

P-1
MUNICIPAL CORPORATION OF GREATER MUMBAI

No. CHE/DP/46928/Gen dt 16.2.16

Sub:-Policy regarding the civil aviation NOC for the height permissible as published in the colour coded maps by Airport Authority of India (AAI) and the circular issued u/no. CHE/DP/24391/GEN dtd. 26.08.2015.

Ref :- Hon'ble M.C.'s approval u/no.MCP/621/12.02.2016.

By direction of Hon'ble M.C. vide approval u/no. MCP/621 dtd. 12.02.2016, the the ongoing proposals which are affected by civil aviation with respect to the colour coded maps published by Airport Authority of India shall be processed further as per the following poicy guidelines.

- a) In all on going proposals survey remarks regarding permissibility of height for civil aviation as per colour coded maps will be insisted.
- b) The architect will be asked to certify the ground elevation to arrive at height permissible above ground level.
- c) If the permissible height above ground level is more than the proposed height of bldg. NOC from civil aviation authorities will not be insisted.
- d) If the permissible height is less than proposed one and the full C.C. to the building has not been granted, then the NOC from civil aviation authorities will be insisted before granting further C.C.
- e) In cases where already C.C. has been granted to full potential and the height of building constructed is more than the permissible height as per colour coded maps, the proposal will be processed further for grant of occupation certificate without insisting NOC from civil aviation authorities since the permissible height has been reduced subsequently in the colour coded maps after issue of full C.C. above the permissible height as per colour coded maps.

The above policy guidelines to process the proposal affected by civil aviation shall be followed scrupulously alongwith the directions from AAI and earlier instruction to obtain site elevation.

Encl. : Copy of approval papers
(P-3 to P-5)

Pratik
15/2/16
Chief Engineer
(Development Plan)

Dy.Ch.E.(B.P.)City

Dy.Ch.E.(B.P.) E.S.

Dy.Ch.E.(B.P.)W.S.-I

Dy.Ch.E.(B.P.)W.S.-II

Dy.Ch.E.(B.P.)Spl. Cell

Dy.Ch.E.(D.P.)-I

Dy.Ch.E.(D.P.)-II

E.E.(D.P.) P&R

E.E.(D.P.) H&K

E.E.(D.P.) E.S.

E.E.(D.P.) City

✓ E.E.(P) To Ch.E.(D.P.)

MUNICIPAL CORPORATION OF GREATER MUMBAI

Dy.Ch.E. (B.P.) 428 W.S. / P&R

1 FEB 2016

Sub.: Policy regarding the civil aviation NOC for the height permissible as published in the colour coded maps by Airport Authority of India (AAI) and the circular issued U.No. CHE/DP/24391/GEN/Dt. 26.08.2015.

Ref.: Architect's representation at page-C-1 to C-2.

Reference is requested to Architect's representation at page-C-1 to C-2 requesting therein to issue occupation certificate, without insisting civil aviation NOC from civil aviation authority since the authorities have subsequently reduced the permissible height vide recently published colour coded maps and MCGM has allowed the development as per prevailing rules.

The General details are as under:-

1. Airport Authority of India has published the colour coded maps thereby defining the maximum height permissible above mean sea level for the buildings falling in the jurisdiction of MCGM and the circular issued U.No. CHE/DP/24391/GEN/Dt. 26.08.2015. Copy of the circular, plan may please be seen at page-C-3 & C-5.
2. Earlier the height permissible for civil aviation was defined as per Regulation No. 31(2) table 13 of DCR and which issuing the survey remarks A.E. (Survey) used to communicate the height permissible for civil aviation for the construction on the particular plot.
3. Accordingly the building proposal offices used to insist the NOC from civil aviation department, if the proposed height of building construction is more than the permissible height mentioned in the A.E. Survey remarks.
4. The NOC from civil aviation is insisted at the stage before allowing the C.C. to the height of the building more than the permissible limit.
5. Due to colour coded maps published, now the permissible height in some of the areas has been reduced drastically for example in the case under reference of P/S ward CTS. No. 220 & CTS No. 535-A & B of village Pahadi Goregaon (W), the permissible height prior to colour coded maps was 122 Mts. AMSL and as per colour coded maps the same is 50 Mts. AMSL.
6. The details of the proposal are as under:-

| Sr. No. | CTS No. | File No. | Date of IOD | Date of plinth C.C. | Date of last amended plan | Date of full C.C. | BCC submitted by Architect on |
|---------|---------|--------------------|-------------|---------------------|---------------------------|-------------------|-------------------------------|
| 1. | 220 | CHE/9924/BP(WS)/AP | 16.12.2010 | 25.5.2012 | 12.03.2014 | 03.4.2014 | 18.02.2015 |
| 2. | 535 | CHE/8566/BP(WS)/AP | 03.8.2010 | 08.7.2011 | 17.7.2015 | 1.10.2015 | 14.10.2015 |

