

Office of the
Chief Engineer (Development Plan)
5th floor, Extn. Bldg. Municipal Head
Office, Mahapalika Marg, Fort,
Mumbai 400001, Tel: 22620075

To

The Chief Executive Officer (S.R.A.)
Slum Rehabilitation Office
Anant Kanekar Marg, Bandra (W)
Mumbai 400051.

Sub: Deletion of condition to obtain NOC from India Meteorology Department for High Rise Building Proposals having height more than 70.00 mt. And situated within 10 kms from Archana Building.

Ref: Hon'ble High Court's order dt. 14.7.2014 in
1) W.P. No. 1339 of 2014
2) W.P. (Lodging) No. 1555 of 2014.
3) W.P. (Lodging) No. 1729 of 2014
4) W.P. No. 2572 of 2013.

Sir,

This office has insisted following condition since year 2010, in the N.O.Cs. issued to High Rise Building Proposal having height more than 70 mt., which are cleared by the Technical Committee for scrutiny of High Rise Buildings, appointed by Government of Maharashtra.

Condition : The NOC from I.M.D. shall be submitted before issue of any further permission in the proposal, if the proposal falls within 10 km., from Archana Building, Navy Nagar, Colaba where Dopplar Radar is situated.

Subsequently, various Writ Petitions referred above were filed in the High Court by M.C.H.I. and Developers against the I.M.D. for not issuing the N.O.C. of requisite height, as vertical development of project of High Rise Buildings beyond 70 mt. has stopped since 2010, due to installation of Dopplar Weather Radar at Colaba.

The Hon'ble High Court vide its above mentioned order dt. 14.7.2014, has disposed off these Writ petitions by directing M.C.G.M. to forthwith commence the process of approving plans already submitted and plans that shall be submitted hereafter, in accordance with the Development Control Regulations 1991, without insisting N.O.C. from I.M.D. The copy of the said order is enclosed herewith for information.

In view of above Court order and by direction of Hon. Municipal Commissioner, I have to inform you that the abovesaid condition, already incorporated while granting N.O.C. for High Rise Building Proposals having height 70 mt., since the year 2010 is hereby deleted and same shall not be insisted.

Yours faithfully,

Acc.: Photocopy of court order.

sd-
Chief Engineer
(Development Plan)

Sir,

In view of above Court order and by direction of Hon. Municipal Commissioner, I have to inform you that the abovesaid condition, already incorporated while granting N.O.C. for High Rise Building Proposals having height 70 mt., since the year 2010 is hereby deleted and same shall not be insisted.

sd-
Chief Engineer
(Development Plan)

C.C.: Y. Dy.Ch.E.(BP) city

2. Dy.Ch.E.(BP) E.S.
3. Dy.Ch.E.(BP) W.S. I
4. Dy.Ch.E.(BP) W.S. II

In view of above Court order and by direction of Hon. Municipal Commissioner, I have to inform you that the abovesaid condition, already incorporated while granting N.O.C. for High Rise Building Proposals having height 70 mt., since the year 2010 is hereby deleted and same shall not be insisted.

Ch. Eng. (DP)

Acc.: As above.

मुहम्मद महानगरपालिका
उपमुख्य अधिकारी (इ.प्र.) शाहर
वाग्ने कार्यालय (P)
दिनांक 16 AUG 2014
प्रमाणित 2697
दिनांक 10 10 11 12, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

कार्यवाही अधिनियम (इमास प्रत्यक्ष) अधिनियम १२३

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डा प्रमुख अभियंता (ई. प्र.) नगर

पुणे-मुंबई महामार्ग पालिका,
कार्यकारी अभियंता,
पुणे (पुणे जिल्हा) व याचे कार्यालय
पुणे - 7 AUG 2014

A.B.P.C. - I.D.IV.

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Noted *BY*
FBI
ME

MUNICIPAL CORPORATION OF GREATER MUMBAI

No. CHE/ 8311 /DPWS /HRB of 21 JUL 2014

Sub:- High Rise structures; obstructions to Doppler Weather Radar.

