

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**I.A. NO. 789/2025**

**IN**

**ORIGINAL APPLICATION No. 528 of 2025**

**IN THE MATTER OF:**

**Society for Protection of Culture,  
Heritage, Environment, Traditions &  
Promotion of National Awareness (Regd.)  
(Also known as SP-CHETNA)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

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1147

**PLACE:** NEW DELHI  
**DATE:** 23.04.2026

For S P CHETNA  
  
Hony President  
**APPLICANT**

**THROUGH**

*Madhumita*

**SAMEER SOOD & MADHUMITA SINGH  
(ADVOCATES)**

**[(D/3229/2017) & D/4778/2016]**

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**REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT/PETITIONER  
TO THE REPLY FILED BY RESPONDENT NO. 7 (DIAL) TO THE  
APPLICATION FILED BY THE APPLICANT SEEKING AMENDMENT OF  
PRAYERS IN OA NO. 528/2025**

I, Anil Sood, a senior citizen, S/o Late Sh. M.C Sood, aged about 70 yrs.,  
R/o C-1/1056, Vasant Kunj, New Delhi-110070, do hereby solemnly  
affirm and state as under:

1. That I am the President of the Applicant/Petitioner Society and  
am well acquainted with the facts and circumstances of the



present case and as such, competent to make and affirm the present rejoinder affidavit. I have gone through and understood the contents of the Reply filed by **Respondent No. 7**. I deny each and every contention raised therein, save and except those specifically admitted hereunder. The Applicant/Petitioner seeks leave to submit this rejoinder as follows:

**MOST RESPECTFULLY SHOWETH:**

**PRELIMINARY SUBMISSIONS:**

2. That, this rejoinder may be read with rejoinder dated 23.04.2026 filed by the Applicant in response to the objections filed by **Respondent No. 7** dated 20.01.2026.
3. It is respectfully submitted that **Respondent No. 7** is under a statutory obligation to implement the **Procedure, 2008 (Annexure - A5 at running page no.(s) 154-162 of OA)** and the **Circular 2014 (Annexure A7 of OA at running page No(s) 169-177) to the extent is does not modify the procedure 2008**, cannot be permitted to object to the present Interlocutory Application seeking amendment of the prayer clauses. The proposed amendments merely seek issuance of directions to all the **Respondent No(s). 1 to 6** for effective implementation of the said **Procedure 2008 and Circular 2014**, and **Respondent No. 7 to follow in letter and spirit** so as to ensure a just, proper and scientific assessment of noise pollution and the formulation of appropriate mitigation measures. In such circumstances, the objections raised by **Respondent No. 7** are wholly misconceived,

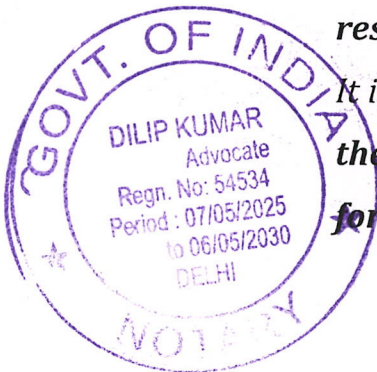


unwarranted and uncalled for, hence do not merit any consideration and are liable to be rejected outright.

4. It is respectfully submitted that the very foundation while objection for invoking the principle of **constructive res judicata** no longer survives in view of the order dated **01.09.2025** passed by the **Hon'ble Supreme Court in Civil Appeal No. 11051/2025**, whereby liberty has been granted to the Applicant to file fresh application Hon'ble Tribunal along with all supporting material **so as to seek appropriate reliefs including the reliefs, if any, which were sought earlier and granted by the Tribunal, but which have not been implemented as yet by way of a mandamus or direction being issued to the concerned respondents.** The Relevant text of order dated 01.09.2025 has been reproduced as under: -

*We dispose of this Civil Appeal by reserving liberty to the petitioner herein to file a fresh application before the National Green Tribunal along with all supporting material **so as to seek appropriate reliefs including the reliefs, if any, which were sought earlier and granted by the Tribunal, but which have not been implemented as yet by way of a mandamus or direction being issued to the concerned respondents.***

*It is needless to observe **that if a fresh application is filed by the petitioner herein along with all supporting material for the aforesaid purpose, the National Green Tribunal***



*shall consider the same as expeditiously as possible on its own merits and in accordance with law.*

*Civil Appeal is accordingly disposed of.*

5. The **Review Petition (C) No. 2433 OF 2025 in CIVIL APPEAL NO. 11051/2025** filed by **Respondent No. 7**, was dismissed vide **order dated 6<sup>th</sup> November 2025**, relevant text of which is reproduced as under: -

*Application for listing Review Petition in open Court is rejected.*

*Having carefully gone through the Review Petition, the order under challenge and the papers annexed therewith, we are satisfied that there is no error apparent on the face of the record or any merit in the Review Petition warranting reconsideration of the order impugned.*

*The Review Petition is, accordingly, dismissed.*

*Pending application(s) shall stand disposed of.*

6. Thus, the order passed by this Hon'ble Tribunal in **EA No. 33/2025** stands merged with the order of the Hon'ble Supreme Court in **Civil Appeal No. 11051/2025** and has attained finality upon dismissal of the **Review Petition** filed by **Respondent No. 7**. Thus, **Respondent No. 7** is precluded, from raising any objection to the present proceedings.

