

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

Minutes of the Meeting of the Appellate Committee for height clearance held on
30th July, 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 30th July, 2015.

The following Committee members were present:-

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

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

1. Shri G. Chandra Babu, M/s Sree Dhany Homes Pvt. Ltd. Trivandrum.

Case No.: MM/207/2013/TV/10/2013
CHQ File No.: AAI/20012/201/2014-ARI(NOC)
NOCAS ID: THIR/SOUTH/B/ 121214/81312
Site Address: S.No. 539/6, Attipara, Trivandrum, Kerala.

As per NOCAS, the proposed site lies in **Conical Surface** and is 4065m from Rwy 14 of Trivandrum Airport.

The applicant had initially requested a height of 92.73m AMSL vide letter dated 25.02.2013 against which they were issued an authorization to a height of 53m AMSL vide letter dated 22.04.2013. The applicant vide letter dated 15.11.2014 has reiterated the height of 92.73m AMSL.

Applicant requested for revalidation of height to 92.73m AMSL as approved by local government statutory authority of Trivandrum Corporation.

The case was earlier heard in the Appellate Committee Meeting dated 26th March, 2015 wherein the applicant was absent and it was decided that the case to be taken up after three months on receipt of application for new date from the applicant.

Applicant submitted his request vide email dated 16.04.15.

Applicant vide email dated 24.07.15 requested to withdraw the Appeal and allow them to file fresh appeal for the same case as certain important facts and critical points have been either missed out or misrepresented.

The case was heard in the meeting in which the owner along with his consultant represented the case and requested for conduct of aeronautical study. Corporation of Thiruvananthapuram recommendation letter dated 11.5.2015 was submitted by the applicant. The Committee observed that the recommendation letter dated 11.5.15 indicates that according to KMBR 1999 Rule 32 Table-3, the eligible building height is 91m AMSL. The Committee also noted that the applicant has not made any formal request for conduct of aeronautical study.

Committees' Decision:

Aeronautical study to be conducted for a height of 91m AMSL, on receipt of formal request from the applicant.

2. Shri Nimesh Pandya, Shri Harish D Gandhi, Mumbai.

Case No.: MUM/13/NOCAS/38
CHQ File No.: AAI/20012/205/2014
NOCAS ID: SNCR/WEST/B/070913/15030
Site Address: CTS No.554-B(Pt) of village Kondivita at Mahakali Caves Road, Andheri (East), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3606m from Rwy 14 of Santa Cruz Airport.

The applicant had initially requested a height of 83.80m AMSL vide letter dated 09.1.2013 which was rejected by AAI vide letter dated 02.08.13 as the site elevation is more than the permissible height. The applicant in its letter dated 27.11.2014 has requested for reduced height of 75.16m AMSL and requested higher height quoting his previous NOC dated 04.02.05 having site address CTS No.554 & 577 of village Kondivita at Mahakali Caves Road, Andheri (East), Mumbai with site elevation 64m for height of 72.160m AMSL with validity of 2 years.

The case was earlier heard in the Appellate Committee Meeting dated 28th May, 2015 wherein the applicant was absent without any intimation. The Committee also observed that the NOC quoted by the applicant dated 4.2.2005 had since expired and no new / renewed NOC was applied for. It was decided that the appeal is rejected and disposed.

As directed, the case is put-up again.

The case was heard in this meeting and it was observed that there is no valid NOC with the applicant. The applicant informed that initially they had obtained NOC dated 4.2.2005 for 72.16m AMSL from Mumbai office. Subsequently, they had erected a structure latterly in the same plot and applied for NOC in 2013. AAI has rejected their

NOC request vide letter dated 2.8.2013 indicating that site elevation is more than permissible height.

Committees' Decision:

Applicant to contact RED (WR) office and project his case there. Report of the facts of the case may be obtained from RED (WR).

3. Shri Sanjay Chabriya, C/o Wadhwa & Deserve Builders LLP, Mumbai.

Case No.: MUM/14/NOCAS/218
CHQ File No.: AAI/20012/139/2014-ARI(NOC)
NOCAS ID: SNCR/WEST/B/042614/36962
Site Address: CTS No. 200 (Pt) of Village Wadhavali M/E ward, Chembur (E), Mumbai.

As per NOCAS, the proposed site lies in **Conical Surface** and is at a distance of 5609 m from Rwy 32 of Santacruz Airport.

The applicant had initially requested a height of 200m AMSL vide letter dated 02.05.2014 against they were granted a height of 120.40m AMSL vide letter dated 04.07.2014. The applicant in its letter dated nil received on 30.07.2014 has requested increase in height requirement to 210m AMSL.

Applicant requested aeronautical study stating that his project is a slum development project rehabilitating 902 tenants.

SRA Letter dated 22.07.14 submitted. (Not in Original)

The case was earlier heard in the Appellate Committee Meeting dated 22th January, 2015 wherein the Committee took note of the recommendation letter from SRA which was not in original and also observed that the letter speaks about one sale building and some rehab buildings. The Committee desired that the Aeronautical Study should be building specific with coordinates. The Committee directed AAI/MIAL (Airport Operator) to carry out the physical verification of the site and obtain details of sale building (coordinates of the proposed building and the site elevation of the plot within those coordinates) for which applicant is requesting for Aeronautical Study after which the case will be reconsidered by Appellate Committee. The Committee also directed that the applicant should provide clarification on total number of buildings (sale plus rehab) for the height requirements individually.

Applicant submitted the geo-coordinates of the proposed building vide letter dated 08.05.15.

As per AC's decision, MIAL carried out the physical verification of the site and has reported vide letter dated 20.06.15 that the construction work of the buildings has not yet started and measured site elevation is 51.80m.

