

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 528/2025**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP--CHETNA)APPLICANT

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

INDEX

VOLUME-IV

SL. NO.	PARTICULARS	PAGE NOS.
1.	Annexure R-10: Copy of the Reply filed by R1/MoEF in OA 612/2023	488 – 513
2.	Annexure R-11: Copy of Written Submissions filed by Applicant in OA 612/2023	514 – 530
3.	Annexure R-12: Copy of the Written Submissions filed by R-7/DIAL before this Hon'ble Tribunal in OA 612/2023	531 – 557
4.	Annexure R-13: Copy of the Additional Written Submissions filed by R-7/DIAL before this Hon'ble Tribunal in OA No. 612/2023	558 – 563
5.	Annexure R-14: Copy of Compliance Report dated 01.05.2024	564 – 631
6.	Annexure R-15: Copy of order dated 28.04.2025	632

7.	Annexure R-16: Copy order dated 26.05.2025	633 – 638
8.	Annexure R-17 Copy of the order dated 06.11.2025 passed by the Hon'ble Supreme Court	639 – 640
9.	Annexure R-18: Copy circulars dated 18.10.2024, 20.03.2025 and 03.12.2025 issued by R7/DIAL	641 – 643
10.	Annexure R-19: Copy of Reply by R-4/AAI dated 24.01.2025 to RTI query of Applicant	644 – 646
11.	Annexure R-20: Copy of the map showing locations of the NMTs	647
12.	Annexure R-21: Copy of percentage wise breakdown of arrivals and departure at Delhi Airport	648
13.	Proof of Service	649

Filed by:



**Milanka Chaudhury | Ashly Cherian |
Shivankar Sukul**
Advocates for the Respondent No. 7
TRILEGAL
1st Floor, Wing A&B, Prius Platinum,
D-3, District Centre, Saket,
New Delhi, 110017
Enrolment no.: D/1429/2000
Email: Shivankar.sukul@trilegal.com
Mobile: 9910016244

Place: New Delhi

Dated: 20.01.2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612 OF 2023

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT TRADITIONS & PROMOTION OF
NATIONAL AWARENESS

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

INDEX

S. No	Particulars	Page No.
1.	Preliminary objections on Maintainability on behalf of Respondent No. 1, Ministry of Environment Forest & Climate Change	1-8
2.	Judgment dated 24.11.2017 passed in Appeal No. 60 of 2013	9-25

Respondent No. 1

Through


Vivek Kumar Tandon

Advocate | Enrolment No. D/436/1988
404, Lawyers' Chambers, Block - I,
Delhi High Court, New Delhi - 110003
e-mail: yktlawchambers@gmail.com
Mob. 9810177733, 9810277733

New Delhi

Dated: 23.11.24

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023**

IN THE MATTER OF:

**SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS ... APPLICANT**

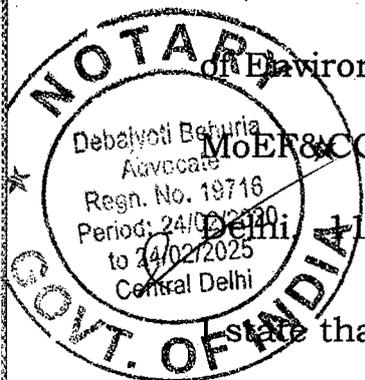
VERSUS

UNION OF INDIA AND ORS ... RESPONDENTS

**PRELIMINARY OBJECTIONS ON MAINTAINABILITY ON BEHALF OF
RESPONDENT NO.1, MINISTRY OF ENVIRONMENT FOREST &
CLIMATE CHANGE**

I, Ved Prakash Mishra, aged about 48 years, working with the Ministry of Environment Forest and Climate Change (hereinafter referred to as MoEF&CC) having office at Indira Paryavaran Bhawan, Jor Bagh, New Delhi 110003, do hereby solemnly state as hereunder:

I state that I am working with the Respondent No.1 as Director and as such I am conversant with the facts and circumstances of the present case. I state that I am competent to swear the present preliminary



वैद प्रकाश मिश्रा
एडवोकेट
रेगन. नं. 19716
काल: 24/02/2020
से 24/02/2025
सेंट्रल दिल्ली
भारत सरकार

वैद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Mo Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

steps to mitigate the noise levels at the airport and its surrounding areas.

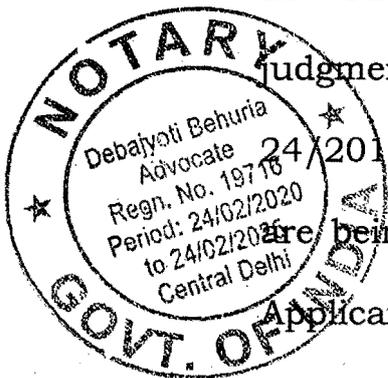
....

15. Upon due consideration of the matters in issue, we pass the following order and directions:

(1) We decline the prayer of the Appellant/Applicants in all these cases for imposition of night curfew on landing or taking off of aircrafts at the airport and more particularly on run way no. 11/29.

b) Prayer 3 and 4 regarding implementation of the Notification dated 18.06.2018 issued by the answering Respondent has also been considered by this Hon'ble Tribunal in its judgment dated 18.09.2019, passed in the execution application bearing number Execution Application No. 24 of 2019, which the Applicant has failed to disclose in the present OA. Failure of the Applicant to disclose the execution application filed by it and the judgment dated 18.09.2019 passed by this Hon'ble Tribunal amounts to concealing of material facts which should be viewed strictly by this Hon'ble Tribunal.

c) Prayer 5 and 6 regarding displaying the noise levels recorded at the IGIA, has also been considered by this Hon'ble Tribunal in its judgment dated 18.09.2019 passed in Execution Application No. 24/2019. It is submitted that the noise levels recorded at the IGIA are being displayed on the website of the airport operator. The Applicant has also deliberately failed to disclose this fact in its OA



वेद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

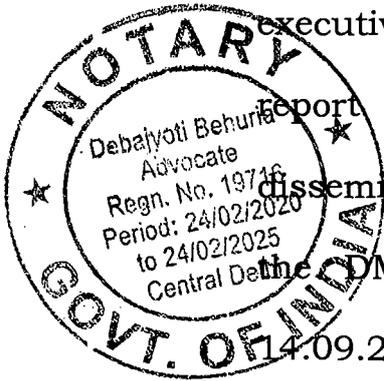
Ved Prakash Mishra

वेद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

and has sought to claim reliefs which has already been adjudicated upon by this Hon'ble Tribunal.