**PARA-WISE REPLY**



Para 1: That the contents of para 1 are matter of fact hence merits no response.

Para 2: That the contents of para 2 are vehemently denied and the contents of the OA 528/2025 and IA No. 789/2025 are reiterated.

Para 3: That the contents of Para 3 are matter of fact hence merits no response.

Para 4: That the contents of para 4 are vehemently denied and the contents of paras 2 to 10 of the preliminary submissions made above are reiterated.

**PARA WISE REPLY TO THE PRELIMINARY SUBMISSIONS:**

Para 5:

- (i) That the contents of para 5 are vehemently denied. It is respectfully submitted that the Respondent, while filing objections to the maintainability of the Original Application 528/2025, has failed to place on record any methodology, technology, or mechanism by whatever name called or magic wand used by which **Respondent No. 7** is recording **ambient noise levels** in accordance with the parameters prescribed under the **2018 Notification** issued by **Respondent No. 1**, and also compliance of **Procedure 2008** prescribed by **Respondent No. 2**, namely **Day-Night Average Sound Level (DNL)**, **Total Day-Night Average Sound Level (TDNL)**, **Event Day-Night Average Sound Level**



(EDNL), and Background Day-Night Average Sound Level (BDNL) [running page 158 -159].

- (ii) The **Respondent No. 7** has merely asserted compliance without disclosing the manner in which such complex noise metrics are being measured, particularly when only five **Noise Monitoring Terminals (NMTs)** have been installed, outside the designated flight paths. Such an approach is ex facie inadequate and contrary to the mandate of the **Procedure, 2008 (para 8 at running page 160)** issued by **Respondent No. 2**, which requires a scientifically robust and representative monitoring framework. It is equally surprising that despite 2 years period granted vide 2018 Notification for putting in place suitable mechanism to record ambient noise levels, no mechanism has been put in place **till date by Respondent No. 2** who is under statutory obligation to perform its functions through its own sources as has been observed by **Hon'ble Supreme Court while passing order dated 13.04.2026 in Petition for Special Leave to Appeal (Civil) No. 12213/2019 in the matter of RAJIV SURI vs. ARCHAEOLOGICAL SURVEY OF INDIA & ORS.** The relevant text of Para 6 is reproduced as under: -



*6. Following up, in the High Court's subsequent Order dated 18.03.2026, at Paragraph No.4 it was indicated to the Committee that 'rules for finalizing the agency to conduct the survey at the site has been received', but the necessary order was yet to be issued and assurance was given by the Director-General, ASI to the said*

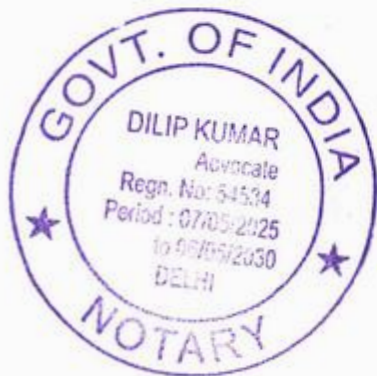
*Committee that survey of the Fort area would be completed within a period of two to three months. It appears that the agency, proposed to be finalised, is a private concern. The tendering process, we are informed, has already proceeded and only the final step viz. issuance of Work Order remains to be issued. We hereby direct that the Work Order shall not be issued. We are of the firm opinion that the survey of the nature contemplated being assigned to a private concern, appears to be absolutely unjustified. The departments/agencies of the Government, Central or State, or of the National Capital Territory, as the case may be, cannot abdicate their responsibilities and outsource matters such as the survey which can be and ought to be done in-house. A departmental organization like the ASI, which has a battery of professionals, be it, engineers, architects and otherwise, has to conduct the survey on its own wherewithal.*

A copy of the aforesaid order is annexed herewith as **Annexure A1.**

- (iii) It is respectfully submitted that the implementation of mitigation measures, in the absence of a proper, scientific, and bona fide assessment of ambient noise levels, is fundamentally flawed and contrary to the established regulatory framework. The **Procedure, 2008**, as reiterated and reinforced in **Circular 2014**, by **Respondent No. 5** mandates a systematic, transparent, and accurate process for the measurement and recording of noise levels as a foundational prerequisite to any mitigation strategy.



- (iv) In the present case, no such sincere or credible assessment appears to have been undertaken. The data, if any, lacks transparency, methodological rigor, and adherence to prescribed standards, thereby rendering it unreliable for the purposes of policy formulation or remedial action. It is submitted that mitigation measures, when not grounded in authentic and scientifically obtained data, cease to have any practical efficacy and are reduced to mere paper formalities.
- (v) That, such an approach not only defeats the very object of the regulatory regime governing noise pollution but also results in a failure to protect the fundamental rights of affected persons, including their right to a clean and healthy environment under Article 21 of the Constitution of India. The absence of a genuine assessment vitiates the entire exercise, making the purported mitigation measures illusory, arbitrary, and unsustainable in law. In the absence of any disclosed methodology or supporting material, the Respondent's claim of compliance is illusory, arbitrary, and liable to be rejected.



