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Ref. No. MCHI/PRES/17-18/150

February 27, 2018

To,

Shri Jayant Sinha

Minister of State for Civil Aviation

Ministry of Civil Aviation

Rajiv Gandhi Bhawan,

New Delhi - 110 003

Sub:- Grant of height clearance / NOC from Airport Authority in respect to the permissible height of buildings around airports in Mumbai

Ref:- Report of NOC Review Working Group 2017 finalized in May 2017 and discussion held during meeting held on 19th September 2017

Respected Sir,

During the Interactive workshop-cum-discussion for online Building Plan Approval - NOC for building height clearance held on 27th October 2016 at Indian Habitat Center, New Delhi, we had raised our concerns with regards to the conservative approach being followed by AAI in granting additional heights after conduct of aeronautical studies in comparison to height allowable as per ICAO guidelines. We had also highlighted that the adoption of conservative approach is a result of differences between Standards and Recommended Practices (SARPs) suggested by ICAO for grant of building heights vis-à-vis those being followed by AAI as per GSR751(E) : Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015.

After debate, you had accepted our suggestion to form a Working Group to determine the possibilities for relaxations in allowable heights by identifying such points of differences between Standards and Recommended Practices (SARPs) suggested and followed by ICAO vis-à-vis those being followed by AAI that govern/impact the grant of height clearance to buildings in Mumbai. In this regard, 3 meetings of the Working Group were held between February 2017 to May 2017 and report of the Working Group was submitted for your consideration.

During the meeting held with you on 19th September 2017, the recommendations of the Working Group were approved and it was agreed that required modifications to be carried out in GSR751(E) would be done expeditiously. We are aware that these modifications are under process and would be carried out soon.

In the meanwhile, we would like to highlight that as per present rules, AAI has authorized Municipal Corporation of Greater Mumbai (MCGM) to approve construction of buildings up to the permissible heights indicated in Colour Coded Zoning Map (CCZM) for Mumbai, which indicates the permissible heights of buildings in Mumbai through different colour coded grids, without insisting height clearance from AAI. Only in cases wherein the desired height of buildings is more than the permissible height under CCZM, the application for further height clearance is required to be filed to the designated officer of AAI through the No Objection Certificate Application System (NOCAS), accessible on AAI website. Due to the conservative approach in grant of heights being followed by AAI as per present rules, the NOC received from AAI grants buildings heights which are conservative and most of the project proponents are required to appeal to the Appellate Committee for grant of additional heights, which is time consuming exercise. The average time taken from submission of appeal application till grant of Revised NOC after conduct of aeronautical study is approx. 9-10

months. Due to non-clarity on maximum allowable height after conduct of aeronautical study during this period, our drawings finalization, further approvals, submissions under RERA, disclosures to customers and possession timelines are not conclusive thereby leading to considerable delay in project.

In order to expedite the process of conduct of aeronautical study, we hereby suggest that AAI verifies/certifies/adopts an online tool developed by our consultant M/s To70, Netherlands who were appointed by us for this purpose. Their tool takes various factors governing building heights into consideration, combines and overlaps the obstacle limitation surfaces using real time, interactive & 3D mapping technologies, then selects the lowest surface parts to construct one single obstacle limitation map showing the permissible heights of buildings around the airport. In a nutshell, the online tool automates the aeronautical study process and allows one to check the maximum permissible height of any building/site in a minute, and shows which particular obstacle limitation surfaces are restricting further vertical development.

In view of the above submissions and with the objective of simplifying the procedures for grant of height clearance under the Ease of Doing Business Policy as well as the Prime Minister Narendra Modi's goal of notching up India's rankings in the Ease of Doing Business Report compiled by the World Bank to the top 50 in the next two years, we hereby request you to examine the possibility of AAI adopting the online tool developed by M/s To70, Netherlands or give us access to such other tool developed by them, which helps in determining the maximum permissible heights for buildings around the airport in expeditious manner to enable us to carry forward with our design deliverables, disclosures and obligations under RERA.

We hereby request for joint meeting as per your convenience wherein we can arrange for presentation from our consultant M/s To70 and deliberate on possibilities for simplifying the process for height clearance under appeal procedure.

Thanking You,

Yours faithfully,
For CREDAI-MCHI



Mayur Shah
President




Domnic Romell
Hon. Secretary



S. S. Hussain, I.A.S. (Retd.)
Chief Executive Officer

CC to:

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