The case was heard in this meeting the committee observed the physical verification report submitted by MIAL and also noted that the applicant has submitted the coordinates of proposed sale building

Committees' Decision:

Aeronautical study to be conducted for a height of 210m AMSL for sale building.

4. Shri Sanjay Chabriya, C/o Wadhwa & Deserve Builders LLP, Mumbai.

Case No.: MUM/14/NOCAS/219
CHQ File No.: AAI/20012/140/2014-ARI(NOC)
NOCAS ID: SNCR/WEST/B/042614/36972
Site Address: CTS No. 200 (Pt) of Village Wadhavali, M/E Ward, Chembur (E), Mumbai.

As per NOCAS, the proposed site lies in **Conical Surface** and is at a distance of 5493 m from Rwy 32 of Santacruz Airport.

The applicant had initially requested a height of 200m AMSL vide letter dated 02.05.2014 against they were granted a height of 120.40m AMSL vide letter dated 04.07.2014. The applicant in its letter dated nil received on 30.07.2014 has requested increase in height requirement to 210m AMSL.

Applicant requested aeronautical study stating that his project is a slum development project rehabilitating 902 tenants.

The case was earlier heard in the Appellate Committee Meeting dated 22th January, 2015 wherein the Committee took note of the recommendation letter submitted by SRA which was not in original and also observed that this letter speaks about one sale building and some rehab buildings. The Committee was of the view that the Aeronautical Study should be building specific with coordinates. The Committee desired that the Aeronautical Study should be building specific with coordinates. The Committee directed AAI/MIAL (Airport Operator) to carry out the physical verification of the site and furnish detail of sale building (coordinates of the proposed building and the site elevation of the plot within those coordinates) for which applicant is requesting for Aeronautical Study after which the case will be reconsidered by Appellate Committee. The Committee also directed that the applicant should provide clarification on total number of buildings (sale plus rehab) for the height requirements individually.

Applicant submitted the geo-coordinates of the proposed building vide letter dated 08.05.15.

As per Appellate Committee's decision, MIAL carried out the physical verification of the site and has reported vide letter dated 20.06.15 that the construction work of the buildings has not yet started and measured site elevation is 53.01m.

The case was heard in this meeting the committee observed the physical verification report submitted by MIAL and also noted that the applicant has submitted the coordinates of proposed sale building

Committees' Decision:

Aeronautical study to be conducted for a height of 210m AMSL for sale building.

5. Shri Sanjay Chabriya, C/o Wadhwa & Deserve Builders LLP, Mumbai.

Case No.: MUM/14/NOCAS/220
CHQ File No.: AAI/20012/141/2014-ARI(NOC)
NOCAS ID: SNCR/WEST/B/042614/36970
Site Address: CTS No. 200 (Pt) of Village Wadhavali M/E ward, Chembur (E), Mumbai.

As per NOCAS, the proposed site lies in **Conical Surface** and is at a distance of 5504 m from Rwy 32 of Santacruz Airport.

The applicant had initially requested a height of 200m AMSL vide letter dated 02.05.2014 against they were granted a height of 120.40m AMSL vide letter dated 04.07.2014. The applicant in its letter dated nil received on 30.07.2014 has requested increase in height requirement to 210m AMSL.

Applicant requested aeronautical study stating that his project is a slum development project rehabilitating 902 tenants.

The case was earlier heard in the Appellate Committee Meeting dated 22th January, 2015 wherein the case was heard in this meeting and the Committee took note of the recommendation letter submitted by SRA and observed that this letter speaks about one sale building and some rehab buildings. The Committee was of the view that the SRA letter is not specific on height required for specific buildings. The Committee desired that the Aeronautical Study should be building specific with coordinates. The Committee directed AAI/MIAL (Airport Operator) to carry out the physical verification of the site and obtain details of sale building (coordinates of the proposed building and the site elevation of the plot within those coordinates) for which applicant is requesting for Aeronautical Study, after which the case will be reconsidered by Appellate Committee. The Committee also directed that the applicant should provide clarification on total number of buildings (sale plus rehab) for the height requirements individually.

Applicant submitted the geo-coordinates of the proposed building vide letter dated 08.05.15.

As per Appellate Committee's decision, MIAL carried out the physical verification of the site and has reported vide letter dated 20.06.15 that the construction work of the buildings has not yet started and measured site elevation is 69.60m.

The case was heard in this meeting the committee observed the physical verification report submitted by MIAL and also noted that the applicant has submitted the coordinates of proposed sale building

Committees' Decision:

Aeronautical study to be conducted for a height of 210m AMSL for sale building.

6. Shri Sanjay Chabriya, C/o M/s Wadhwa & Deserve Builders, Mumbai.

Case No.: MUM/14/NOCAS/222
CHQ File No.: AAI/20012/142/2014-ARI(NOC)
NOCAS ID: SNCR/WEST/B/042614/36977
Site Address: CTS No.220(Pt.) of Village Madavali M/E Ward, Chembur(E) Mumbai.

As per NOCAS, the proposed site lies in **Conical Surface** and is 5698m from Rwy 32 of Santacruz Airport.

The applicant had initially requested a height of 200m AMSL vide letter dated 02.05.2014 against which they were granted a height of 120.40m AMSL vide letter dated 04.07.2014. The applicant in its letter dated nil received on 30.07.2014 has increased the height requirement to 210m AMSL.

The applicant has requested Aeronautical Study stating that his project is a slum development project rehabilitating 902 tenants.