Para 6:

- (i) That, the contents of Para 6 are vehemently denied in view of the admitted fact that the **Procedure 2008** issued by **Respondent No. 2** though referred to in

**Circular 2014** issued by **Respondent No. 5** was never placed on record and is not in public domain. The **Circular 2014** with regard to fixing Lmax at the Airport is wholly irrelevant to the cause because Lmax (maximum noise level per event) is recorded at certain Noise Monitoring Terminals at the airport, which do exist on ground. Further such recording is only event-based and not part of a regulatory framework that evaluates cumulative night-time health impact.

- (ii) It is respectfully submitted that the **Procedure, 2008** was neither available in the public domain nor placed on record by any of the Respondents. In such circumstances, no presumption can be drawn that the Applicant was aware of the **prescribed methodology for installation of Noise Monitoring Terminals (NMTs) under the said Procedure**. Further, the **Circular 2014 dated 18.12.2014** does not disclose or incorporate the specific requirements contained in the **Procedure, 2008**. It was only upon obtaining a copy of the **Procedure, 2008** from a paid legal database that the Applicant became aware of the prescribed manner of installation of NMTs, which material fact had been consistently concealed by the Respondents.



Para 7:

- (i) That the contents of para 7 are vehemently denied in view of the submissions made in Para 6 above. Since the

**Procedure 2008** was never placed before this Hon'ble Tribunal, which provides mechanism of installation of Noise Monitors and is **foundational document**. It is respectfully submitted that the Applicant, after considerable effort, was able to trace and obtain copy of **Procedure, 2008** which were eventually downloaded from a **paid legal database**, as this document were neither earlier nor presently available in the public domain.

- (ii) It is respectfully submitted that monitoring Lmax without linking it to enforceable thresholds, penalties, runway management policies, or operational restrictions renders the exercise merely observational and not mitigative. International best practices incorporate Lmax within broader Lden/Lnight frameworks precisely to assess both intensity and frequency of night events, which have been adopted in Procedure 2008 and titled as "**Day-Night Average Sound Level (DNL), Total Day-Night Average Sound Level (TDNL), Event Day-Night Average Sound Level (EDNL), and Background Day-Night Average Sound Level (BDNL)**".



- (iii) Further, once the **Procedure 2008** came to knowledge, it is conclusively established that **Leq averaging masks peak** disturbances, and **Lmax in isolation captures only the intensity of individual events**. What remains

unaddressed is the cumulative biological burden caused by repeated night-time aircraft events — which is why Lden and Lnight are globally adopted and in India these are titled as **Day-Night Average Sound Level (DNL)**, **Total Day-Night Average Sound Level (TDNL)**, **Event Day-Night Average Sound Level (EDNL)**, and **Background Day-Night Average Sound Level (BDNL)**.

- (iv) Therefore, the plea that Leq is prescribed and Lmax is being monitored cannot be construed as compliance with the Tribunal's directions. Without incorporating **Day-Night Average Sound Level (DNL)**, **Total Day-Night Average Sound Level (TDNL)**, **Event Day-Night Average Sound Level (EDNL)**, and **Background Day-Night Average Sound Level (BDNL)** assessment and analysis of frequency of peak exceedances, there can be no meaningful mitigation of aircraft noise impact.



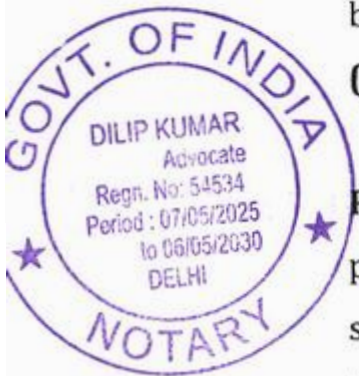
Para 8: That the contents of para 8 are vehemently denied in view of the submissions made in para 6 and 7 above, which are not being reproduced for the sake of brevity.

That present OA and the IA is strictly as per directions passed by Hon'ble Supreme Court vide order dated 01.09.2025 in Civil Appeal No. 11051 of 2025. Further in view of dismissal of Review Petition No. 2433/2025 vide order dated 06.11.2025 filed by Respondent No. 7, the objections filed are irrelevant out of

context and **Respondent No. 7** was precluded from raising and filing objections.

Para 9: That the contents of para 9 related by bar of constructive *resjudicata* are vehemently denied and the contents of paras 1 to 6 of the preliminary objections are reiterated.

Para 10: That the contents of para 10 are vehemently denied. The Hon'ble Supreme Court, vide order dated **01.09.2025** in **Civil Appeal No. 11051 of 2025**, specifically granted the Applicant liberty to file a fresh application for seeking appropriate relief including relief which were sought earlier granted but not implemented. This liberty was affirmed following the dismissal of Review Petition on **06.11.2025** filed by **Respondent No. 7**, thereby precluding the Respondent from raising objections whatsoever. The arithmetical accuracy of data provided by **Respondent No. 4** cannot be challenged by renaming **Northern Runway and Southern Runway**, these terms have been coined for the first time to create confusion. The Runways all along have been defined and known as **27/09, 28/10, 11R(Old) and 29L (Old) and 11 L (New) and 29R(New)**.

