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Ref. No. MCHI/PRES/18-19/190

March 7, 2019

To,

**Shri Suresh Prabhakar Prabhu**

Minister (Addl. Charge)

Office of Minister of Civil Aviation

Rajiv Gandhi Bhawan,

Safdarjung Airport,

New Delhi, 110003

**Sub.:** Issue concerning building height permissions issued by AAI - Obstacle Limitation Surface

**Ref.:** Our previous letter dated January 2, 2019 bearing Ref. No. MCHI/PRES/18-19/113 addressed to Hon'ble Minister of Civil Aviation Shri. Suresh Prabhu ji

Dear Sir,

With reference to the above subject, we would like to submit our suggestions/concerns for your kind redressal :-

**Interpretation of Obstacle Limitation Surface (OLS) Guidelines**


Reference	Background & Current Status	Suggestion Proposed	Justification
Guidelines on Maximum Allowable Penetration of OLS in Aeronautical Study Reports dated 26-Mar-2015	a) PIL matter 86/2014 was disposed off on 6-Apr-2018 allowing the Appellate Committee to pass final orders in terms of the aeronautical study reports submitted by the Appellate Committee to the Hon'ble High Court of Bombay in compliance to the interim orders. b) Sub-Committee was appointed by the Appellate Committee on 26-Apr-2018 to examine the aeronautical study reports submitted	a) Grant of permitted heights based on old Aeronautical study reports submitted to the Hon'ble High Court of Bombay in 21 nos. of cases pending with the Appellate Committee  b) Implementation of proposed interpretation of OLS Guidelines as suggested by CREDAI-MCHI and subsequently	a) Unilateral Change in interpretation of OLS guidelines dated 26-Mar-2015, considered by Sub-Committee, has led to enormous delay in issuance of final orders with respect to 21 nos. of cases pending with the Appellate Committee since almost 2.5 years.  b) The new interpretation introduced was never discussed with NOC


	<p>earlier to the Hon'ble High Court of Bombay.</p> <p>c) Sub-Committee, during its meeting held on 15-May-2018, revised the interpretation of OLS Guidelines, due to which in 21 nos. of cases, there was variance in permitted heights</p> <p>d) Taking note of report of the Sub-Committee, the Appellate Committee decided to submit these 21 nos. of cases to the Hon'ble High Court of Bombay for record purpose.</p> <p>d) Representation was submitted by CREDAI-MCHI dated 13-Jul-2018 proposing revised interpretation of OLS Guidelines for consideration of MoCA</p> <p>e) Meeting was held on 7-Aug-2018 with AAI wherein the matter was referred to DGCA for their opinion</p> <p>f) Opinion from DGCA has been received &amp; submitted to MoCA concurring with our proposed interpretation</p>	<p>concurring with DGCA as well</p> <p>by</p>	<p>Review Committee (though the other points were discussed during the same period) or put in public domain for suggestion or submitted to High Court for consideration during case Proceedings in the same period.</p> <p>c) Reduction of maximum permissible height calculations coupled with delay in issuance of Revised NOC's has led to adverse impact on FSI/FAR consumption, timely project completion and profitability of projects</p>
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We request you to kindly consider our proposed Suggestions and implement the opinion received from DGCA in this regard.

Thanking you,

Your sincerely,  
For CREDAI-MCHI

  
**Nayan A. Shah**  
President

  
**Bandish Ajmera**  
Hon. Secretary

  
**Sanjiv S. Chaudhary MRICS**  
Chief Operating Officer