4. Without Prejudice to the above, the answering Respondent states that the Environmental Clearance dated 30.05.2018 granted to Delhi International Airport Limited ("**DIAL**") has been issued subsequent to thorough verification, ensuring DIAL's compliance with all stipulations delineated in the Environment Protection Act 1986, relevant regulations, and S.O. 1533(E) dated 14.09.2006.
5. In adherence to this requirement of S.O. 1533(E) dated 14.09.2006, public hearing was conducted on 03.07.2017 by the Delhi Pollution Control Committee in collaboration with the District Magistrate. The Meeting of Minutes (MoM) dated 03.07.2017 clearly document discussions on noise levels and measures to be taken by DIAL. The executive summary, draft Environmental Impact Assessment Report ('EIA report'), and Environment Management Plan were disseminated to relevant government offices, including the office of the DM, New Delhi, as mandated by S.O. 1533(E) dated 14.09.2006.

6. The draft EIA report and the presentation at the public hearing comprehensively addressed data related to noise and air pollution. Minutes of the meeting, approved by the Chairperson (District



वेद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

Magistrate), were prepared and issued by Respondent No. 6 (DPCC).

7. The final EIA report was submitted with the answering Respondent responding to the public views/comments/suggestions as given in the MoM dated 03.07.2017 issued by DPCC and the DM for the grant of Environmental Clearance.
8. The MoM describes very well the conduct of public hearing which is compliance to S.O. 1533(E) dated 14.09.2006. There is no irregularity in the issuance of Environmental Clearance to DIAL, as the prescribed process outlined in S.O. 1533(E) dated 14.09.2006 has been duly followed. Additionally, as per Environmental Clearance conditions, the project proponent is mandated to submit periodic compliance report with status of compliance , including monitored data results. DIAL consistently submits its periodic Environmental Clearance compliance reports to the monitoring officer appointed by the answering Respondent. This establishes a systematic process of monitoring and reviewing compliance with the conditions specified in the Environmental Clearance.

Moreover, the assertions made by the Applicant concerning the issuance of Environmental Clearance to DIAL, despite purportedly acknowledging in the EIA that the noise levels at IGIA exceed the



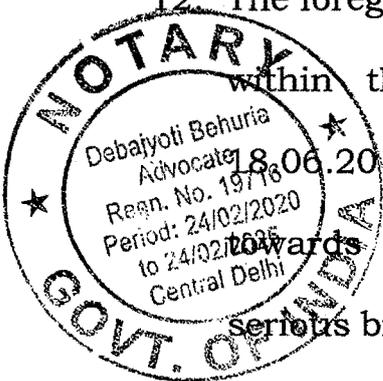
वेद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

levels stipulated in the Notification dated 18.06.2018, are predicated on misrepresentation. This is attributed to the fact that both the Environmental Impact Assessment (EIA) and Environmental Clearance for DIAL were conferred prior to the issuance of the Notification dated 18.06.2018. The Applicant, through deliberate misrepresentation of facts, has levied serious accusations against the Respondent No.1, warranting appropriate consequences.

10. Moreover, subsequent to the issuance of the Notification dated 18.06.2018, DIAL has developed and obtained the approval from DGCA for Airport Noise Zone.

11. Furthermore, DIAL has installed dedicated online aircraft noise monitoring system in all the runway approach and consistently monitors the noise levels at IGIA and regularly publishes the recorded levels on its website. The noise levels documented by DIAL adhere to the levels stipulated in the Notification dated 18.06.2018 issued by the answering Respondent.

12. The foregoing establishes that the noise levels recorded at IGIA fall within the prescribed limits as per the Notification dated 18.06.2018. However, the Applicant has made serious accusations towards statutory authorities, accusing them of committing a serious breach of trust and exposing citizens to noise pollution and associated health issues. The Applicant, in making these



VED PRAKASH MISHRA
VED PRAKASH MISHRA
निदेशक/ Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

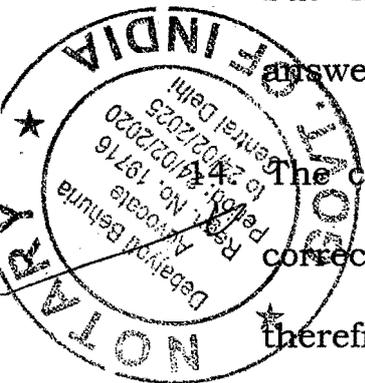
VED PRAKASH MISHRA
VED PRAKASH MISHRA
निदेशक/ Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

(Handwritten signature)

allegations, has failed to provide any evidence or raise any reasonable doubt regarding noise pollution, Environmental Clearance (EC) grant, concealment of vital information, or any serious breach of trust by statutory authorities. It appears that the intentions of the applicant are different, seemingly driven by ulterior motives aimed at serving personal interests.

13. In light of the above, the present OA deserves to be dismissed with costs as the Applicant is not only guilty of concealing material facts, but has also knowingly made false statements, which the answering Respondent has illustrated above.

The contents of the present preliminary objections are true and correct to my knowledge and nothing material has been concealed therefrom this Hon'ble Tribunal.



[Signature]

DEPONENT

वेद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

VERIFICATION

23 JAN 2024

Verified at New Delhi on this the _____ day of January, 2024 that the contents of this affidavit are based on official record(s) maintained and information available in the office are correct to my knowledge and belief. No part of it is false and nothing

has been concealed there from. *[Signature]*

Identified by *[Signature]*
Has solemnly affirmed before me at Delhi on *[Signature]*

23 JAN 2024

That the contents of the affidavit which have been read & explained to *[Signature]* are true & correct to his/her knowledge

[Signature]

DEPONENT

वेद प्रकाश मिश्रा
VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

23 JAN 2024

VED PRAKASH MISHRA
निदेशक/Director
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Min. of Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

[Signature]
I identified the deponent who has signed in my presence.

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

.....

APPEAL NO. 60 OF 2013 (T_{HC})

IN THE MATTER OF:

Society for Protection of Culture Heritage,
Environment, Traditions and Promotions of
National Awareness (CHETNA)
A-417 - 418, Som Dutt Chambers - I,
5 - Bhikaji Cama Place,
New Delhi - 110066

.....Appellant

Versus

1. The Union of India
 - (A) Through the Secretary
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
New Delhi-110003
 - (B) Through the Secretary
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex
Lodhi Road,
New Delhi-110003
2. The Director General of Civil Aviation
Opp. Safdarjung Airport,
Aurbindo Marg,
New Delhi-110003
3. The Chairman
Central Pollution Control Board
Parivesh Bhawan
CBD-cum-Office Complex
East Arjun Nagar
Delhi-110032
4. The Chief Operating Officer
Delhi International Airport Ltd.,
Udaan Bhawan,
Terminal 1 B, IGI Airport
New Delhi - 110037

5. Airports Authority of India
 (Service to be effected through
 Its General Manager (ATC)
 Rajiv Gandhi Bhawan
 Safdarjung Airport
 New Delhi-110003

.....Respondents

AND

ORIGINAL APPLICATION NO. 115 OF 2013 (T_{HC})

IN THE MATTER OF:

1. Bijwasan Gram Vikas Samiti
 A Society registered under the
 Societies Registration Act, 1960
 Kh. No. 211/2, Near Railway Crossing
 Bijwasan Village, Delhi-110061
 Through Mr. Chet Singh Rana,
 President, Bijwasan Gram Vikas Samiti
 Bijwasan, Delhi
2. Samalka Residents Welfare Association
 A Society registered under the
 Societies Registration Act, 1960, its
 Registered office at Hira Public School,
 Samalka Village, New Delhi
 Through Mr. Harbans Singh,
 President,
 Samalka Residents Welfare Association
 Samalka, Delhi
3. Pushpanjali Farms Owners &
 Residents Association
 A Society registered under the
 Societies Registration Act, 1960, its
 Registered office at A-8, Pushpanjali Farms,
 Bijwasan, Delhi-110061
 Through Mr. Vivek Mahna,
 President,
 Pushpanjali Farms Owners & Residents Association
 Bijwasan, Delhi

.....Applicants

Versus

1. Union of India
 Through the Secretary
 Ministry of Civil Aviation,
 Rajiv Gandhi Bhavan,
 Safdarjung Airport,
 New Delhi-110003

2. The Secretary
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex
Lodhi Road,
New Delhi-110003
3. The Director General of Civil Aviation
Opp. Safdarjung Airport,
Aurbindo Marg,
New Delhi-110003
4. The Chairman
Central Pollution Control Board
Parivesh Bhawan
CBD-cum-Office Complex
East Arjun Nagar
Delhi-110032
5. The Chief Operating Officer
Delhi International Airport Ltd.,
Udaan Bhawan,
Terminal 1 B, IGI Airport
New Delhi - 110037

.....Respondents

AND

ORIGINAL APPLICATION NO. 117 OF 2013 (T_{HC})

IN THE MATTER OF:

1. Indian Spinal Injuries Hospital
Sector-C, Vasant Kunj
Opposite Vasant Valley School
New Delhi-110070

.....Applicant

Versus

1. Union of India
Through the Secretary
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
New Delhi-110003
2. The Secretary
Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex
Lodhi Road,
New Delhi-110003

3. The Director General of Civil Aviation
Opp. Safdarjung Airport,
Aurbindo Marg,
New Delhi-110003
4. The Chairman
Central Pollution Control Board
Parivesh Bhawan
CBD-cum-Office Complex
East Arjun Nagar
Delhi-110032
5. The Chief Operating Officer
Delhi International Airport Ltd.,
Udaan Bhawan,
Terminal 1 B, IGI Airport
New Delhi - 110037

.....Respondents

AND

**ORIGINAL APPLICATION NO. 90 OF 2014
(M.A. No. 613 OF 2014)**

IN THE MATTER OF:

1. Neelam Sanjiv
D-3/3016, Vasant Kunj
New Delhi-110070

.....Applicant

Versus

1. The Directorate General of Civil Aviation
Opp. Safdarjung Airport,
Aurbindo Marg,
New Delhi-110003
2. Airports Authority of India
Rajiv Gandhi Bhawan
Safdarjung Airport
New Delhi-110003
3. Delhi International Airport Ltd.,
New Udaan Bhawan,
Opp. Terminal 3, IGI Airport
New Delhi - 110037
4. Ministry of Environment and Forests,
Paryavaran Bhavan, CGO Complex
Lodhi Road,
New Delhi-110003

.....Respondents

COUNSEL FOR APPELLANT/APPLICANTS:

Mr. Sanjiv Anand, Ms. Madhumita Singh, Mr. Anil Sood, Mr. Akshay Kapoor, Advocates
 Mr. Balendu Shekhar, Advocate
 Mr. Sanjiv Dagar, Advocate

COUNSEL FOR RESPONDENTS:

Ms. Panchajanya Batra Singh, Advocate and Ms. Aanya Shrotriya, Advocate for MoEF
 Ms. Anjana Gosain, Ms. Shalini Nair Advocates.
 Mr. Sanjeev Ralli, Advocate with Mr. Dinesh Jindal, LO for DPCC
 Mr. Ashwani Kumar, Sr. Advocate with Mr. Chaitanya Puri, Advocate
 Mr. Abhishek Sharma, Advocates.
 Mr. Raj Kumar, Advocate with Mr. Bhupender Kumar, L.A.
 Mr. B.V. Niren, Mr. Prasouk Jain, Mr. Vinyak Gupta Advocate
 Ms. Alpana Podder, Advocate for CPCB
 Mr. Priyadarsh Gopal, Advocate for AAI
 Mr. A. W. Siddin, Advocate for DGCA
 Mr. A. K. Prasad, Advocate
 Mr. Rameeza Hakeem, Advocate
 Mr. Alpha Phiris Dayal, Advocate
 Mr. Atul Nanda, Sr. Advocate
 Mr. Aayush Juneja & Mr. Anuj Aggrawal, Advocates
 Mr. Yash Srivastava, Advocate
 Mr. Rajat Barar, Advocate
 Mr. Divya Prakash Pande, Advocate
 Mr. Atul Chandra, Chief Flight Operations Instructor

JUDGMENT/ORDER**PRESENT:****HON'BLE MR. JUSTICE SWATANTER KUMAR (CHAIRPERSON)****HON'BLE DR. JUSTICE JAWAD RAHIM (JUDICIAL MEMBER)****HON'BLE MR. BIKRAM SINGH SAJWAN (EXPERT MEMBER)**Reserved on: 20th November, 2017Pronounced on: 24th November, 2017

1. Whether the judgment is allowed to be published on the net?
2. Whether the judgment is allowed to be published in the NGT Reporter?

JUSTICE SWATANTER KUMAR (CHAIRPERSON)

By this common order, we shall dispose of the above four cases mentioned in the Appeal No. 60 of 2013, as common questions of law

based on somewhat similar facts arise for consideration of the Tribunal in these cases. The Appellant/Applicant in all these appeal/applications had approached the High Court of Delhi at New Delhi by invoking Article 226 of the Constitution of India in the year 2009 and all these writ petitions came to be transferred to this Tribunal *vide* order dated 16th April, 2013 passed by the High Court of Delhi at New Delhi in terms of the judgement of the Hon'ble Supreme Court of India in the case of *Bhopal Gas Peedith Mahila Udyog Sangathan & Ors. vs. Union of India & Ors.* dated 9th August, 2012. Upon transfer, the writ petitions were renumbered as appeal/applications and were being heard together. We may refer to the facts giving rise to the appeal/applications before the Tribunal very concisely.

2. Writ Petition No. 9337 of 2009 was filed by the Society for Protection of Culture, Heritage, Environment, Traditions & Promotions of National Awareness, a Society registered under the Societies Act, 1960. In this writ petition, the Petitioner had prayed for quashing of the order dated 17th January, 2007 *by* which Respondent No. 1 had granted Environmental Clearance for construction of 3rd run way 11/29 at IGI Airport, New Delhi. Further, it was prayed that a prohibitory order be issued against the respondents to stop flying the aircrafts over the areas of Vasant Kunj, Masudpur and Rangpuri with immediate effect. The aircrafts should also be prohibited from landing at run way 11/29. The principal ground taken in the writ petition was that, within 100 meters of run way, there were schools, hospitals and residential colonies. The takeoff and landing of aircrafts at the said

run way and airport was causing serious noise pollution and was disturbing the life and sleep of the people around that area. This was in violation of the Noise Pollution (Regulation and Control) Rules, 2000. The noise level reached from 74 - 84 dBA in the areas of Vasant Kunj and around. The Environmental Clearance granted was without application of mind and was violative of the settled principles of environmental jurisprudence. The writ petition was contested by the official respondents including the Director General of Civil Aviation, CPCB and Airport Authority of India. They denied the allegations made in the writ petition and prayed that the writ petition be dismissed.