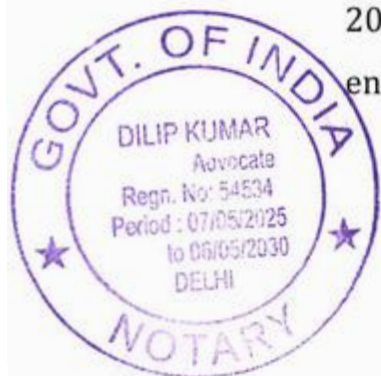


**Respondent No. 7** despite having admitted accuracy of data provided by Applicant has candidly admitted accuracy of the same in a tabulated statement annexed to the objections filed as **Annexure 21 (at running page 1135)**, copy of which is **annexed herewith as Annexure A-2**. **Respondent No. 7** has admitted that **56% flights (between 53% to 59% flights)** are

arriving and departing from **RWY 29L/11R (Old) and RWY 29R/11L (New)**. Thus, **Respondent No. 7** in the preliminary objections while casting aspersions on the applicant, has woven a story to just to evade judicial scrutiny of statements made on oath in the past without placing relevant data on record, which has been partially provided by **Respondent No. 4** and has refused to furnish **runway-wise data of arrivals and departures for the period 2017-18 to 2023-24**. A copy of the said reply is annexed herewith as **Annexure - A3**.

Para 11: The contents of Para 11 are vehemently denied. Respondents in earlier statements except for making statements of compliance on oath have never placed detailed data on use of Runways to establish **Respondent No. 4** provides navigational services to **Respondent No. 7** and levies/recovers charges on aircraft landings and take-offs across various runways, has failed and to implement **Mixed Mode Use of Runways**.

Thus, in the absence of complete and continuous runway-wise data, the claim of **Respondent No.(s) 4,5 and 7** regarding compliance with mixed mode use of runways remains unsubstantiated and appears to be based merely on assertions in affidavits. It is, therefore, necessary that **Respondent Nos. 4 and 7** be directed to place on record complete runway-wise arrivals and departures data for the period 2017 -18 to 2023-24, 1<sup>st</sup> April 2024 to 30<sup>th</sup> June 2024 and from 1<sup>st</sup> January 2025 till date to enable proper verification of the claims made in the past.



Para 12: That the contents of Para 12, to the extent they refer to the order dated 24.11.2017 in Appeal No. 60/2013 (THC) and the order dated 18.09.2019 in EA No. 24/2019, are matters of record. However, the contention regarding compliance with mixed mode use of runways is vehemently denied, in view of submissions made in paras 10 and 11 above, which are not being reproduced for sake of brevity.

Para 13: That the contents of Para 13, to the extent they relate to issuance of circulars and the reference to the Action Taken Report dated 21.06.2019, as noticed in the order dated 21.03.2024, are matters of record. However, the averments regarding implementation of mixed mode use of runways, in the absence of any supporting runway-wise data for the period 2017-18 to 2023-24, are vehemently denied in view of submissions made in paras 10,11 and 12 above.

Para 14: That the contents of para 14 on bar of *resjudicata* in view of detailed submissions made above are vehemently denied and the contents of paras 1 to 6 of the preliminary objections read with para 9 above are reiterated.

### **REPLY TO PARA-WISE REPLY**

Para 1: That the contents of para 1 are vehemently denied. The OA is maintainable in view of orders passed by Hon'ble Supreme Court. The reply to preliminary objections filed may be read as part and parcel of these submissions.



Para 2-5: That the contents of paras 2-5 of objections filed are vehemently denied and the contents of application are reiterated.

**PRAYER**

In view of the submissions stated above, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- i. Allow the Interlocutory Application (I.A. NO. 789/2025) seeking amendment of prayers in O.A. NO. 528/2025.
- ii. Pass such other and further order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice and equity.

**DEPONENT**

**VERIFICATION:**

Verified at New Delhi on this 23<sup>th</sup> day of April 2026 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

**DEPONENT**

**PLACE: NEW DELHI**  
**DATE: 23.04.2026**



*Madhu Mittal*  
**IDENTIFIED BY**

**ATTESTED**

**23 APR 2026**

**DILIP KUMAR**  
**NOTARY PUBLIC**  
Reg. No. 54534

ITEM NO.302

COURT NO.13

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO.12213/2019

[Arising out of the Impugned Final Judgment and Order dated 20-02-2019 in WP(C) No.4099/2018 passed by the High Court of Delhi at New Delhi]

RAJEEV SURI

PETITIONER

VERSUS

ARCHAEOLOGICAL SURVEY OF INDIA & ORS.

RESPONDENTS

IA No.110092/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

DATE : 13-04-2026 This matter was taken up today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

[Mr. Gopal Sankaranarayanan (Sr. Adv.), Court Commissioner, with Ms. Astha Sharma, AoR and Mr. Vishal Sinha, Adv.]