The case was earlier heard in the Appellate Committee Meeting dated 22th January, 2015 wherein the Committee took note of the recommendation letter submitted by SRA and observed that this letter speaks about one sale building and some rehab buildings. The Committee desired that the Aeronautical Study should be building specific with coordinates. The Committee directed AAI/MIAL (Airport Operator) to carry out the physical verification of the site and furnish detail of sale building (coordinates of the proposed building and the site elevation of the plot within those coordinates) for which applicant is requesting for Aeronautical Study after which the case will be reconsidered by Appellate Committee. The Committee also desired that the applicant should provide clarification on total number of buildings (sale plus rehab) for the height requirements individually.

Applicant submitted the geo-coordinates of the proposed building vide letter dated 08.05.15.

As per Appellate Committee's decision, MIAL carried out the physical verification of the site and has reported vide letter dated 20.06.15 that the construction work of the buildings has not yet started and measured site elevation is 49.40m.

The case was heard in this meeting the committee observed the physical verification report submitted by MIAL and also noted that the applicant has submitted the coordinates of proposed sale building.

Committees' Decision:

Aeronautical study to be conducted for a height of 210m AMSL for sale building.

7. Shri Sanjay Chabriya, C/o Wadhwa & Deserve Builders LLP, Mumbai.

Case No.: MUM/14/NOCAS/610
CHQ File No.: AAI/20012/144/2014-ARI(NOC)
NOCAS ID: SNCR/WEST/B/072713/15433
Site Address: CTS No. 200 (Pt) of Village Wadhavali, Chembur (E), Mumbai.

As per NOCAS, the proposed site lies in **Conical Surface** and is at a distance of 5683 m from Rwy 32 of Santacruz Airport.

The applicant had initially requested a height of 185m AMSL vide letter dated 10.10.2013 against they were granted a height of 120.40m AMSL vide letter dated 31.03.2014. The applicant in its letter dated nil received on 30.07.2014 has requested increase in height requirement to 210m AMSL.

Applicant requested aeronautical study stating that his project is a slum development project rehabilitating 902 tenants.

The case was earlier heard in the Appellate Committee Meeting dated 22th January, 2015 wherein the Committee took note of the recommendation letter submitted by SRA which was not in original and also observed that this letter speaks about one sale building and some rehab buildings. The Committee desired that the Aeronautical Study should be building specific with coordinates. The Committee desired that the Aeronautical Study should be building specific with coordinates. The Committee directed AAI/MIAL (Airport Operator) to carry out the physical verification of the site and furnish detail of sale building (coordinates of the proposed building and the site elevation of the plot within those coordinates) for which applicant is requesting for Aeronautical Study after which the case will be reconsidered by Appellate Committee. The Committee also directed that the applicant should provide clarification on total number of buildings (sale plus rehab) for the height requirements individually.

Applicant submitted the geo-coordinates of the proposed building vide letter dated 08.05.15.

As per Appellate Committee's decision, MIAL carried out the physical verification of the site and has reported vide letter dated 20.06.15 that the construction work of the buildings has not yet started and measured site elevation is 60.96m.

The case was heard in this meeting the committee observed the physical verification report submitted by MIAL and also noted that the applicant has submitted the coordinates of proposed sale building.

Committees' Decision:

Aeronautical study to be conducted for a height of 210m AMSL for sale building.

8. M/s Consultants Combine, EWS Tenants Association, Mumbai.

Case No.: MUM/12/NOCAS/027
CHQ File No.: AAI/20012/60/2013-ARI(NOC)
NOCAS ID: SNCR/WEST/B/110811/011
Site Address: CTS No 194A/9/11(Pt.)Plot-B of Village Ghatkopar (East), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 3774m from Rwy 27 of Santacruz Airport.

The applicant had initially requested a height of 128.99m AMSL vide letter dated 29.06.2012 against which they were granted a height of 56.28m AMSL vide letter dated 25.10.2012. The applicant in its letter dated 21.03.2013 has reiterated the height requirement of 128.99m AMSL and subsequently reduced height requirement to 77.29m AMSL in Appellate Committee meeting dated 07.03.2014.

The applicant has requested Aeronautical Study stating that it is MHADA redevelopment project.

The case was listed in the Appellate Committee meeting dated 30.01.2014 wherein it was decided that the applicant may be given a new date on receipt of application from them for appearing in the meeting.

The case was initially heard in the Appellate Committee meeting held on 7th March, 2014 wherein it was decided that the applicant to furnish letter from MCGM supporting their project including justification for the height for each of the two buildings.

The applicant submitted MCGM letter dated 13.10.2014(original).

The case was again heard in the Appellate Committee meeting held on 21st January, 2015 wherein it was decided that the applicant to provide letter in original from MCGM categorically indicating height recommended by them.

The applicant thereafter submitted MCGM letter dated 25.02.2015 in original.

The case was then heard in the Appellate Committee Meeting dated 26th March, 2015 wherein the Committee examine the letter of MCGM and it was observed that the same MCGM letter has not categorically justified the height of each of the building. It was

decided that the applicant to submit in original letter from MCGM categorically justifying the height for each of the individual buildings.

MCGM letter dated 26.05.2015 submitted. (In original)

The case heard in this meeting in which the Committee observed that the MCGM letter dated 25.5.2015 submitted by the applicant has recommended a height of 77.29m AMSL including height of lift machine room and overhead water tank for Building No.2 (sale building comprising 2 wings).

Committees' Decision:

Aeronautical study for a height of 77.29m AMSL to be conducted for sale building.

9. Shri Rajendra K. Kothari, M/s Spaceage Consultants, Mumbai.

Case No.: MUM/11/297
CHQ File No.: AAI/20012/62/2013
NOCAS ID.: SNCR/WEST/B/122313/19373
Site Address: CTS No. 12 (Pt) of Matunga Division at Dr. B.A Road, Dadar (West), Mumbai.