3. Though, the Appellant/Applicants had prayed for interim orders which were not granted by the High Court. However, as noticed in the order dated 27th May, 2009, it was stated before the High Court by Respondent Nos. 1 and 4 that they would suggest some measures to reduce the noise pollution on account of 3rd run way at the International Airport. The matter remained pending before High Court until passing of order dated 16th April, 2013 by which the writ petition was transferred to the Tribunal and was registered as Appeal No. 60 of 2013 (THC).

4. Writ Petition No. 13675 of 2009 was filed by Bijwasan Gram Vikas Samiti. It was stated in this writ petition that serious noise pollution was being caused by the aircrafts at the international airport, New Delhi. The conditions of the Environmental Clearance granted to Respondent No. 5 had been violated and not complied with.

It was further stated that the several mitigative measures to reduce the impact of noise pollution should have been taken by the respondents including orientation of the run way, proper scheduling of the aircrafts and use of acoustic noise absorbing materials and green cover development. The petitioner had prayed that the respondents should be directed to take necessary measures to mitigate the noise pollution caused by the aircrafts in run way 11/29 of the IGI Airport. This writ petition was transferred to the Tribunal *vide* order dated 16th April, 2013 and came to be registered as Original Application No. 115 of 2013 (T_{HC}) before the Tribunal.

5. Writ Petition No. 12719 of 2009 was filed by Indian Spinal Injuries Hospital, Vasant Kunj referring to the issue of noise pollution causing disturbance to the patients of hospitals, as it fell on the flight path of the aircrafts landing on run way 11/29, raising other similar grounds as well. It is specifically averred that reports of World Health Organization suggest that thousands of people around the world may be dying prematurely or succumbing to disease through the ill-effects of chronic noise exposure. According to the reports, investigations have revealed that the blood vessels, which feed the brain, dilate due to noise thereby causing headache. Besides these, other ill-effects of noise on the human body are in the form of galvanic skin response, ulcer formation, changes in intestinal motility, etc. According to the petitioner, the Vasant Kunj area is required to be protected as silence zone. Huge noise is generated by trafficking of the aircrafts to the domestic terminal and it is going to cause huge inconveniences. There are serious and critical patients in the hospitals and constant noise

pollution causes serious health issues and hampers patient care in the hospital. On this premise, the Petitioner prayed in the writ petition that the order granting Environmental Clearance dated 17th January, 2007 be quashed. The aircrafts should stop flying over the densely populated areas of Vasant Kunj, Masudpur and Rangpuri and also the petitioner's hospital. No aircraft should be permitted to land on run way 11/29. *Vide* order dated 16th April, 2013 the said writ petition was transferred to the Tribunal and came to be registered as Appeal No. 117 of 2013 (THC).

6. Neelam Sanjiv, a resident of Vasant Kunj, filed an application under Section 14 and 15 of the National Green Tribunal Act, 2010 (for short, "Act of 2010") before the Tribunal directly and it was registered as Original Application No. 90 of 2014. Invoking the Precautionary Principle and Polluter Pays Principle, the Applicant prayed for night curfew, restricting flight operations, framing noise abatement procedure plan to be followed at the IGI Airport, stopping aircraft landing on run way 11/29 and providing compensation for mental agony to the residents of Vasant Kunj.

7. Respondents in all these appeal/applications are common and as already noticed they have vehemently contested the same. It is prayed by the respondents that the grounds taken by the applicants are without any basis and the appeal/applications need to be rejected.

8. In view of the approach that we propose to adopt while dealing with these cases, it is not necessary for us to notice the rival contentions raised before the Tribunal in a greater detail. It is

pertinent to note that the applications were argued on different occasions and finally the parties commonly conceded before the Tribunal that the controversies between parties would fall in a narrow compass, namely:

- (a) Taking mitigation measures for controlling noise pollution at the IGI Airport, New Delhi;
- (b) Expert Body be appointed to suggest erection of appropriate barriers for control of noise pollution and for taking other remedial measures;
- (c) The aircrafts should be restricted from applying reverse thrust upon landing as it results the maximum noise level;
- (d) There should be night curfew on flight operations atleast between 10:00 pm to 05:00 am and/or the same should be regulated.

Within the ambit and scope of the above limited issues, the matter was heard by the Tribunal on different dates. It is pertinent to note that the present cases were not approached by the learned Counsel appearing for either parties as adversarial litigation, submissions were made objectively in order to provide constructive resolution to the issues raised before the Tribunal. The order of Delhi High Court dated 16th April, 2013 was assailed before the Hon'ble Supreme Court of India. However, the Hon'ble Supreme Court of India declining to interfere in the order of High Court of Delhi directed the Tribunal to dispose of the matter within six months and also directed that the parties to the proceeding would not claim any interim order before the Tribunal. Accordingly, hearing of the cases were expedited.

9. Amongst other directions, the Tribunal had also directed IIT Delhi to submit a detailed report before the Tribunal in relation to construction of sound barriers around the boundary of the airport and other allied subjects. The Ministry of Environment, Forest & Climate Change (for short, "MoEF&CC) had also filed a report before the Tribunal in furtherance to the order dated 27th January, 2016. Ministry of Civil Aviation had also filed documents in relation to mitigating factors to reduce the noise pollution in the area of domestic airport and the international airport. A statement was also filed showing the steps taken for mitigation of the noise levels while taking into consideration the comments submitted by the Appellant/Applicants. *Vide* order dated 16th September, 2016, the Tribunal had directed the matter to be heard in relation to need and extent of mitigation measures that should be taken by the stakeholders along with suggestions made by the Appellant/Applicants and arguments should be confined to those aspects. Delhi International Airport received recommendations from IIT and took liberty from the Tribunal to file the same with affidavit *vide* order dated 29th March, 2017. However, further time was prayed for completion of the report by IIT Delhi which was granted *vide* order dated 12th May, 2017 and IIT Delhi was directed to expedite the report in furtherance to the scope of the work which it was given specifically to do. Further extension was granted *vide* order dated 17th July, 2017. The interim report was filed before the Tribunal on 6th September, 2017 and final report was placed on record on 21st September, 2017. Thereafter, the matter was

heard on merit within the ambit and scope, as recorded in the orders of the Tribunal.