[SPECIAL BENCH]

For Petitioner: Mr. Shikhil Shiv Suri, Sr. Adv.  
Mrs. Madhu Suri, Adv.  
Ms. Jyoti Suri, Adv.  
Ms. Wamika Chadha, Adv.  
Mr. Vibhor Choudhary, Adv.  
Mr. Deva Vrat Anand, Adv.  
Mr. T. R. B. Sivakumar, AoR

For Respondents: Mr. Amrish Kumar, AoR  
  
Mr. Satya Darshi Sanjay, A.S.G.  
Mr. Sudarshan Lamba, AoR  
Mr. Siddhant Kohli, Adv.  
Mr. Raman Yadav, Adv.  
Mr. Chitvan Singhal, Adv.  
Mr. Mrigank Pathak, Adv.  
Mr. Sarthak Karol, Adv.  
Mr. Khushal Kolwar, Adv.  
Mr. Divyam Aggarwal, Adv.  
Mr. Shubham Prakash Mishra, Adv.  
Mr. Akshat Agrawal, Adv.

Mr. Udai Khanna, Adv.  
Ms. Shivika Mehra, Adv.

Ms. Sunita Sharma, Adv.  
Mr. B. L. N. Shivani, Adv.  
Ms. Satvika Thakur, Adv.  
Mr. Mohan Prasad Gupta, Adv.  
Mr. Santosh Ramdurg, Adv.  
Mr. Yogesh Vats, Adv.  
Mr. Shreekant Neelappa Terdal, AoR

Mr. Raj Bahadur Yadav, AoR

Mr. Rakesh Sinha, Adv.  
Mr. Arvind Gupta, AoR  
Mr. Md. Ghulam Akbar, Adv.  
Mr. Jeemon Raju K, Adv.  
Mrs. Binita Jaiswal, Adv.

Mr. Shubhranshu Padhi, AoR

Ms. Swati Ghildiyal, AoR  
Mr. Rishi Yadav, Adv.

Mr. Rajkumar Bhaskar Thakare, A.S.G.  
Mr. Mukesh Kumar Maroria, AoR  
Mr. Prasenjeet Mohapatra, Adv.  
Mr. Sanjay Kumar Tyagi, Adv.  
Ms. Neelakshi Bhadauria, Adv.  
Mr. Rishikesh Haridas, Adv.  
Mr. Ishaan Sharma, Adv.

Mr. S.D. Sanjay, A.S.G.  
Mr. Praveen Swarup, AoR  
Mr. Devesh Maurya, Adv.  
Mr. Rohit Swarup, Adv.  
Mr. Yunus Malik, Adv.  
Mr. Pooja, Adv.  
Mr. PR Abhimanyu Karthikeya Raja, Adv.  
Ms. Ashu Tomar, Adv.

Mr. Nitin Mishra, AoR

Mr. Udit Dedhiya, Adv.  
Mr. V. N. Raghupathy, AoR  
Ms. Apurva Sachdev, Adv.  
Mr. Venkata Raghu Mannepalli, Adv.  
Mr. Ramprasad H. Alva B., Adv.  
Mr. Dillip Kumar Mohanty, Adv.

Mr. Shashank Bajpai, Adv.  
Mr. Ankur Mishra, Adv.

Mr. Gurpreet Singh, Adv.  
 Mr. Nitish Dham, Adv.  
 Ms. Vidula Mehrotra, AoR  
 Mr. Gopi Chand, Adv.  
 Mr. Vatsal Tripathi, Adv.  
 Mr. Govind Singh, Adv.  
 Mr. Akshit Saxena, Adv.  
 Mr. Vaishnavstuti, Adv.

O R D E R

This case concerns the protection of monuments, a duty placed upon the Executive, but which has travelled up to this Court.

2. Mr. Gopal Sankaranarayanan, learned Court Commissioner has handed over a summary of the Status Reports filed by various authorities, which is reproduced hereunder:

Sl. No.	Agency	Number of Sites	Conservation Status
1.	ASI <sup>1</sup>	170  [3 _____ Monuments de-notified] (Bara Khamba Cemetery, Inchla Wali Gumti, Nicholson Statute)	<p style="text-align: center;">Good: 137</p> <p>[Sl. 1, 3-17, 19-20, 22-23, 25-29, 32, 34-56, 58-64, 66-73, 75, 79-80, 86-89, 92, 94-96, 99-109, 111-133, 135, 139-156, 158, 160-162, 164-165, 167, 169-170]</p> <p style="text-align: center;">Satisfactory / Requires some repair: 19</p> <p>[Sl. 21, 24, 30, 33, 74, 76-78, 81-85, 90, 93, 98, 134, 166, 168]</p> <p style="text-align: center;">Poor: 3</p> <p>[Sl. 57 (Gates and walls of Mubarakpur, Kotla), 157 (Joga Bai Mound), 159 (Ancient</p>

<sup>1</sup> Archaeological Survey of India.

			<p>Mosque)]</p> <p>No details: 2 [Sl. 136, 138]</p> <p>Not traceable: 9 [Sl. 2, 18, 31, 65, 91, 97, 110, 137, 163]</p>
2.	DoA, GNCTD <sup>2</sup>	20	<p>Good: 10 [Sl. No. 1-10]</p> <p>Satisfactory: 6 [Sl. 11-16]</p> <p>Steps Due: 3 [Sl. 17 (Sarai of Azimganj), 18 (Tomb), 19 (Tomb)]</p> <p>Ongoing: 1 [Gumti of Shaikh Ali]</p>
3.	MCD	87	<p>Good: 50 [Sl. 1-6, 8-17, 22, 25-28, 31-45, 47-49, 51, 54, 60, 71, 78-83, 87]</p> <p>Satisfactory / Requires some repair: 14 [Sl. 19, Sl. 29-30, Sl. 55-56, 57, 59, 61-65, 69-70]</p> <p>Poor: 7 [Sl. 20 (Town Hall), 21 (Company Bagh), 46 (Cemetery), 58 (Domed building), 66-68 (Tombs)]</p> <p>Deplorable condition/No Conservation: 3 [Sl. 7 (Gateway of Zinat Mahal), Sl. 23 (Mughal</p>

<sup>2</sup> Department of Archaeology, Government of National Capital Territory of Delhi.