As per NOCAS, the proposed site lies in outer conical surface and is 3816m from **Inner Horizontal Surface** of Santa Cruz Airport.

The applicant had initially requested a height of 225m AMSL vide letter dated 26.05.2011 against which they were granted a height of 145.35m AMSL vide letter dated 21.10.2011. The applicant in its letter dated 16.10.2014 has requested a reduced height of 220.55m AMSL requesting aeronautical study to consume full FSI.

MCGM Letter No. EB/4708/FN/A dated 22.08.14 submitted (In Original).

The case was earlier heard in the Appellate Committee Meeting dated 30th April, 2015 wherein the Committee was informed that as per physical verification report by M/s MIAL, there are two buildings under construction Tower- A and Tower -B. For Tower- A top elevation could not be measured due construction work and for Tower B top elevation was measured to be 91.20m AMSL.

The Committee took note of the above note of MIAL and the height (145.35m AMSL) already granted to them by AAI in 21.10.2011. This Committee also examined the MCGM letter of 22.8.2014 and it observed that the letter does not justify the project nor recommend specific height required to consume FSI granted by the MCGM. It was decided that the applicant to submit letter from the State Authority (MCGM) justifying the project and recommending specific height for consumption of FSI as granted by the Local State Authorities.

Applicant submitted MCGM letter dated 30.06.15 (In Original). Height recommended 190.99m AGL only.

The case heard in this meeting in which the Committee observed that the MCGM letter dated 30.6.2015 submitted by the applicant has recommended a height of 215.05m AMSL.

Committees' Decision:

Aeronautical study for a height of 215.05m AMSL to be conducted.

10. M/s DBS Realty, Mumbai,

Case No.: MUM/10/377
CHQ File No.: AAI/20012/199/2010-ARI(NOC)
NOCAS ID: SNCR/WEST/B/080814/55322
Site Address: CTS No. 11A(Pt.), (Plot No.IV marked as J,K,L,M,N,O,R,S) Village Chandivali, Kurla(W), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 3028m from Rwy 27 of Santacruz Airport.

The applicant had initially requested a height of 116.86 m AMSL vide letter dated 11.6.2010 against which they were granted a height of 56.27 m AMSL vide letter dated 20.10.2010. The applicant in its letters dated 08.04.2012 and 23.06.2014 has reiterated for a height of 116.86 m AMSL requesting Aeronautical Study/shielding benefit from natural terrain as it is a Slum Rehabilitation Project on Plot No.4.

The case was listed in the Appellate Committee meeting on 09.01.2013 wherein the applicant requested for deferment of the case to a subsequent date which the Committee then agreed. The applicant thereafter submitted SRA letter dated 24.01.2014 recommending height for their sale buildings.

The applicant submitted SRA letter dated 24.01.2014 recommending height for sale building in their slum rehabilitation project.

The applicant has submitted request for consideration in the Committee meeting vide letter dated 23.06.2014 for shielding criteria, if not, applicable then for Aeronautical Study.

The case was earlier heard in the Appellate Committee Meeting dated 16th January, 2015 wherein Committee observed from the presentation that shielding criteria is not applicable in this case and that the project is for slum rehabilitation as per the SRA letter which includes the height recommended for the sale buildings in the proposed project. The applicant had agreed for Aeronautical Study during the hearing by the Committee. It was decided that Aeronautical Study be carried out at the site for Sale Building to determine whether the requested height of 116.86 m AMSL is permissible.

Applicant vide letter dated 16.02.15 submitted agreement and fees for aeronautical study.

The case was examined in this meeting wherein the committee was informed that physical verification of the site has revealed that there are 9 buildings at the site and top elevation of the buildings ranges from 40.82m AMSL to **70.40m** AMSL with maximum site elevation of 52.84m while the NOC is issued for **56.27m** AMSL. Thus making some of the buildings as unauthorized construction.

Committees' Decision:

Airport operator to initiate action under Aircraft (Demolition of Obstructions caused by buildings & trees, etc.) Rule 1994.

11. M/s DBS Realty, Mumbai,

Case No.: MUM/10/375
CHQ File No.: AAI/20012/200/2010-ARI(NOC)
NOCAS ID: SNCR/WEST/B/080514/54716
Site Address: CTS No. 11A(Pt.), (Plot No.V marked as O,P,Q,S) Village Chandivali, Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 2868m from Rwy 27 of Santacruz Airport.

The applicant had initially requested a height of 112.00 m AMSL vide letter dated 11.06.2010 against which they were granted a height of 56.27 m AMSL vide letter dated 20.10.2010. The applicant in its letter dated 07.03.2012 has reiterated for a height of 112.00 m AMSL requesting Aeronautical Study stating that it is a Slum Rehabilitation Project on Plot No.5. The applicant thereafter has again reiterated the same height of 112.00 m AMSL vide letter dated 23.06.2014.

The case was listed in the Appellate Committee meeting on 09.01.2013 wherein the applicant requested for deferment of the case to a subsequent date which the Committee then agreed. The applicant thereafter submitted SRA letter dated 24.01.2014 recommending height for their sale buildings.

The applicant thereafter submitted request for consideration in the Committee vide letter dated 23.06.2014 and has asked for higher height from shielding criteria, if not, applicable then for Aeronautical Study.

The case was earlier heard in the Appellate Committee Meeting dated 16th January, 2015 wherein the Committee observed from the presentation that shielding criteria is not applicable in this case and that the project is for slum rehabilitation as per the SRA letter which includes the height recommended for the sale buildings in the proposed project. The applicant had agreed for Aeronautical Study during the hearing by the Committee. It was decided that Aeronautical Study be carried out at the site for Sale Building to determine whether the requested height of 112 m AMSL is permissible.