10. As already noticed, the fundamental issue which required to be adjudicated by the Tribunal was with regard to mitigation measures or steps that were required to be taken by the official respondents as well as other stakeholders. IIT report was also subject matter of the deliberation and consideration before the Tribunal. From the reports filed by the MoEF&CC and Director General of Civil Aviation, it was evident that considerable and effective mitigation measures have been taken to reduce the noise level in that area.

11. The provision of Section 20 of the Act of 2010, requires the Tribunal to apply Principle of Sustainable Development, Precautionary Principle and Polluter Pays Principle, where the cases involving substantial environmental issues before the Tribunal are to be decided.

12. Keeping in view the facts and circumstances of the present case, the Tribunal has to apply Principle of Sustainable Development and Precautionary Principle. The Precautionary Principle mandates all the stakeholders to take such precautions as would not only prevent any further increase in the noise level but would also reduce the noise pollution in that area. It is nobody's case before the Tribunal that the noise levels in that area are strictly within the prescribed levels. The Principle of Sustainable Development would require a balance to be struck between the environmental protection in relation to noise pollution and other substantive State Policies founded on socio-

economic principles, public good and necessity. In the present day, the globe has turned into one big family and the distances from one country to another, from one State to another, from one city to another are covered in short durations, thus, making it necessary that the effective transportation means are provided not only to the people of India but also to the entire global community. Providing an effective, efficient and resourceful airport is also the obligation of State, while equally it is the obligation of the State to ensure compliance to the prescribed noise levels. The Tribunal has to strike a balance between the two and permit the State to carry on an activity which is in the interest of the country and the public at large and is not entirely derogatory to the interest of environment. The rights of people are subject to the restrictions which have to be reasonable. To say that airport should be shut for the entire night would neither be in consonance with the Principle of Sustainable Development nor would it be an option open to the State in the peculiar circumstances prevailing internationally today. Rather every effort should be made by the State and other stakeholders and they must take all mitigation measures to ensure that the noise levels are brought to the possible minimum extent. It is on record before us that nearly 80 to 82 flights takeoff or land every hour at the Delhi domestic/international airport, this shows the extent of air traffic that the airport is handling and to put a prohibition or a night curfew would not be rational and would not be in line with the doctrine of Sustainable Development. It is not established before us at this stage that the stakeholders particularly

the official respondents are not taking adequate steps to mitigate the noise levels at the airport and its surrounding areas.

13. The authorities have agreed to implement the report and recommendations of IIT Delhi in all respects. It was contended by the Appellant/Applicants that the noise barriers being constructed at the boundary of the airport should be of greater height and not the height that has been suggested. This is a matter which should be examined by the Expert Body keeping in view the technical and security aspects. The respondents have not raised any objections and have assured the Tribunal that they would consider the suggestions objectively and if necessary take opinion of the Expert Body including IIT Delhi and take appropriate steps in this regard.

14. In relation to applying of reverse thrust, Director General of Civil Aviation has produced its senior most technical officer before the Tribunal, who fairly stated that application of reverse thrust alongwith brakes after landing is a judgemental decision that has to be made by the Pilot keeping in view various conditions like weather, length of the run way, passenger load of the aircraft and other attendant circumstances. According to him, depending on the length of run way, it would be possible to permit landing without applying reverse thrust, but there cannot be absolute direction in that behalf and it could at best be an advisory issued by the authority. Thus, even in this behalf, the stand of the respondents appears to us to be reasonable and not arbitrary. This would help to some extent in reducing the noise level.

All these issues and also the submission/suggestions of all the parties before the Tribunal were examined.

15. Upon due consideration of the matters in issue, we pass the following order and directions:

1. We decline the prayer of the Appellant/Applicants in all these cases for imposition of night curfew on landing or taking off of aircrafts at the airport and more particularly on run way no. 11/29.
2. We also decline the prayers of the Appellant/Applicants for issuances of directions to the Central Government and other official respondents for providing sound proofing of the houses in the colonies, falling on the flight pathway of aircrafts while landing and taking off.
3. We direct all the official respondents to take all mitigating measures for reducing noise pollution in terms of the report submitted by MoEF and as even proposed by these very respondents themselves, expeditiously.
4. The official respondents shall act in furtherance to the report of IIT in relation to construction of sound barriers, which report of IIT is accepted by the Tribunal.

However, if any, variations are suggested and the official respondents consider it proper to carry out such variations on the ground of safety, security and height of the sound barrier walls, the same may be implemented after discussion with the

team of IIT. The sound barriers should be constructed at the earliest and in accordance with report.

5. The official respondents shall ensure providing of a green belt around the boundary wall of the airport, while keeping the safety and security both in mind. The plantations shall be of the species which would only grow to the permissible height or would be maintained at the permissible height only.
6. The official respondents may issue an advisory to all the airlines whose aircrafts land at the runway of the IGI and domestic Airport, New Delhi to ensure 'judgment based' use of reverse thrust keeping in view weather, length of run way, wind, and other attendant circumstances to reduce the noise level particularly at the time of landing of aircrafts.
7. All the coaches/buses and other vehicles plying at the airport should be CNG and must comply with the prescribed emission standards. Non-CNG buses/coaches or other vehicles plying at the airport, should be converted to CNG within six months from today.
16. While leaving the parties to bear their own costs, we dispose of all these appeal/applications with the above terms.
17. In view of the order in the main appeal/applications, all miscellaneous applications also stand disposed of as having become infructuous.

**Swatanter Kumar
Chairperson**

Dr. Jawad Rahim
Judicial Member

Bikram Singh Sajwan
Expert Member

New Delhi
24th November, 2017



BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

ORIGINAL APPLICATION No.612 OF 2023

IN THE MATTER OF:

**Society for Protection of Culture Heritage, Environment,
Traditions and Promotions of National Awareness
(SPCHETNA)**

... Applicant

Versus

Union of India & Ors.

... Respondents

INDEX

S. No.	Particulars	Pg. No.
1.	Brief Written Submissions on behalf of the Applicant	1-4
2.	ANNEXURE A (COLLY): Online Noise level recorded by respondent no.2 on 2 nd February 2024 and 3 rd February 2024 as downloaded from its website	5-13
3.	ANNEXURE B: Screenshots of all the pages of the website https://www.newdelhiairport.in/	14-16
4.	Proof of Service	17

FILED BY:



ADV. MADHUMITA SINGH & ADV. SAMEER SOOD
COUNSEL FOR THE APPLICANT

A 414-415, SOMDUTT CHAMBERS 1,
BHIKAJI CAMA PLACE,
NEW DELHI-11006

Email: madhumita@casassociates.in
sameer@casassociates.in

Ph.: 9971117818, 9999245900, 9999345900

NEW DELHI

DATED: 05.02.2024

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

ORIGINAL APPLICATION No.612 OF 2023

IN THE MATTER OF:

**Society for Protection of Culture Heritage, Environment,
Traditions and Promotions of National Awareness
(SPCHETNA)**

... Applicant

Versus

Union of India & Ors.

