwy 27 of Santacruz Airport.

The applicant had initially requested a height of 135.66m AMSL vide letter dated 04.06.2014 against which they were granted a height of 56.90 m AMSL vide letter dated 07.08.2014. The applicant in its letter dated nil received on 27.08.2014 has reiterated the height of 135.66m AMSL. Applicant requested Aeronautical Study to utilize full FSI.

The case was earlier heard in the Appellate Committee meeting held on 21.1.2015, wherein the applicant during their presentation had reduced their height requirement to 115.46 m AMSL (66.25 m AGL). The applicant had then also submitted a support letter 17th Jan., 2015 from MCGM, which was examined by the Committee. Committee then noted that there is no specific recommendation or justification given by MCGM. MCGM have simply reflected the submission of Developer in their letter.

In view of the above, the Committee then rejected the appeal.



Subsequently, the applicant vide letter dated 14.4.15 and has submitted copy of MCGM revised letter dated 19.3.15 and requested for Aeronautical Study.

This Committee heard the applicant in the meeting on 24.6.2015 and the original MCGM letter dated 9.6.2015 submitted during the hearing was examined which gave details of land set back as per DC Regulations of the State, grant of FSI thereto including the approval of the hon'ble Municipal Commissioner.

Committees' Decision:

Aeronautical study to be conducted for the height of 115.46m AMSL as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.

8. M/s BRL Estates Pvt. Ltd., Kolkata

Case No.: ER/473/2013
CHQ File No.: AAI/20012/168/2014-ARI(NOC)
NOCAS ID: KOLK/EAST/B/100813/16814
Site Address: Mouza Gopalpur, J.L No. -2, R S No. 140,, L.R & S Dag Nos 4277(P) 4278(I), 4279 (P) 4280 4281 4282 4283 4284, L R Khatian Nos 2124 3030/8 3153/2 2983 2811/1 3006/1 & 2829/1, ward no. 5, PS Airport, Kolkata-700136 under Rajgarh Gopalpur Mpl.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 1552m from Rwy 01R of Kolkata Airport.

The applicant had initially requested a height of 46 m AMSL online dated 8.10.2013 against which they were granted a height of 33.2676 AMSL vide letter dated 01.08.2014. The applicant in its letter dated 20.08.2014 has reiterated height of 46m AMSL.

The applicant had requested Aeronautical Study to consume eligible sanctioned FSI. Applicant requested higher height through shielding benefit as per provisions of the Statutory Order. Applicant submitted Rajarhat Gopalpur Municipality Letter in original which however is dated nil and with no reference number.

The case was listed in Appellate Committee meeting held on 26th March, 2015, however, the applicant was absent without prior intimation wherein it was decided that the case to be taken up after three months on receipt of application for new date from the applicant.

Applicant vide letter dated 11.05.15 submitted his request.

The case was heard in this meeting on 24.6.2015 and it was revealed from records that there are two buildings on the said plot. The applicant request for higher height on shielding benefit cannot be granted as there is no reference natural terrain. The Committee also noted that the height requirement of 46m AMSL is within permissible AGA limits. The Committee also noted that the height at this area is restricted from IAL procedures at Kolkata Airport Rwy 01R and that the permissible height cannot be more than 45.72m AMSL.

Committees' Decision:

Authorisation of 45.72m AMSL to be issued.

9. M/s Supreme Universal, Mumbai

Case No.: MUM/13/NOCAS/76
CHQ File No.: AAI/20012/24/2015
NOCAS ID: JUHU/WEST/B/012213/012
Site Address: CTS No.F/1361 A & F/1361 B of Village Bandra (West), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3613m from Rwy09 of Santa Cruz Airport.

The applicant had initially requested a height of 105.44m AMSL vide letter dated 21.2.2013 against they were granted a height of 56.90m AMSL vide letter dated 01.8.2013. The applicant in its letter dated 05.3.2015 has requested for revised height of 106m AMSL and requested for aeronautical study to consume full FSI of the property and make the project viable.

The applicant requested for grant of next available date through letter dated 25.05.2015.

The case was listed in Appellate Committee meeting held on 28th May, 2015, wherein the applicant was absent. The Committee was informed that the applicant was seeking exemptions whenever the case is listed for the meeting. It was then decided that the applicant to be called for the next meeting and no further requests for exemption to be entertained.