Applicant vide letter dated 16.02.15 submitted agreement and fees for aeronautical study.

The case was examined in this meeting wherein the committee was informed that physical verification of the site has revealed that there are 5 buildings at the site and top elevation of the buildings ranges from 58.22m AMSL to 58.33m AMSL with maximum site elevation of 40.29m while the NOC is issued for **56.27m** AMSL. Thus making some of the buildings as unauthorized construction.

Committees' Decision:

Airport operator to initiate action under Aircraft (Demolition of Obstructions caused by buildings & trees, etc.) Rule 1994.

12. Shri Rajesh G. Jain, M/s Neumec Estate Developer LLP, Mumbai.

Case No.: MUM/13/NOCAS/506
CHQ File No.: AAI/20012/37/2014
NOCAS ID: JUHU/WEST/B/072913/15462
Site Address: FP No. 296 of TPS V, Vile Parle (East), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is 712m from Rwy 09 of Santa Cruz Airport

The applicant had initially requested a height of 55.37m AMSL vide letter dated 20.08.2013 and further 55.35m AMSL vide letter dated NIL received on 14.02.2014 against which they were granted a height of 36.74m AMSL vide letter dated 18.03.2014. The applicant in its subsequent letter dated 22.08.2014 has requested for revised height of 49.22m AMSL.

The case was initially heard in the Appellate Committee meeting held on 22nd January, 2015, wherein it was decided that the applicant to submit the details of material on buildings external surface on receipt of which AAI would re-examine to determine the permissible height.

The applicant submitted MCGM letter dated 21.01.15 submitted (In Original) and has also submitted details of material vide letter dated 22.01.15.

The case was earlier heard in the Appellate Committee Meeting dated 30th April, 2015 wherein the applicant was present and had clarified that their request earlier was for 49.22m AGL which is also supported by the MCGM letter dated 21.1.2015. The committee was further informed that the height at the proposed site was earlier restricted to 36.74m AMSL due to UHF link and that based on the details of material on the building external surface as provided by the applicant and on re-examination from CNS criteria, the maximum permissible height at the site will be 46.96m AMSL due ELDIS radar. The applicant also requested the committee that they would consider using the type of material for the external surface, if they could be guided on the matter.

The committee taking note of the above also considered the fact that the height requested by the applicant i.e. 55.37m AMSL is permissible from AGA criteria and that the site is less than 2 Km from the KALINA ELDIS radar. It was decided that the applicant to make a formal request to AAI for the type of material to be used by them on the external surface of the building which may enable them to get the height requested. Also the case to be re-examined from the multi radar criteria and the results to be brought forward to the committee.

Applicant vide letter dated 19.05.15 states that the proposed construction of the building will be made of non-metallic material and would be using RCC(Reinforced Cement Concrete) with plaster and normal glass will be used only for building windows.

On examination from multi radar criteria, it was found that the maximum permissible height at the site will be 53.21m AMSL.

The case was heard in this meeting. The Committee observed that the site which was earlier restricted due CNS criteria to 36.74m AMSL is now permissible upto 53.21m AMSL w.r.t. CNS criteria. The applicant was informed that their case can be settled subject to the permissible elevation due PANS-OPS criteria. The consultant of the applicant informed that the site is clear w.r.t. PANS-OPS criteria. The applicant agreed that the proposed structure may be examined w.r.t. PANS-OPS criteria and NOC to be issued for permissible elevation.

Committees' Decision:

The proposed structure to be examined w.r.t. PANS-OPS criteria and authorization for permissible elevation to be issued by AAI.

13. M/s Starwing Developers, Mumbai.

Case No.: MUM/13/NOCAS/321
CHQ File No.: AAI/20012/124/2014-ARI(NOC)
NOCAS ID.: JUHU/WEST/B/030213/001
Site Address: CTS No. 172 & 173 of Village Gundavali at Andheri(East), Mumbai.

As per NOCAS, the proposed site lies in **Inner Horizontal Surface** and is at a distance of 2407m from of Rwy 14 of Santacruz Airport.

The applicant had initially requested a height of 69.21m AMSL vide letter dated 12.06.2013 against which they were granted a height of 56.90 m AMSL vide letter dated 14.11.2013. The applicant in its letter dated 25.06.2014 has requested a reduced height of 68.35m AMSL requesting Aeronautical Study stating that the project is a redevelopment project for rehabilitation of the existing occupant under development control regulation and to consume full FSI.

The case was heard in the Appellate Committee Meeting dated 21st January, 2015 wherein the This Committee heard the applicant with their presentation. The applicant could not produce any support letter from the State local authorities supporting their project with specific height recommendations. It was decided that the appeal is rejected.

Applicant submitted MCGM Letter dated 02.03.15.(In Original)

The case is put up again as directed.

The case was heard in this meeting. The MCGM letter dated 2.3.15 submitted by the applicant was examined by the committee and it was observed that MCGM has stated that to make the proposal financial viable, Hon'ble M.C. has guaranteed various concession with total height of building as 53.85m AGL. The Committee also noted that the applicant vide their appeal request has asked for total height of 68.35m AMSL (52.6m AGL + 15.75m site elevation).

Committees' Decision:

Aeronautical study to be conducted for 68.35m AMSL.

14. M/s River Rose Developers Pvt. Ltd., Mumbai.

Case No.: MUM/10/392
CHQ File No.: 20012/164/2014
NOCAS ID.: SNCR/WEST/B/121314/81509
Site Address: CTS No.35C (Pt.),35 C/1 to 7,35 C/8 (Pt.),35 C/9 (Pt.),35 C/10,35 C/11(Pt.),35 C 12 Village Tungve, Mumbai.

