

**MANAGING COMMITTEE
2023-2025**
CREDAI - MCHI

Ref. No. MCHI/PRES/23-25/091
Date: 17/7/2023



To,

1. The Regional Executive Director (Mumbai region)

7th floor, Airports Authority Of India,
Sahar Road,
Mumbai 400099.

2. The General Manager (A.T.M.),

Western Region
Airports authority of India,
Mumbai 400 099.

Sub: CREDAI-MCHI's suggestions on the pending issues with AAI pertaining to real estate sector regarding granting NOCs/Approvals.

Dear Sirs,

We would like to bring to your kind attention the issues being faced by the real estate sector regarding granting of NOCs/Approvals by AAI.

With regards to the same and to have a detailed discussion in the meeting scheduled today, i.e. 17th of July, please find attached herewith important points to be taken up for the discussion.

Yours sincerely,
For CREDAI-MCHI

Domnic Romell
President

Dhaval Ajmera
Hon. Secretary

PS: Contact Person Mr. Sanjay Phope - +91 9619345193

Maharashtra Chamber of Housing Industry

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BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |
VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

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Sejal Goradia

Points for Discussion at Stakeholders meeting

Sr. No.	Pending Issue	Current Status	Stakeholders request
1.	To validate such NOCs where the projects have received Commencement Certificate (CC), the Construction of project building/s is/are partial or completion stage, and the NOC validity of 12 years is completed, in order to support to complete the project with the same NOC received elevation and receipt of Occupation Certificate.	<p>Local airport operators insist on a valid NOC during the verification of building height for the Occupation certificate. The demand for New NOC leads to turmoil and uncertainty to complete <u>when a new NOC is awarded a lower height than the original NOC.</u></p> <p>1. <u>Reasons for uncertainty</u></p> <p>At the end of 12 years, many buildings are in the last stage of completing the requirements for an Occupation Certificate, NOC expires due to unavoidable situations such as:</p> <ul style="list-style-type: none"> • The revision/amendment/ changes of Development Control Regulations (DCR) and CRZ regulations modifies the status of the plot and the process of obtaining respective clearances/NOC (Environment/ CRZ clearance, High Rise NOC, Ground Water clearance etc.,) delays the project considerably. • DCR of Mumbai underwent a total change and the permissions for the building took further time as per the revised regulations published in 2019. The DCPR was to be published in 2014 but published in November 2018, due to this, there was no clarity in the rules and FSI working and a lot of plots were stuck for development within that span of four years. • City like Mumbai, amidst the cluster of residential areas, there are time restrictions too for executing work. 	<p>The exiting maximum NOC validity period of 12 years (Initial 8 + Four (4) years extendable) for the buildings was the industry request of 2017 and the same has been accepted and made similar to the existed regulations for structures such as masts, chimneys, and towers validity period of twelve (12) years.</p> <p>In any case, while granting NOCs, buildings are considered permanent structures and therefore, their existence for a perpetual duration is taken into consideration without impacting the safety and efficiency of aircraft operations. Hence, it does not matter whether the such proposed building is completed within the stipulated duration.</p> <p>Directions to be provided to the aerodrome operator (MIAL/ NMIAL), to issue the final NOC for the height of the structure constructed at the site at the time of issue of building completion, when the construction of the structure has commenced well within the validity of the NOC and the building/ structure is constructed well within the NOC Permissible Elevation issued by the aviation authority (AAI) and not to insist on the obtaining the extension of the validity of the NOC issued earlier for</p>

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		<ul style="list-style-type: none"> • Covid 19 - Pandemic delayed many projects • Legal issues arise due to many factors, especially in Mumbai city where every sq feet is important and typical disputes arise out of competition, partner separation, inherent complexity within the Govt initiatives projects like SRA (Slum Rehabilitation), re - developments, etc., • the above facts, which are beyond the developer's purview, it's a challenge and almost impossible to complete the bigger project (comprising many high-rise towers) to complete within the 12 years period. <p>Hence, as expressed above, there is no guarantee for earlier obtained NOC height if applied afresh. This uncertainty of lesser height to the building at a project completion stage leads to chaos and is not an acceptable situation and is unjustified. Sometimes, it may also lead to the demolition of a constructed building with a genuine NOC. Such delay and resultant damages are beyond the scope of the developer.</p>	<p>the same verified and certified Site Coordinates and Site Elevation as per the GSR 751 (E) provision for safe and regular aircraft operation.</p>
2.	Automatic Extension of the validity period of 9 months (Deemed extension as per ATMC 7 of 2020)	This provision of 9 months extension has been withdrawn from September 2022.	Request to grant 9 months extension to all NOCs valid before 24.03.2020 (the start of a pandemic)
3.	Conduct aeronautical study for projects in Navi Mumbai	The aeronautical study has not yet started for plots falling under the Navi Mumbai airport region resulting in a heavy loss for	To initiate aeronautical study for plots in Navi Mumbai at the earliest

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		developers due to a lack of clarity on the permissible height and planning for their project.	
4.	Restrictions due to CNS Criteria in particular HF Transmitter (Tx) & Receiver (Rx)	It is recommended that HF Tx and Rx Systems Should be re-located outside the main city areas of Mumbai, Chennai, and Kolkata so that height restricted are not imposed on a building located in main city areas and the quality of HF signals is also not affected, In respect of Mumbai, the Commissioner of MCGM has committed to this expert committee to allocate required land which meets operational requirements to re-locate HF TX and RX System from its present location. This needs to be followed up by the competent authority.	This is affecting the building heights of a very large area of Juhu and Dahisar. AAI and MCGM to work closely on this and resolve the HF Transmitter and Receiver issue as per the recommendations.
5.	Uploading of Revised NOCs and Revalidated on the NOCAS website.		Awaiting implementation from AAI, WR & AAI, CHQ.
6.	Displaced threshold issue	Case by case review is required to be done by Airport Operator	AAI/DGCA to initiate a review by Airport Operator and implement it at the earliest.