Ref:- Hon'ble High Court's order dtd. 14.07.2014 in
1) W.P.No.1339 OF 2014
2) W.P.(lodging) No.1555 of 2014
3) W.P.(lodging)No.1729 of 2014
4) W.P.No.2572 of 2013.

Reference is requested to the Hon'ble High Courts order dtd. 14.07.2014 in the Writ Petitions referred above; which involve issues pertaining to Doppler Weather Radar installed at Archana Building, Navy Nagar, Colaba by I.M.D.

The gist of the case is as under:-

The Deputy Director General of Meteorology; vide his letter dtd. 11.06.2010; addressed to principal Secretary; U.D.Deptt. had stated that many High Structures of more than 100 floors are being permitted within 25 km.. radius of the site of D.W.R.(Doppler Weather Radar). These High Rise bulidigs will certainly obstruct radar beam and deprive very large area in Mumbai City from the scan of D.W.R.

Thereafter ; a meeting was held on 21.07.2010 under the Chairmanship of Chief Secretary, Govt. of Maharashtra; to discuss the matter and as per the discussions in the said meeting the site at Archana Building, Navy Nagar, Colaba was inspected by the then Municipal Commissioner alongwith Director (E.S.&P.) and other staff of M.C.G.M. on 8.09.2010, when Dr.R.V.Sharma, Dy.Director General of meteorology Department was also present. The radar installed on the terrace of Archana Building at Navy Nagar was also inspected at that time. The issue for granting permission to the High Rises within 25 Km. radius from Archana Building, Navy Nagar was discussed with Dr.R.V.Sharma, Dy.Director General of Meteorology Department and it has been agreed by him that the length of 25 Km. will be reduced to 10 km. i.e. no permission within 10 Km. will be given for high rise buildings having height more than the height of radar installed on terrace of Archana Building from ground level.

The letter issued in this context by the then Municipal Commissioner u/no. MGC/G/1359/DP dtd. 4.10.2010 addressed to Chief Secretary Govt.of Maharashtra may be seen.

Accordingly; following condition was incorporated in the N.O.C. granted to the High Rise Building proposals having height more than 70 Mtrs., which are cleared by the Technical Committee for scrutiny of High Rise Buildings.

Condition:- The N.O.C. from I.M.D. shall be submitted before issue of any further permission in the proposal; if the proposal falls within 10Kmts. from Archana Building; Navy Nagar Colaba; where Doplar Radar is situated.

Subsequently; various writ petitions referred above; were filed in the High Court by M.C.H.I. & Developers, as vertical development of projects of High Rise Buildings beyond 70 mtrs. of has stopped since 2010, due to installation of Doplar Weather Radar at Colaba.

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The Hon'ble High Court; vide it's above mentioned order dtd. 14.07.2014, has disposed these writ petitions by directing M.C.G.M. to forthwith commence the process of approving plans already submitted and plans that shall be submitted hereafter; in accordance with the Development Control Regulation 1991, without N.O.C. from I.M.D.

In view of above Hon'ble High Court order; it is proposed to delete the above mentioned condition which has been incorporated in N.O.C.S. of High Rise buildings since 2010, & not to insist this condition in future approvals.

Law Officer is requested to offer comments and submit the report for M.C.'s approval.

After receipt of approval; all zonal B.P. Offices, C.E.O. (S.R.A.); Chief Planner (M.M.R.D.A.); will be informed accordingly.

Submitted please.

[Signature]
21/7/14
Ch.Eng. (D.P.)

Law Officer

Submitted please

Go 21/7/14

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17/14

Hon'ble M.C.
Sir,

बृहन मुंबई महानगरपालिका
विधी विभाग
21 JUL 2014
विधी क्रमांक 21/5595

'A' approved as
proposed.

[Signature]
21/7/14
Municipal Commissioner

ChE(DP)