As per NOCAS, the proposed site lies in IHS and is 3018m from Rwy 27 of Santa Cruz Airport.

The applicant had earlier applied for a height of 65.18m AMSL vide their letter dated 22.6.2010 against which they were granted a height of 56.27m AMSL vide AAI letter dated 28.12.2010. The applicant has applied for an increased height of 82.70m AMSL (On Line dated 13.12.14) and later revised to 83.30m AMSL vide their Letter dated 23.05.15.

Applicant requested higher height as the height issued for the building is not as per their satisfactory after doing survey for height of the building located in the vicinity of the same location.

The case was heard in this meeting. The Committee observed that MCGM letter dated 17.7.2015 as submitted by the applicant is not height specific. It only indicates that the plans are under scrutiny. The applicant informed that they will bring revised recommendation letter from Local Authorities.

Committees' Decision:

The case to be put up again after receipt of revised MCGM recommendation letter.

15. M/s Shiv Infrastructure Partners, Mr. Anil D. Jethani, Rajkot.

Case No.: MUM/14/NOCAS/RAJKOT/51
CHQ File No.: 20012/72/2014
NOCAS ID: RAJK/WEST/B/030915/106864
Site Address: RMC Ward No.12, TPS No.06 (Raiya), R.SR No.148/P, O.P No.15, FP No. 179 village, Raiya Road, Rajkot.

As per NOCAS, the proposed site lies in **Approach surface** and is 285m from basic strip of Rwy 05 of Rajkot Airport.

The applicant had initially requested a height of 162.083m AMSL vide letter dated 03.02.2014 against they were granted a height of 147.23m AMSL vide letter dated 06.03.2015. The applicant in its letter dated 07.03.2014 has requested increased height of 166.713m AMSL

Applicant requested for 30m AGL height to complete his work.

Earlier NOC was issued on single point (WGS–Coordinate) with site elevation 132.083m for height of 147.23m AMSL. However as per new site elevation certificate with geo-coordinates of all corners of the plot, the maximum elevation of the site comes as 136.713m AMSL.

The case was heard in this meeting. The committee noted that the new site elevation certificate as submitted by the applicant indicates the maximum site elevation as 136.713m AMSL whereas, the earlier site elevation submitted by the applicant was for 132.083m AMSL. The Committee also noted that NOC issued was based on single point calculation.

Committees' Decision:

AAI Mumbai Office to re-examine the case in light of fresh site elevation and coordinates of all corners of the plot as submitted by the applicant and issue a revised NOC.

16. M/s Terraferma Developers LLP, Mumbai.

Case No.: MUM/14/NOCAS/68
CHQ File No.: AAI/20012/119/2014
NOCAS ID: JUHU/WEST/B/012514/20828
Site Address: CTS No.56A of Village Andheri at Dawood Baug road off J.P road, Andheri (West), Mumbai

As per NOCAS, the proposed site lies in IHS and is 3236m from Rwy 14 of Santa Cruz Airport.

The applicant had initially requested a height of 67.325m AMSL vide letter dated 30.01.2014 against which they were granted a height of 56.90m AMSL vide letter dated 29.05.2014. The applicant in its letter dated 30.05.2014 has reiterated for height of 67.325m AMSL requesting higher height to make their proposal feasible.

MCGM Letter dated 15.07.14 submitted.(In Original)

The case was heard in this meeting. The Committee observed the MCGM letter dated 15.7.2014 as submitted by the applicant and noted that MCGM has recommended a height of 61.67m AMSL and the applicant has not requested for aeronautical study. The applicant agreed to apply for conduct of aeronautical study.

Committees' Decision:

Aeronautical Study to be conducted for height of 61.67m AMSL on receipt of formal request from applicant.

17. M/s PTC Builders, Shri Biju Jacob, Trivandrum.

Case No.: MM/503/2013
CHQ File No.: AAI/20012/57/2015
NOCAS ID.: THIR/SOUTH/B/062415/139274
Site Address: Survey No. 166/3-1,166/3-2 Trivandrum Cheruvakkal
Trivandrum

As per NOCAS, the proposed site lies in IHS and is 3648m from Rwy 14 of Trivandrum Airport.

The applicant had initially requested a height of 90.504m AMSL (On-Line dated 01.06.13) against which they were granted a height of 49.26m AMSL vide letter dated 04.02.2015. The applicant in its subsequent letter dated 24.06.2015 has requested for a reduced height of 83.45m AMSL

Applicant vide letter dated 12.04.13 applied for NOC for height clearance from AAI.

Applicant vide India Non-Judicial twenty rupees stamp paper dated 21.03.13 undertakes that he restrict the height of the completed building in accordance with the instructions specified in the No Objection Certificate cleared by Airports Authority of India.

GM(ATM-SR) vide letter dated 27.09.13 informed that the building was constructed up to height of 90.504m AMSL and had instructed APD, Trivandrum to take immediate necessary action as deemed fit to ensure safety of aircraft operations.

CHQ vide letter dated 24.10.13 intimated RED (SR) about the necessary course of action to be taken as per the provisions so as to ensure safety and regularity of Aircraft Operations.

GM (ATM-SR) vide letter dated 01.11.13 intimated APD, Trivandrum to take the necessary course of action.

NOC issued for height of 49.26m AMSL vide letter dated 04.02.15 from Southern Region, AAI.

Applicant appealed vide letter dated 24.06.15 for already erected building of 83.45m AMSL.