			<p>Tank), 24 (Tank)]</p> <p>Not traceable: 2 [Sl. 50 (Tomb), Sl. 72 (Baoli)]</p> <p>No details: 11 [Sl. 18, 84-86 (Pertaining to ASI), 52-53, 73-74, 76-77 (Pertaining to DoA, GNCTD) 75 (Pertaining to Waqf Board)]</p>
4.	NDMC <sup>3</sup>	<p>52</p> <p><u>Details given for 41 out of 52</u></p> <ul style="list-style-type: none"> <li>• 2 with NDMC</li> <li>• 19 with ASI</li> </ul> <p><u>Details for 4 not given as per affidavit</u></p> <ul style="list-style-type: none"> <li>• 14 with CPWD</li> </ul> <p><u>Details for 2 not given as per affidavit but details for 19 given; photos of only 5 given</u></p> <ul style="list-style-type: none"> <li>• 2 with DoA, GNCTD</li> <li>• 8 with Delhi Golf club</li> <li>• 2 with Diocese of North Delhi</li> <li>• <u>Ownership not ascertained for 4</u></li> <li>• <u>No details about 1 site</u></li> </ul>	<p>Good: 18 [NDMC: Sl. 1, 2 ASI: Sl. No. 3-7, 9, 10, 12-16 DGC: Sl. 1-2, 8 DND: Sl. 1]</p> <p>Work due: 5 [ASI: Sl. 1, 2, 8, 11 DND: Sl. 2]</p> <p>Not conserved: 6 [DoA: Sl. 1 (Turret) Delhi Golf Club: Sl. 3-7 Others: Mosque, Hailey Road; Tomb, National Stadium]</p> <p>Sufficient details missing: CPWD<sup>4</sup>: All entries DoA: Sl. 2 (Bhuli Bhatiyari ka mahal)</p>

<sup>3</sup> New Delhi Municipal Council.

<sup>4</sup> Central Public Works Department.

3. The Court has deliberated the matter in-depth with the respondents, as also Mr. S.D. Sanjay, learned Additional Solicitor General<sup>5</sup>, appearing for the Ministry of Housing and Urban Affairs and the ASI. Learned counsel for the other respondents have also been heard. Learned senior counsel for the petitioner, the petitioner himself and Dr. Swapna Liddle have also addressed us.

4. Dr. Swapna Liddle has graciously given certain suggestions, which, to our mind, are very practical, realistic and need to be implemented immediately. To make the exercise more focussed, we request her to provide this Court with five basic issues which need to be, and can be, addressed immediately, in the background of what has been placed on record in the affidavits of various authorities, to begin with. We request her to do so within two weeks. She may file the same herself or through any Advocate-on-Record of her choice. Registry shall accept such filing as is.

5. With regard to Item No.19 in ASI's List (walls of the old City of Tughlaqabad), it is stated that there are encroachments within the same, which on the one hand have not been removed, and on the other hand, there is rampant increase, both horizontally and laterally, of the said encroachments. This indicates that the area is open to encroachment by various land *mafia*, surprisingly right under the nose of the authorities. It transpires that the High Court of Delhi is looking into the matter in W.P. (Civil) No.1475/2001, titled '*S N Bhardwaj v Archaeological Survey of*

<sup>5</sup> 'ASG'.

*India'* with other connected cases. In the said proceedings, on 24.09.2025 [2025 SCC OnLine Del 6319], a learned Division Bench of that High Court constituted a Committee, comprising the following, for *'deliberations and appropriate decision'* apropos *'survey of the area and devise a joint policy decision not only for removal of illegal encroachments and constructions but also to rehabilitate those who may be required to be uprooted and displaced'* :

1. Secretary, Department of Housing and Urban Affairs, Government of India - Chairman;
2. Director General, Archaeological Survey of India - Member;
3. Secretary, Department of Housing and Urban Development, GNCTD - Member;
4. Commissioner, Municipal Corporation of Delhi - Member;
5. Commissioner, Delhi Police - Member;
6. Vice Chairman, Delhi Development Authority - Member;
7. Divisional Commissioner, Revenue Department, GNCTD - Member; and
8. Any other person/Officer/Body which the Committee deems fit may be co-opted.