... Respondents

BRIEF WRITTEN SUBMISSIONS ON BEHALF OF THE APPLICANT

1. As noted in the order dated 31st January, 2024 passed by this Hon'ble Tribunal, the applicant is confining the present application to the respondents noncompliance with the noise limits prescribed under Notification no. G.S.R. 568(E) dated 18th June, 2018 for the airport noise zone (the notification is at Pg. 327 to 330 of the additional documents filed by the applicant) and seeking a direction against the respondents to comply with the prescribed noise limits.
2. In terms of the said notification, the Ambient Air Quality Standards prescribed with respect to Noise in Airport Noise Zone limits is 70 dB(A) Leq in daytime and 65 dB(A) Leq in night time at Busy Airports.
3. Respondent no.9 at page no. 437 of its Preliminary objections, vide email dated 9th June 2022 has admitted that Vasant Kunj is in landing funnel thus falls within Airport Zone. Relevant text of the email is reproduced as under:

“Dear Sir,

This is in reference to your complaint dated 25th May 2022. Your complaint has been responded previously. However at the cost of repetition, we should inform you once again that the location of Vasant Kunj and DDA plots which you refer to is part of runway funnel area and under the designated aircraft arrival and departure routes of Airport, which are operational since 2009.”

4. The applicant submits that the noise levels in the Airport Noise Zone, in which also falls Vasant Kunj and its neighbouring areas is not within the limits prescribed by notification dated 18th June, 2018 and are much beyond and this is clear from –
- (i) Noise levels recorded by the applicant from 19.09.2023 to 19.10.2023 at different timings [Annexure-11 (Pg. 393 to 414) of the additional documents filed by the applicant]. Barring stary incident, the maximum noise generated exceeds beyond prescribed limit even after including tolerance limit of 10%.
 - (ii) The PDF reports downloaded by the applicant of all the ten monitoring stations, from 02.01.2024, 03.01.2024 and 04.01.2024 available on the Online Noise Monitoring link provided by respondent no.2, from its website and filed as Annexure-3 (Colly) with the rejoinder to the preliminary reply of respondent no.9.
 - (iii) The Applicant is attaching Online Noise level recorded by respondent no.2 on 2nd February 2024 and 3rd February 2024, as downloaded from its website (annexed herewith as Annexure-A Colly). A perusal of the same indicates that the noise level on 2nd February 2024 ranges above 70dBA and goes up to 123.9 dBA to 137.4 dBA and on 3rd February 2024 ranges above 70 dBA and goes up from 128.5 dBA to 142 dBA, which are abnormally high and way above notified limits.
5. As per terms of the Environmental Clearance bearing file No. 10-72/2016-1A-III dated 30th May 2018 as per “Part A Specific Condition” no. xxii at page no. 67 of the OA, and Part B condition no. iii at page no 68 of the OA provides for the following:

“Part A Specific Condition – page 67

(xxii) During airport operation period, noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with prevalent regulations. A monitoring station for ambient air and noise levels shall be provided in the village nearest to the airport.

Part B condition no. iii at page 68

(iii) The overall noise levels in and around the airport shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc., on all the sources of noise generation. The ambient noise levels shall conform to standards prescribed under the EPA Rules, 1989 viz 78 dBA (daytime) and 70 dBA (Night time).

4. The Regional Office of this Ministry/Central Pollution Control Board will monitor the stipulated conditions. A six monthly compliance report and the monitored data along with the statistical interpretation shall be submitted to them regularly.

”

6. Respondent no.4 while providing aeronautical services and airport services records the noise levels at the boundary of the airport. A copy of such report has been provided by Regional Office, Madras (Copy of Fortnightly reports for the period 01-08-2022 to 15-08-2022 and 15-09-2022 to 30-09-2022 submitted as additional documents at page no.(s) 433 to 462). A perusal of the said report under the heading Lamax (T)(DB) indicates the noise levels exceeding the prescribed limits However, Respondent No.4 has refused to provide same details about Delhi Airport.

7. That Applicant had been repeatedly surfing website of Respondent No.9 and could not locate the tab which could lead to page showing noise levels. However, could not locate the link or tab which was shown by Respondent No.9 during the hearing. Further, Respondent No.9 in none of the correspondence exchanged provided the said link to the Applicant. Applicant is attaching screenshots of all the pages of the website <https://www.newdelhiairport.in/> in support to its submissions as **annexure B**, and respectfully prays that the Hon'ble Bench may cross check submission made by Applicant independently without any assistance so as to know the factual position.
8. That, the Applicant respectfully submits that respondent nos.2, 4 and 6 be directed to submit the aforesaid details before this Hon'ble Tribunal for proper adjudication of the issue whether the conditions of the notification are being complied with or not.
8. Once the aforesaid documents are placed on record and shared with the Applicant for assisting Hon'ble Tribunal, and if it is found that the noise levels recorded fall within the limits notified, nothing would have survived in the present OA.

FILED BY:



ADV. MADHUMITA SINGH & ADV. SAMEER SOOD

COUNSEL FOR THE APPLICANT

A 414-415, SOMDUTT CHAMBERS 1,

BHIKAJI CAMA PLACE,

NEW DELHI-11006

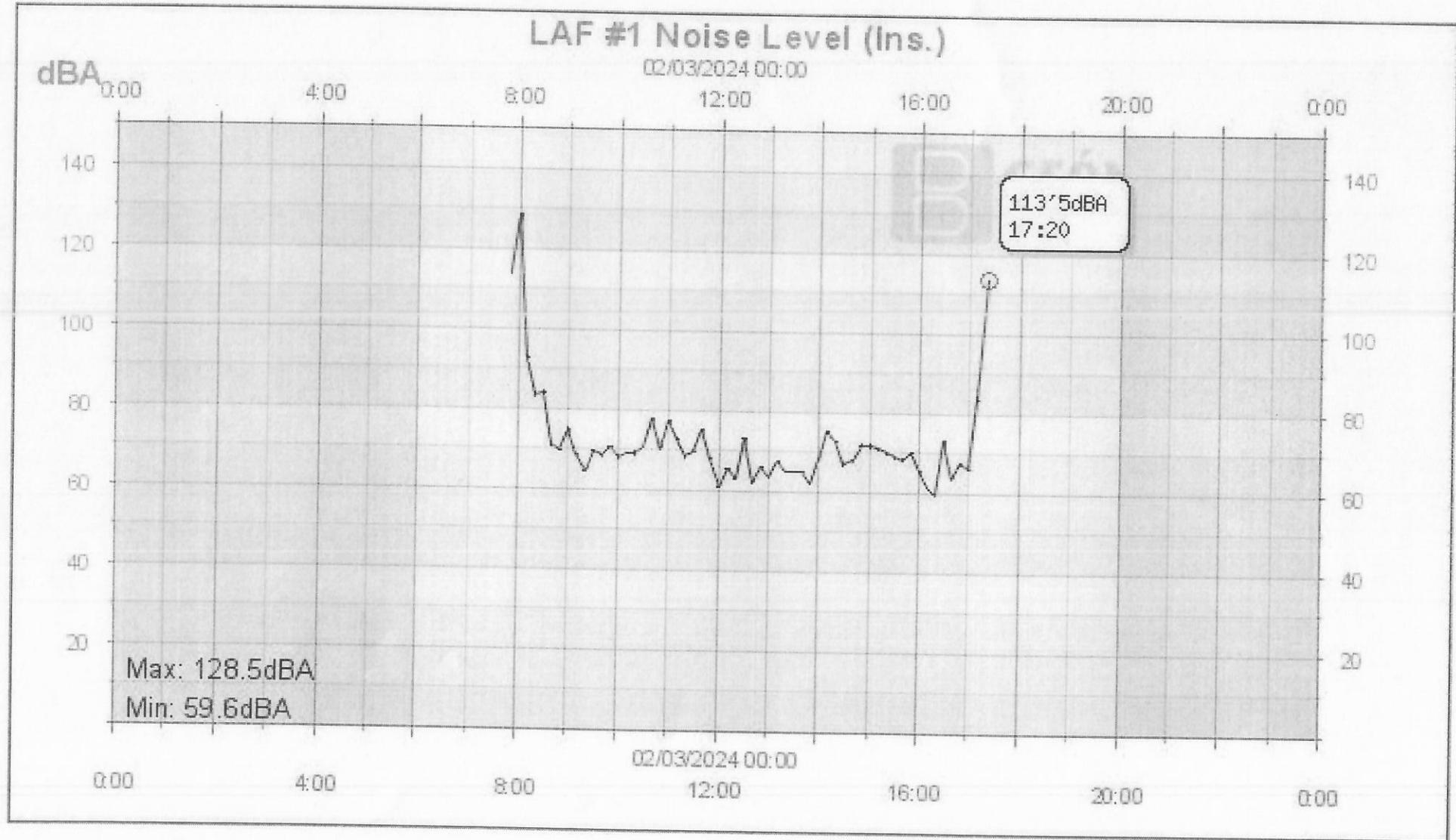
Email: madhumita@casassociates.in

sameer@casassociates.in

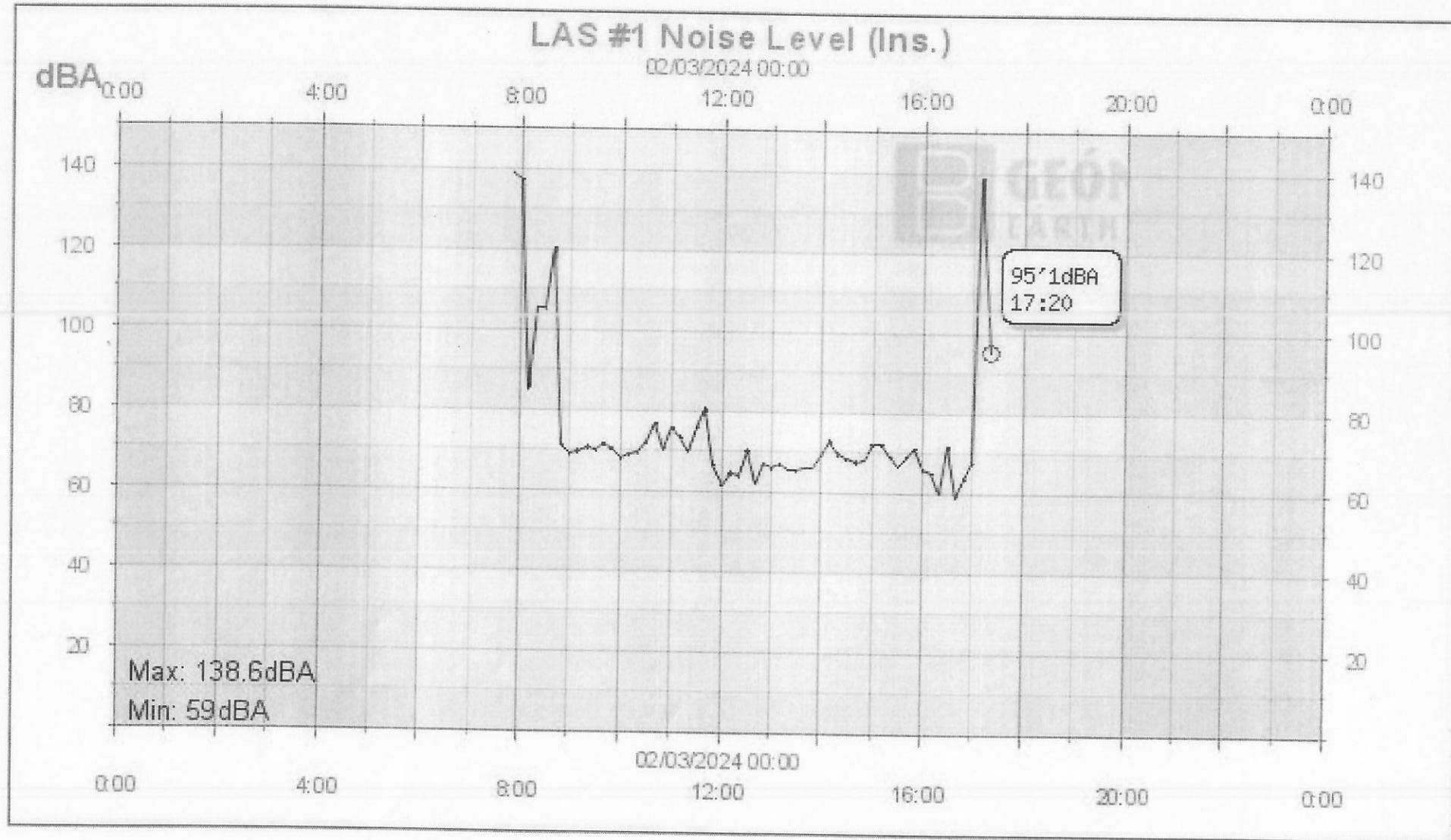