The case was heard in this meeting. The committee observed that the applicant has already constructed building of 90.504m AMSL against 49.26m AMSL as granted by AAI vide letter dated 4.2.15. The applicant present in the meeting informed that they have constructed their building after receipt of building permit for construction from Trivandrum Corporation in 2007. The contention of applicant that no notification issued by Govt. of India for height clearance existed at that time, is not correct as SO988 was applicable at that time. Committee also observed that as per the documents submitted by the applicant, there was a proviso under Rule 32(2) that for buildings, structures and installations in the vicinity of the airports, the stipulations with regard to height shall be further limited subject to any notification as may be issued by Govt. of India. Therefore, the applicant has constructed in contravention to Govt. of India Rules.

Committees' Decision:

The building height above permissible elevation 49.26m AMSL as constructed by the applicant is unauthorized. AAI to take up the matter with State Authorities asking them how they are issuing construction permits to buildings with heights higher than those permissible under Govt. of India Notification.

18. Shri Vinay H Madani, M/s Bandra Amar Jiwan Co-operative Hsg Society Ltd., Mumbai.

**Case No.: MUM/12/NOCAS/274
CHQ File No.: AAI/20012/53/2015
NOCAS ID: JUHU/WEST/B/090812/014
Site Address: CTS No. F/1113, Village Bandra ,F.P No. 41 of TPS –II of Bandra (W),Mumbai.**

As per NOCAS, the proposed site lies in IHS and is 3651m from Rwy 09 of Santa Cruz Airport.

The applicant had initially requested a height of 91.75m AMSL vide letter dated 12.11.2012 against which they were granted a height of 56.90m AMSL vide letter dated 14.3.2013. The applicant in its letter dated 21.05.2015 had asked for a reduced height

of 81.10m AMSL requesting aeronautical study to consume full potential of FSI and also quoting that there are five nos. of high rise towers in the same vicinity.

MCGM Letter dated 09.04.15 submitted. (Not in Original)

The case was heard in this meeting. The Committee examined the original MCGM letter dated 9.4.15 as submitted by the applicant in the meeting and observed that MCGM has justified the requested height.

Committees' Decision:

Aeronautical Study to be conducted for height of 81.10m AMSL.

19. M/s Naya Raipur Development Authority, Naya Raipur, Chhattisgarh,

Case No.: ER/403/2014
CHQ File No.: AAI/20012/29/2015
NOCAS ID: RAIP/EAST/B/110414/70343
Site Address: CBD Office Complex, Plot No. C03, Baroda, Raipur,Chattisgarh

As per NOCAS, the proposed site lies in IHS and is 2539m from Rwy24 of Raipur Airport.

The applicant had initially requested a height of 385.325m AMSL (On-Line dated 04.11.14) against they were granted a height of 362m AMSL vide letter dated 15.1.2015. The applicant in its letter dated 27.02.2015 has reiterated for height of 385.325m AMSL and requested higher height stating that the 32% of FAR of plot remains unutilized based on the NOC granted.

The case was heard in this meeting. The Committee observed that the height requested by the applicant penetrates AGA surfaces. They were informed that the height can be examined through conduct of aeronautical study for which they will have to make a formal request and deposit the relevant fee. The representative of NRDA accepted the same.

Committees' Decision:

Aeronautical study to be conducted for a height of 385.325m AMSL on receipt of formal request and fee from the applicant.

20. Shri A R Chunawala, M/s Sarang & Associates, Mumbai.

Case No.: MUM/13/NOCAS/770
CHQ File No.: AAI/20012/31/2015
NOCAS ID: SNCR/WEST/B/122113/19344
Site Address: CTS No. 308,310 & 311 of Village Gundavali at Andheri (East), Mumbai

As per NOCAS, the proposed site lies in IHS and is 1864m from Rwy14 of Santa Cruz Airport.

The applicant had initially requested a height of 62.12m AMSL vide letter dated 20.11.2013 against they were granted a height of 56.90m AMSL vide letter dated 27.05.2014. The applicant in its letter dated 23.3.2015 has requested for revised height of 74.33m AMSL and requested aeronautical study to utilize full FSI of the building in the congested space of Mumbai.

MCGM Letter dated 11.06.15 submitted. (In Original)

The case was heard in this meeting. The applicant requested aeronautical study to utilize full FSI. The committee examined MCGM letter dated 11.6.15 as submitted by the applicant and observed that the MCGM letter as justified the requested height (74.33m AMSL)

Committees' Decision:

Aeronautical Study to be conducted for height of 74.33m AMSL.

21. Shri S R Subramanian, M/s L & T Construction Equipment Ltd., Bangalore.

Case No.: BL-379/2014
CHQ File No.: AAI/20012/40/2015
NOCAS ID: JAKK/SOUTH/B/070714/46978
Site Address: Khatha no: 239/240/275/88/1 , 240/276/89/1 bearing Sy no 88,89,90,91,92,93,94,95,96,97,98,99,100,101,102,103,104 of Byatarayanapura Village, Yelahanka Hobli, Bangalore North Taluk, NH7, Bellary Road, Bangalore.

As per NOCAS, the proposed site lies in IHS and is 713m from Rwy 08 of Jakkur Airport.

The applicant had initially requested a height of 1066m AMSL vide letter dated 07.10.2014 against they were granted a height of 963.70m AMSL vide letter dated 15.10.2014. The applicant in its letter dated 09.4.2015 has requested for revised height of 1066m AMSL and requested higher height to utilize the existing FAR and also quoting that there are properties within 1.5km from their site where buildings have been sanctioned more height.

The case was listed in this meeting. The applicant has asked for exemption from attending the meeting vide letter dated 28.7.2015 with request to schedule this case in next meeting.