This Committee heard the applicant in the meeting on 24.6.2015 who gave a presentation for their project which involves public parking space. The applicant quoted DCR 33 (24) of the State Authorities which however provides provision of public car parking as setbacks for grant of FSI. The applicant has not submitted any letter from the MCGM giving details of the DCR applications including justification for the project and recommendation of height w.r.t. FSI granted.

Committees' Decision:

The appeal is rejected.



10. M/s Curio Finance & Investment Pvt. Ltd., Mumbai.

Case No.: MUM/14/NOCAS/173
CHQ File No.: AAI/20012/186/2014-ARI(NOC)
NOCAS ID: JUHU/WEST/B/032714/29426
Site Address: Plot Bearing CTS No. 250,250/1 to 3,251A, 251A/1 to 25 of Village Koldongari, Vile Parle (East), Mumbai.

As per NOCAS, the proposed site lies in **Approach Transition Surface** and is 1490 m from Rwy 14 of Santacruz Airport.

The applicant had initially requested a height of 78.55m AMSL vide letter dated 03.4.2014 against which they were granted a height of 39.575m AMSL vide letter dated 02.07.2014. The applicant in its letter dated 30.09.2014 has reduced the height requirement to 46.91m AMSL.

Applicant vide letter dated 30.09.2014 has appealed to the Appellate Committee for additional height of 7.34m to utilize eligible additional FSI and to make SRA project viable.

The case was earlier listed in Appellate Committee meeting held on 26th March, 2015. The Committee then heard the applicant who stressed that the displaced threshold of the runway and runway elevation change was considered in the calculation of their height requirement. The Committee was however informed by MIAL vide letter dated 18.11.2014 that the building is already constructed till 49.03m AMSL penetrating the OLS by 9.46m as the height granted by AAI is for 39.57m AMSL. The Committee also observed that the construction up to 49.03m AMSL as reported by MIAL also exceeds the revised height requirement of the applicant which is 46.91m AMSL. AAI has also informed that MIAL has been communicated on 1.01.2015 regarding the above violation of NOC height clearance for taking necessary action to safeguard the OLS as per the Rules. The Committee then decided that a second physical verification by MIAL be carried out of the height of the construction so far made and reported to the Committee in its subsequent meeting.

This Committee heard the applicant in the meeting on 24.6.2015. The Committee was also informed that the second physical verification has been carried out by MIAL and as per the joint physical verification report the top elevation of the building was measured as 49.15m AMSL. The applicant who was present in the meeting accepted that the present construction has acceded the height granted earlier by AAI as 39.57m AMSL by 9.5m which is approx. 3 floors. The applicant (owner) pleaded that his developer had misled him and he is prepared to demolish the higher floors and that he requires 46.91m AMSL as per his latest request of September, 2014.

Committees' Decision:

The Airport Operator to process with the concerned Authorities for demolition of the excess building height from the authorized NOC height granted.

11. M/s Shristi Infrastructure Development Corp. Ltd., Kolkata

Case No.: ER-241/10
CHQ File No.: AAI/20012/21/2011-ARI(NOC)
NOCAS ID: KOLK/EAST/B/111912/017
Site Address: Mouza-Jatragachi, AA-II/CBD/2, AA-II, New Town, Kolkata,
Under Action Area-II

As per NOCAS, the proposed site lies in **Outer Conical Surface** and is at a distance of 6307 m from Kolkata Airport runway.

The applicant had initially requested a height of 144.53 m AMSL vide letter dated 13.02.2006 against which they were granted a NOC for the height of 144.53 m AMSL vide letter dated 26.07.2006 with a three year validity. The applicant asked for revalidation of NOC on 27.08.2010 after expiry of the NOC. As per the rules, the provision of revalidation of NOC was applicable in those cases only which were received for revalidation within their validity period. Accordingly, the NOC office Kolkata re-examined the case as per S.O.84E and issued NOC for the permissible height of 88.64 M AMSL. This change in height was due to the revised norms of SO84E which was notified in Jan, 2010.

The applicant approached the GRC in April 2012 and subsequently Appellate Committee for redressal and in its letter dated 16.12.2013 has requested for a height of 144.53 m AMSL for Tower-1 and 133.321 m AMSL for Tower-2 vide letter dated 16.12.2013. Subsequently, the applicant has further requested for an increased height of 140.25 m AMSL for Tower-2 vide letter dated 27.10.2014.