6. Following up, in the High Court's subsequent Order dated 18.03.2026, at Paragraph No.4 it was indicated to the Committee that *'rules for finalizing the agency to conduct the survey at the site has been received'*, but the necessary order was yet to be issued and assurance was given by the Director-General, ASI to the said Committee that survey of the Fort area would be completed

within a period of two to three months. It appears that the agency, proposed to be finalised, is a private concern. The tendering process, we are informed, has already proceeded and only the final step viz. issuance of Work Order remains to be issued. We hereby direct that the Work Order shall not be issued. We are of the firm opinion that the survey of the nature contemplated being assigned to a private concern, appears to be absolutely unjustified. The departments/agencies of the Government, Central or State, or of the National Capital Territory, as the case may be, cannot abdicate their responsibilities and outsource matters such as the survey which can be and ought to be done in-house. A departmental organization like the ASI, which has a battery of professionals, be it, engineers, architects and otherwise, has to conduct the survey on its own wherewithal. Assistance, if at all needed, can be taken of governmental institutions. The same be done. In this connection, the Committee formed by the High Court shall also involve the Indian Institute of Technology, Delhi<sup>6</sup> and the School of Planning and Architecture, Delhi<sup>7</sup>. The Directors of both these institutions shall constitute a team which will work in tandem with the officers of the Departmental heads, who form part of the Committee. As has been directed in the Order dated 18.03.2026 *supra*, the Commissioner of Police, Delhi, shall ensure that the team is protected. The team shall submit a report to the Committee, which shall be placed alongwith comments/remarks of the

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<sup>6</sup> 'IIT-D'.

<sup>7</sup> 'SPA'.

Committee before the High Court on the next date fixed, which is 01.07.2026. We only request the High Court to take up the matter on priority and ensure that whatever directions are called for, are issued at the earliest.

7. We also add that the survey shall indicate and demarcate the exact nature of the existing structures and the extent of such structures. Detailed and comprehensive photography with time/date-stamping shall be done to ensure that even in existing structures additions are not made later. If any discrepancy/incorrect facts come to light in the Report (with the Committee's comments, as noted above), the Members of the Committee and the team constituted shall be personally liable in that respect. Similarly, it shall be the duty of the concerned Deputy Commissioner of Police<sup>8</sup> and the Station House Officer<sup>9</sup> to ensure that there is no addition to any existing structure or any further encroachment of any kind whatsoever, with immediate effect. If any violation/construction/encroachment is found to have taken place, from this moment onwards, the DCP and SHO shall be personally responsible for the same. The High Court is requested to closely monitor the same.

8. With a view to clarify the position, we may note that our directions were necessitated, *inter alia*, as the issue before the High Court was initially being monitored by this Court, and under Judgment dated 04.02.2016 in Civil Appeal No.699/2005 [(2016) 3

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<sup>8</sup> DCP.

<sup>9</sup> SHO.

SCC 691], this Court observed and directed:

'11) On the basis of events narrated above, the position that emerges is the following:

(a) Tughlakabad Fort is a protected monument and this Court has held in these proceedings that protection and preservation of the said monument is imperative.

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(d) Repeated orders are passed to the effect that there would not be any further construction in the protected monument i.e. Tughlakabad Fort. The effect of the said orders is that ASI is to take an action for removal of unauthorized construction as also the encroachers from the public land. There are even orders passed by this Court that for carrying out this direction, ASI is to be provided with necessary police protection as well as any other cooperation that is needed from the National Capital Territory of Delhi or any other authority.

12) Since effective orders have already been passed to this effect and the matter now only needs to be monitored to ensure that these orders are implemented in letter and spirit by taking effective steps and action in the matter, we are of the opinion that further monitoring of the cases can be done by the High Court of Delhi from where these proceedings originated.'

(emphasis supplied)

9. Thus, to strengthen the hands of the High Court and to ensure that the authorities discharge the duties cast upon them, we have considered it fit to make certain re-arrangements about the manner and modality of the survey to be conducted.

10. On a concern raised by Mr. S.D. Sanjay, learned ASG, we direct that the Directors of IIT-D and SPA shall ensure that a team is set up in terms *supra* and their services are made available to the Committee at the earliest. Further, we grant liberty to co-opt personnel from any other field to aid and assist

in the exercise assigned. However, they shall also be drawn from Government Organisations/instrumentalities of the State. We further make it clear that all expenses to be incurred by this team shall be borne, for the present, by the Ministry of Housing and Urban Affairs, Government of India. Time spent in doing the work assigned shall be treated as time spent on full-time duty by the members of the team.

11. Registry shall forward a copy of this Order to the Registrar General, High Court of Delhi, forthwith, for being placed in the records of W.P. (C) 1475/2001 and the concerned Division Bench.

12. Let the Committee also communicate this Order to the Directors, IIT-D and SPA.

13. As requested by the learned Court Commissioner, Ms. Astha Sharma, learned Advocate-on-Record and Mr. Nikunj Saxena, Advocate, shall assist him *qua* the responsibility entrusted to him by our Order(s).

14. We accept the unconditional apology tendered by Mr. Yadubir Singh Rawat, the Director-General, ASI, who was directed to appear for not filing the affidavit as directed by this Court. His personal appearance is hereby dispensed with, for the present.

15. By the next date, specific affidavit(s) with regard to all the issues identified today shall be filed by the parties. The said affidavit(s) shall also disclose the proposed plan of action, with specific time-frames, relating to all the monuments individually, which have been described in the affidavits already

filed, in brief.

16. Due to paucity of time, this Court was unable to hear the official respondents individually, which will be done on the next date.