7. While granting full C.C. the NOC from civil aviation has not been insisted since, the permissible height was 122 Mt. and the proposed height was 69.65 Mt. & 58.15 Mt. including LMR/OHT, which was well within limit.
8. Architect has now submitted BCC for the building under reference and has requested for the occupation certificate and has requested to issue the same immediately since the project is for redevelopment of existing society and the society members are to be re-accommodated with immediate effect.
9. As regards NOC from civil aviation, Architect has represented that, the same shall not be insisted at this stage as the work has been carried out as per the approved plan and CC granted wherein earlier NOC for civil aviation was not required being proposed height within permissible limit. It is also represented that any circular/restriction cannot be imposed with retrospective effect.
10. The architects request deserves consideration and there are no clear guidelines to handle such cases. It is therefore proposed as under:
- In all on going proposals survey remarks regarding permissibility of height for civil aviation as per colour coded maps will be insisted.
 - The architect will be asked to certify the ground elevation to arrive at height permissible above ground level.
 - If the permissible height above ground level is more than the proposed height of bldg. NOC from civil aviation authorities will not be insisted.
 - If the permissible height is less than proposed one and the full C.C. to the building has not been granted, then the NOC from civil aviation authorities will be insisted before granting further C.C.
 - In cases where already C.C. has been granted to full potential and the height of building constructed is more than the permissible height as per colour coded maps, the proposal will be processed further for grant of occupation certificate without insisting NOC from civil aviation authorities since the permissible height has been reduced subsequently in the colour coded maps after issue of full C.C. above the permissible height as per colour coded maps.

Submitted for approval of Ch.E.(D.P.)/Hon. ble M.C.

After receipt of approval, the same will be accepted as a policy and circulated to all the building proposal sections for further necessary action.

Submitted please.

Ch. Eng. (D.P.)

Hon. ble M.C.

Sir,


Dy. Ch. B. P. (W.S.)-II
1/8/16


(Signature)

बृहन्मुंबई महानगर पालिका
प्रमुख अभियंता (विकास नियोजन)
यांचे कार्यालय

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- 1 FEB 2016
045424

क.प्र.अ./दि.नि./

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| ना. अधि. | टिडीआर | लेखा | आस्था |

6/48

Earlier prior to publication of colour coded map by AAI the height of proposed buildings were permissible as per table No. 13 of D.C.R depending upon the distance from airport. Accordingly the heights were allowed and full C.C. as per permissible ht. corresponding to D.C.R. provisions is permitted for ongoing projects most of the buildings are completed in part as per the permissible height & without civil aviation NOC. There are many projects which are completed as per approval within the permissible ht as per D.C.R. Now due to publication of colour coded maps, the height permissible is shown less than that is what is permissible as per D.C.R.

Now in the present case, the permissible ht as per D.C.R is 122 mt and ht actually proposed is 69.65 mt & colour coded map now allows only 50 mt.

In view of above, if agreed by Plan. m.c. the policy as per side line 'A' on N2 will be accepted and accordingly approvals will be processed. Submitted for approval please.

12/02/16
CHEDP 1/c.

बृहन्मुंबई महानगरपालिका
अध्युक्तांचे कार्यालय

- 4 FEB 2016

संख्या ११, १२, १३, १४
१५, १६, १७, १८

नांक MCP/621

12/2/16

Approved as proposed
Hij Mulla
12/2/16

Municipal Commissioner
CHEDP(DP)

बृहन्महानगर पालिका
प्रमुख अभियंता (विकास नियोजन)
यांचे कार्यालय

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क्र.प.अ./दि.नि./ 046928

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| साधारण | शहर | पूर्व. उप | प. उप |
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ASADAO

EEEP/

उप प्रमुख अभियंता (इमारत परस्ताव) प३२

आवश्यक त्वा अभियंता

- (1) EEP) to circulate this as policy to all DyCEEP.
- (2) DyCEEP/W&II to take note & do the needfull in all similar cases. प्रमुख अभियंता (विकास नियोजन)
- (3) All DyCE to note & follow this policy.

12/02/16
CHEDP/c

6/95