The applicant was advised to submit few documents by AAI on 09.04.2012 to examine the site w.r.t. to the CNS criteria. Documents received on 17.12.2013 from applicant were reexamined & it was observed that individually both the objects are small object but collectively become large object & should not be considered for higher height than permissible from ASR.

The case was subsequently heard in Appellate Committee meeting held on 7th March, 2014 wherein it was decided that re-examination of the case from CNS criteria for Tower-2 for the requested height of 133.321 m AMSL, taking into consideration the new radar at Kolkata Airport, be carried out by AAI, Corporate Headquarters and issue permission for the admissible height from new radar for Tower-2 and 144.53 m AMSL for Tower -1.

After reexamination from CNS criteria, authorization was issued vide letter dated 13.06.2014 for the permissible height of Tower-1: 144.53m AMSL and Tower-2: 90.30m AMSL from existing radar and 105.48m AMSL after proposed ASR is commissioned.

The applicant has been sending repeated requests vide letters dated 27.10.2014, 06.10.2014, 14.08.2014 & 09.07.2014 for renewal of NOC issued earlier.

The Committee on 21.1.2015 heard the applicant wherein it was revealed that the applicant had constructed the Tower-2 beyond the permissible height of 105.48m AMSL after the expiry of their NOC. The applicant contended in the meeting that they had been granted lower height when they applied later for validation of their NOC.

The Committee then decided that AAI to examine the role of the local office/Airport Operator in monitoring such violation by applicant where construction activity continues even after the expiry of NOC and fix the responsibility.

Applicant vide letter dated 23.03.15 again requested for renewal of NOC issued earlier and also quoting that the relaxations due second radar have been granted to number of structures in Mumbai.

The case was listed in this meeting on 24.6.2015 and it was confirmed from records that the NOC earlier issued in June, 2014 was after due examination from CNS criteria and that the NOC categorically mention the permissible height of 144.5m AMSL for Tower-1 and 105.48m AMSL from the new ASR, which is presently operational. The Committee observed that the request of the applicant for multi radar criteria be considered is not tenable as Kolkata has only one single ASR and that the benefits accruing from the present positioning of the existing radar has been applied in the CNS examination. The Committee took cognizance of the violation by the applicant in constructing Tower-2 to a height above the authorized height of 105.48m AMSL and applicant insisting renewal of the expired NOC issued in 2006.

Committees' Decision:

The Airport Operator (AAI) to proceed further as per the Aircraft Rules for demolition of the excess height of Tower-2 and also follow up action on role of Airport Operator in monitoring violations as decided in the earlier Committee meeting.

12. Shri Mitesh Kathrotiya, M/s Atul Kumar & Co. Mumbai.

**Case No.: MUM/14/NOCAS/405
CHQ File No.: AAI/20012/202/2014
NOCAS ID: SNCR/WEST/B/080614/54902
Site Address: Plot No.113, Street No. 15, MIDC, Andheri (East), Mumbai.**

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 2888m from Rwy14 of Santa Cruz Airport.

The applicant had initially requested a height of 70.35m AMSL vide letter dated 21.8.2014 against they were granted a height of 56.90m AMSL vide letter dated 10.10.2014. The applicant in its letter dated 18.5.2015 has requested for revised height of 74.55m AMSL and requested for higher height to utilize the total FSI for better planning and from point of usability of building.

Applicant had submitted Maharashtra Industrial Development Corporation Letter dated 18.05.15. (Not In Original) which was considered in the meeting.

The case was earlier heard in Appellate Committee meeting held on 21.1.2015 wherein the applicant was present in the meeting and further requested for an enhanced height of 86.43m AMSL to consume full FSI. The applicant also expressed their request of aeronautical study. They also assure to submit the original letter of MIDC and formal letter for aeronautical study within 7 days.

Applicant submitted his request for aeronautical study vide email dated 10.06.15 and also submitted Maharashtra Industrial Development Corporation Letter dated 18.05.15. (In Original)

This Committee heard the case on 24.6.2015 and examined the MIDC letter.

Committees' Decision:

Aeronautical study to be conducted for the height of 74.55m AMSL as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.