Committees' Decision:

The case may be placed in next appellate committee meeting.

22. **M/s Northern Railway, Shri Parag Verma, COO, Indian Railways Stations Development Corpn. Ltd (IRSDC), New Delhi.**

Case No.: NR/2014/283
CHQ File No.: AAI/20012/207/2014
NOCAS ID: PALM/NORTH/B/070814/47144
Site Address: Railway Integrated Station Complex, Bijwasan on open land in Dwarka Sector-21, Behind Dwarka Sector-21 Metro Station, Bijwasan, New Delhi

As per NOCAS, the proposed site lies in **Approach Surface** and is 386m from basic strip of Rwy 11 L of I.G.I Airport.

The applicant had initially requested a height of 247m AMSL vide letter dated 08.7.2014 against they were granted a height of 227.34m AMSL vide letter dated 16.09.2014. The applicant in its letter dated 22.4.2015 has requested for revised reduced height of 233.29m AMSL and requested for review of height clearance for development of Bijwasan Railway station to International Standards.

IRSDC Ltd., vide letter dated 04.02.15 had requested to measure the distance of their site from displaced threshold of proposed runway 11L for calculation of permissible height. Threshold of runway 11L is shown as displaced by about 875m in zoning map of IGI Airport. IRSDC Ltd., subsequently vide letter dated 10.02.15 has submitted that the Railway track in proximity of airport is an existing obstacle of permanent nature, which cannot be removed and therefore, displaced threshold point of the runway should be taken as a reference point for calculating the height.

IRSDC representatives gave a presentation of the project and its objectives for development of railway infrastructure which would also benefit the airport passenger traffic. The presentation also included their technical assessment of the effect on the OLS particularly at two locations of the proposed station complex which are closest to the runway approach funnel for both existing and planned runway (11) taking into consideration the permanent displacement of runway thresholds.

This Committee was informed that DIAL vide letter dated 12.03.15 confirmed that the displacements at Rwy 11L and 29R are of permanent nature. This was also confirmed to the Committee by the DIAL representative who was present in the meeting. DIAL representative submitted a DOT circular UK dated 5th March 2010, on control of development in airport public safety zones which was noted by the Committee as not specific to control of airport OLS. DIAL was asked by AAI to provide clarification on take-off climb surface for the concerned runway (29), which they agreed.

The case was earlier heard in the Appellate Committee Meeting dated 28th May, 2015 wherein it was decided that DIAL to provide confirmation on take-off surface w.r.t displaced threshold of both existing and planned runways. AAI to review the case on receipt of information from DIAL and also to take into consideration the technical report submitted by the applicant to work out the permissible height and inform the Committee.

The case was heard in this meeting. AAI informed that DIAL has furnished the relevant data and the same is being fed in the NOCAS. Once the changes are incorporated NOC Office Northern Region may be advised to reassess the case and issue fresh NOC.

Committees' Decision:

AAI to issue fresh NOC after incorporating the changes in NOCAS.

23. M/s Kunj Bihari Developers Private Limited, Mumbai.

Case No.: 71 J
CHQ File No.: AAI/20012/424/04
NOCAS ID: JUHU/WEST/B/012213/012
Site Address: CTS No. C-1361, B1/1 situated at Pali Hill, Nargis Dutt Road, Bandra (West), Mumbai.

The site lies in IHS and is about 3136m from Rwy 09 of Santa Cruz Airport.

The applicant had initially requested a height of 115m AMSL vide letter dated 12.2.2004 against they were granted a height of 110m AMSL vide letter dated 12.10.2006. The applicant vide letter dated 27.6.2015 requested for revalidation of previous height of 110m AMSL.

M/ s Reliance Energy Ltd. was issued NOC for 110m AMSL after aeronautical study and approval of MOCA on 12.10.06.

The NOC was revalidated for three years on 14.07.09 in the name of M/s Reliance Energy Ltd.

On 29.05.12, M/s Kunj Bihari Developers Private Limited, Mumbai requested for revalidation of NOC for another 36 months and change of name.

NOC was further revalidated up to 14.07.15 vide letter dated 25.07.12.

M/s Kunj Bihari Developers Private Limited, Mumbai vide letter dated 15.09.14 requested revalidation for a further period permissible as per policy and enclosed **Undertaking dated 05.09.14 on Rs.100/- non-judicial stamp paper that they will not seek /apply for revalidation of NOC beyond the total period of 8 years from the date of initial issue and thereafter will apply for fresh NOC.**

M/s Kunj Bihari Developers Private Limited, was informed vide CHQ letter dated 24.11.14 that NOC issued has already exceeded the total period of 8 years, therefore, it cannot be revalidated.

Applicant vide letter dated 27.06.15 appealed for revalidation of NOC for a period of 3 years as due to various statutory processes and approval time and aggravated by restrictions on construction timeline, the construction of the building is still underway

and the civil structure shall be ready by July, 2016 and internal finishing, landscaping etc. will take another 12 months (July 2017).

The case was heard in this meeting in which the representative of the applicant informed that the work was in full swing and will be completed in next 8-10 months. Committee observed that valid period or revalidation of NOC is not covered under SO84e. The Committee was apprised by AAI that in proposed SO84e draft which is under consideration of MoCA, a provision has been made to extend the validity of NOC for a total period of 10 years.

Committees' Decision:

AAI to dispose of this case at their own as it is governed by the Circulars issued by AAI on the subject matter.



(V.SOMASUNDARAM)
MEMBER (ANS), AAI



(J.S. RAWAT)
JT. DGCA



(K.GOHAIN)
TECHNICAL EXPERT



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

Place: New Delhi
Date: 30 July 2015