17. Accordingly, list on 04.05.2026 at 3.30 PM.

(POOJA SHARMA)  
AR-CUM-PS

(ANJALI PANWAR)  
ASSISTANT REGISTRAR

1135  
ANNEXURE R-21

648

DIAL Month wise Runway usage				Anil sood airport authority data			
RWY	(A) RWY 29L 11R & RWY 29R 11L	(B) RWY 10 28 & RWY 9 27	Total runway % (A)+(B)	RWY	(A) RWY 29L 11R & RWY 29R 11L	(B) RWY 10 28 & RWY 9 27	Total runway % (A)+(B)
Jul-24	59%	41%	100%	Jul-24	58%	42%	100%
Aug-24	58%	42%	100%	Aug-24	58%	42%	100%
Sep-24	56%	44%	100%	Sep-24	55%	45%	100%
Oct-24	56%	44%	100%	Oct-24	55%	45%	100%
Nov-24	54%	46%	100%	Nov-24	53%	47%	100%
Dec-24	53%	47%	100%	Dec-24	52%	48%	100%
Average	56%	44%		Average	55%	45%	



AAI/DP/ATM-66

भारतीय विमानपत्तन प्राधिकरण  
AIRPORTS AUTHORITY OF INDIA

Date: 26-11-2024

To,

Anil Sood  
A 414 415  
Somdutt Chambers 1, 5 Bhikaji Cama Place,  
New Delhi - 110066

Subject: Information under Right to Information Act, 2005.

Sir,

Reference may please be made to your RTI application bearing registration number AAIDL/R/E/24/00302. The information pertaining to I.G.I Airport is as follows:

Information Sought	Reply
<p>Please provide month wise number of flights landing and taking off from Runway No(s) 27/9; 28/10, 29/11 and fourth runway for the months of July, August, September and October 2024 .Please confirm that the order dated 21032024 corrected on 16052024 is being complied with by you and the airport operator passed in OA 612 of 2023</p>	<p>1. The Arrival/Departure movement data (Month Wise) for the Runway(s) 27/9, 28/10, 29L/11R and 29R/11L for the months of July, August, September and October 2024 is attached herewith as Annexure-1</p> <p>2. The Noise Abatement procedures at IGI Airport are complied with as per the published AIP. [Published Noise Abatement Procedures can be accessed via <a href="https://aim-india.aai.aero/">https://aim-india.aai.aero/</a> → eAIP India → Part-3 (Aerodromes) → AD_2 → Aerodromes → VIDP/Delhi → AD 2.21 (Noise Abatement Procedures)]</p> <p>*Airport Operator is a Private Entity and a Third party. Therefore, the data/information regarding compliance of the order OA 612 of 2023 by the Airport Operator is not available in this office.</p>

In case, you want to go for an appeal in connection with the information provided, you may appeal to the Appellate Authority indicated below within thirty days from the date of receipt of this letter.

Sh. D K Gautam  
FAA & RED (NR)

Address: NATS Complex, IGI Airport New Delhi-110037

Phone No.: 25654212

Email: - rednr@aai.aero

Regards,

*Manoj Kumar Lohumi*  
26/11/24  
Manoj Kumar Lohumi  
GM(ATM)/CPIO  
Airports Authority of India  
IGI Airport

ANNEXURE-1

Arrival:

Month/Runway	RWY09	RWY27	RWY10	RWY28	RWY11R	RWY29L	RWY11L (NEW)	RWY29R (NEW)
Jul-24	Nil	2040	6957	365	7600	3208	105	Nil
Aug-24	2	2030	6988	655	7338	3336	215	20
Sep-24	14	3200	5625	756	5668	4595	120	116
Oct-24	Nil	6010	2319	1541	2199	8932	96	31

Departure:

Month/Runway	RWY09	RWY27	RWY10	RWY28	RWY11R	RWY29L	RWY11L (NEW)	RWY29R (NEW)
Jul-24	3671	Nil	1642	2349	268	61	9231	3198
Aug-24	2859	1	1149	2185	104	232	8085	2711
Sep-24	3355	11	1164	3917	167	42	6685	4730
Oct-24	1256	Nil	684	7313	68	373	2763	8641



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**Re: Advance Service Rejoinders in O.A. No. 528 of 2025 & IA No. 789/2025**

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**From** Madhumita Singh <madhumita@casassociates.in>

**Date** Thu 4/23/2026 4:41 PM

**To** shivankar.sukul@Trilegal.com <shivankar.sukul@Trilegal.com>; Ashly Cherian <ashly.cherian@trilegal.com>

**Cc** secy-moef@nic.in <secy-moef@nic.in>; ccb.cpcb@nic.in <ccb.cpcb@nic.in>; secy.moca@nic.in <secy.moca@nic.in>; chairman@aai.aero <chairman@aai.aero>; dgoffice.dgca@nic.in <dgoffice.dgca@nic.in>; chdpcc@nic.in <chdpcc@nic.in>; roez.lko-mef@nic.in <roez.lko-mef@nic.in>; Anil Sood (SPChetna) <anilsood@spchetna.com>; Sonali Nayak <sonali@casassociates.in>

2 attachments (23 MB)

Final rejoinder on Objections on Maintainability DIAL with annexures.pdf; Final Rejoinder to application for amending prayers with annexures.pdf;

Dear all,

Please treat this email as an advance service of the Rejoinders in the captioned Application.

Regards,  
Adv. Madhumita Singh