

Minutes of Meeting of Appeal Committee held on 20 January, 2007 in the Chamber of
Chairman, SUDA, Surat.

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Surat Urban Development Authority received two applications for development permission for commercial cum cinema theatres in SMC area. The plans are of different type-s and planning, but with a common issue of height relaxation for Cinema Theater Portion. The plans send with queries to comply regarding to height. Both the applicants preferred to appeal for the interpretation of GDCR to appeal committee as per rule 28.3 of sanctioned GDCR by paying the essential fees. The provision 28.3 allows for an appeal committee consisting of 7 member committee for interpretation of GDCR. Accordingly the appeal committee met on 20th January,, 2007 with the following members attending the meeting.

1. Shri Pankaj Joshi, I.A.S. - Chairman, SUDA and Municipal Commissioner SMC and Chairman Appeal Committee
2. Shri M. S. Patel - Chief Executive Authority, SUDA and Member Secretary, Appeal Committee
3. Shri P.V.P.C. Prasad - Senior Town Planner, SUDA
4. Shri J. M. Patel - Director of Planning, SMC
5. Shri B.K. Patel - President & Representative of ICEA
6. Shri N.C. Shah - Representative of SVRT
7. Shri Ketan Patel - Town Development Officer, SMC Invitee.

The Committee has a look at the two files of Development Permission separately. The Architects of two plans were asked to present their cases.

1. Shri Ganesh, Assistant of Architect Nimish Chowksi represented his case pertaining to file no.6846/A-B of F.P.No.28 of Town Planning Scheme,Suda No.28. He has requested for relaxation of height in view of the hardship being caused for planning a Cinema Hall in top floor of low rise building under provision of 28.2.b.

2. Shri Sanjay Joshi, Architect represented his case pertaining to F.P. No.20 in Town Planning Scheme, Suda No.28., He has requested for relaxation of height in view of the hardship being caused for planning a Cinema Hall in top floor of low rise building under provision of 28.2.b. He has also sought relaxation for height on an average height of each floor in commercial mall to be increase 4.5 mt. for better planning purpose.

After hearing the parties and discussing the matter in details the following decisions are taken unanimously.

DECISIONS :-

1. The committee unanimously agreed that there is a need to encourage the shopping mall with Cinema theatre in view of the thrust for Tourism related activities.
2. As only a portion of structure is Cinema Theatre and remaining majority of commercial, the norms of commercial development shall be applied by taking care of requirements of special structures.
3. Height relaxation can be given but only for the Cinema Theatre portion for Screen/ Roof elevation. Only an increased height shall be permitted instead of normal Height in that floor. The seating has to start at the ground level of that floor. In no case, the bottom floor height shall be more than 13.5 mt from the plinth level.
4. No intermediate floor involving double FSI shall be permitted in the increase Height.
5. Margin/ Open spaces etc are to be maintained to a clear margin of 6mts on all sides abutting Cinema Theatre in view of fire and Traffic Requirements.
6. There should be separate Entry/ Exit, Parking for cinema hall as per the requirement of GDCR.
7. The meeting gave concurrence of only related requirements of Height relaxation. Other aspects of GDCR are to be verified as per the norms.
8. An administration decision to be taken regarding the additional fee etc. If any to be collected for additional Height.

9. Applicants shall be asked to change the plans in accordance with the above directions. If architects fail to comply, the plan should be rejected and no further appeal shall be allowed.
10. The decision of the Appeal Committee is taken after considering the two applications on a case to case. The above decision can not be generalized and if any similar situations arise, the plans are to be scrutinized in accordance with GDCR on a case to case.

Name	Designation	Signature
1. Shri Pankaj Joshi, I.A.S.	-Chairman, SUDA and Municipal Commissioner SMC and Chairman Appeal Committee	Signed
2. Shri M. S. Patel	-Chief Executive Authority, SUDA and Member Secretary, Appeal Committee	Signed
3. Shri P.V.P.C. Prasad	-Senior Town Planner, SUDA	Signed
4. Shri J. M. Patel	-Director of Planning, SMC	Signed
5. Shri B.K. Patel	-President & Representative of ICEA	Signed
6. Shri N.C. Shah	-Representative of SVRT	Signed
7. Shri Ketan Patel h	-Town Development Officer, SMC Invitee.	Signed