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

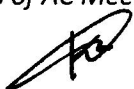
**Case No.: MUM/13/NOCAS/55
CHQ File No.: AAI/20012/149/2013-ARI(NOC)
NOCAS ID: SNCR/WEST/B/011113/018
Site Address: CTS No. 629(Pt.), Village Bandra at Bandra(East), Mumbai.**

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 3158 m AMSL from Rwy 09 of Santacruz Airport.

The applicant had initially requested a height of 103.75 m AMSL vide letter dated 23.01.2013 against which they were granted a height of 56.9 m AMSL vide letter dated 28.06.2013. The applicant in its letter dated 24.09.2013 has reiterated for height of 103.75 m AMSL.

Applicant requested aeronautical study to re-accommodate 128 Nos of existing MHADA tenants from dilapidated /old building to newer ones. The applicant had submitted a support letter from MHADA dated 16.01.2014 justifying the height sought.

During the Appellate Committee meeting of 30.01.2014, Aeronautical Study was ordered.



The subsequent Committee meeting of 20.6.2014 deliberated on the Aeronautical Study report submitted which has brought out that the site has two buildings nomenclature as A and B with specified Geo coordinates. According to the report Building-A is permitted to a height of 103.75 m AMSL from the present radar as well as radar at Kalina gate. As regards, building-B the height permissible is 103.75 m AMSL from present radar and 66.88 m AMSL from the radar at Kalina gate. The Committee was then briefed by the CNS expert of AAI who was part of the Aeronautical Study team that taking into consideration the directives issued by Appellate Committee on 28.05.2014 "*to consider existing radar at Mumbai for height calculation till such time the proposed radars are installed, operational and integrated,*" both the Building A&B can be cleared upto 103.75m AMSL. The Committee then also noted that the height of 103.75m AMSL is admissible from IAL (PAN-OPS) criteria for both the buildings.

The Committee then decided that the applicant be issued letter authorizing height of 103.75 m AMSL for Building-A and Building-B for specific Geo-coordinates of the buildings as specified in the report. Accordingly, the authorization was issued for Building A and Building B vide letter dated 22.07.14.

Applicant vide their latest letter dated 27.03.15 requested for 83m AMSL for building 'C' in the same plot and has re-submitted the same MHADA letter dated 16.01.14.

Committees' Decision:

Aeronautical study to be conducted for the height of 83m AMSL for specific Building 'C' as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.

14. M/s Omkar Realtors & Developers Pvt. Ltd., Shri Anand V. Dhokay, Mumbai.

**Case No.: MUM/13/NOCAS/132
CHQ File No.: AAI/20012/122/2014-ARI(NOC)
NOCAS ID: SNCR/WEST/B/010314/19733
Site Address: Plot bearing CS No.432 (Pt),437 (pt),440 (pt),645 to 650,653 (pt),
654, 655(pt), 658(pt), 659(pt), 854, 869, 870, 871 of Parel-Sewri
Parel Sewri, Mumbai.**

As per NOCAS, the proposed site lies in **Outer Conical Surface** and is 8774m from Rwy 32 of Santacruz Airport.

The applicant had initially requested a height of 310.30 m AMSL vide letter dated 10.02.2014 against which they were granted a height of 214.49 m AMSL vide letter dated 20.03.2014. The applicant in its letter dated 17.06.2014 reiterated the height of 310.30m AMSL.

The applicant has requested higher height for proposed construction of sale building of the Slum Rehabilitation Scheme and had submitted an MCGM letter 21.12.2013 which was not in original.

The case was heard in AC meeting dated 22nd January, 2015

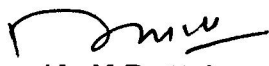
The committee then was informed that their case was reviewed by AAI and the height as requested by the applicant is not admissible even after applying the multi-radar criteria at Mumbai Airport. The appeal was therefore rejected.

Applicant vide letter dated 18.06.15 requested for aeronautical study.

This Committee heard the applicant in the meeting on 24.6.2015 and examined the MCGM letter confirming that the project is for slum rehabilitation.


Committees' Decision:

Aeronautical study to be conducted for the height of 310.30m AMSL as sought by the applicant. Applicant to complete all formalities like; providing of data, fee and signing of agreement within Seven days from the date of receipt of e-mail communication.


(A. K Dutta)
ED (ATM), AAI


(J.S. RAWAT)
JT. DGCA


(K.GOHAIN)
TECHNICAL EXPERT


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

Place: New Delhi
Date: 24 June 2015