Ph.: 9971117818, 9999245900, 9999345900

NEW DELHI

DATED: 05.02.2024

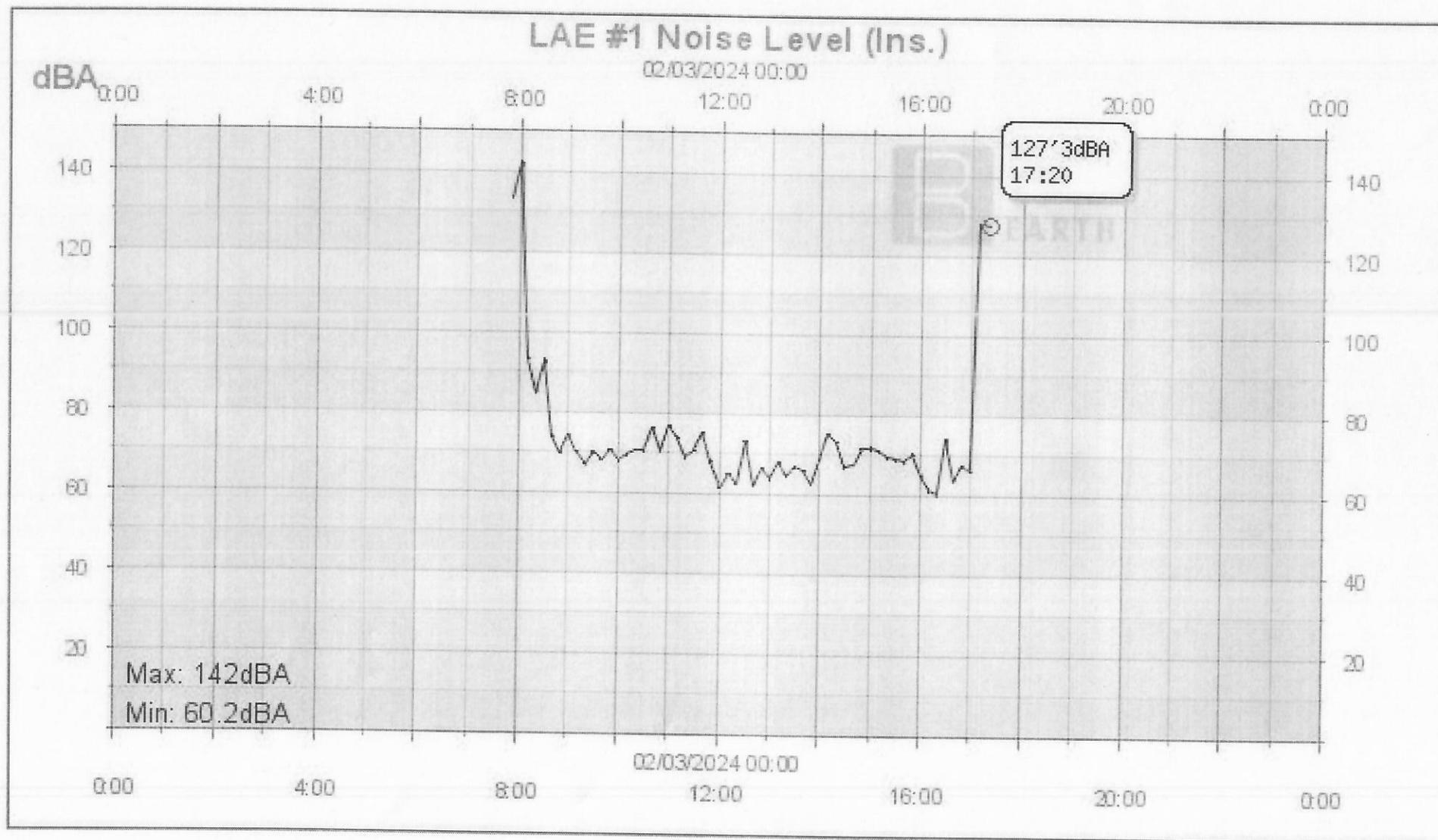


Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M



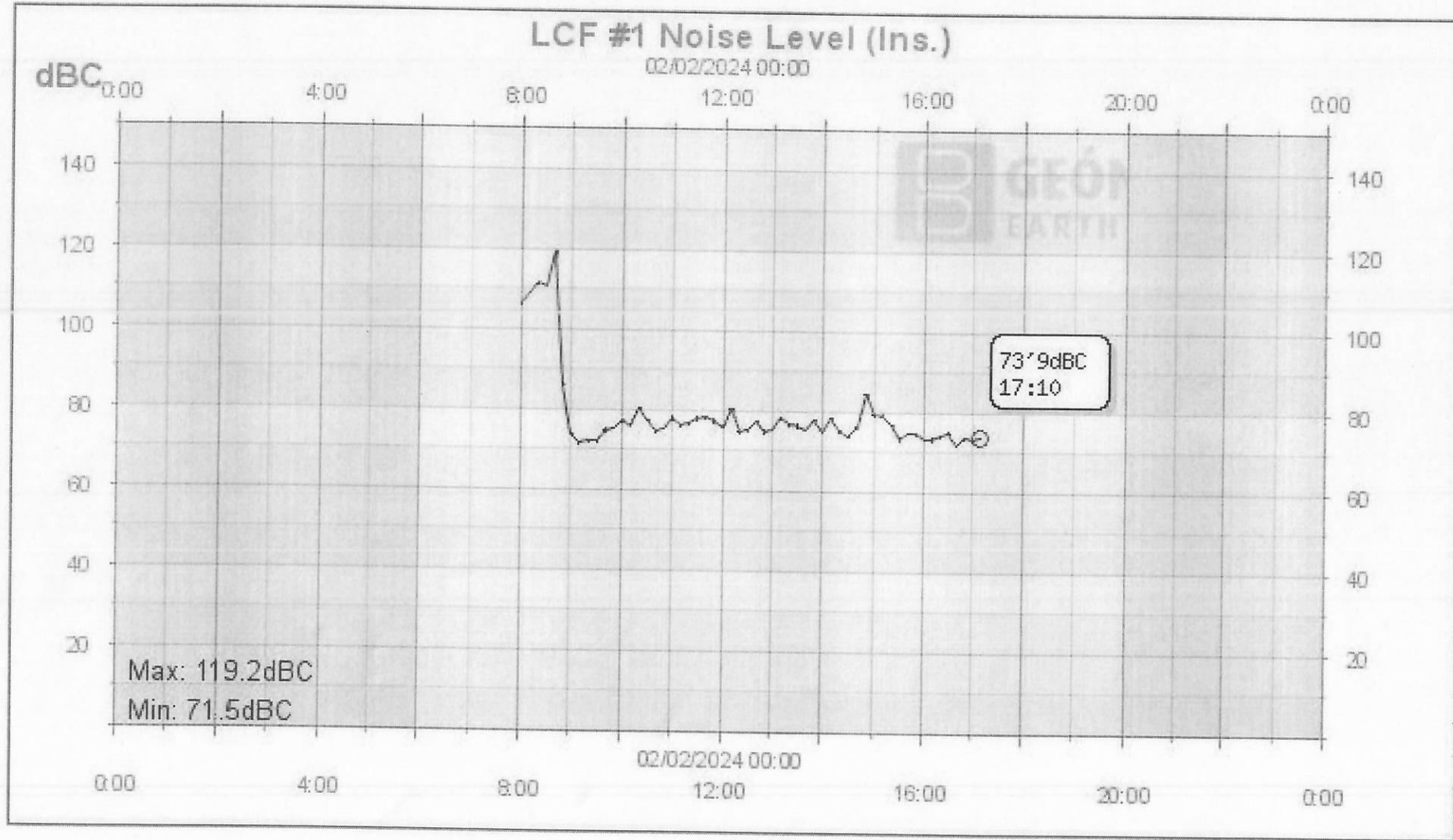
Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



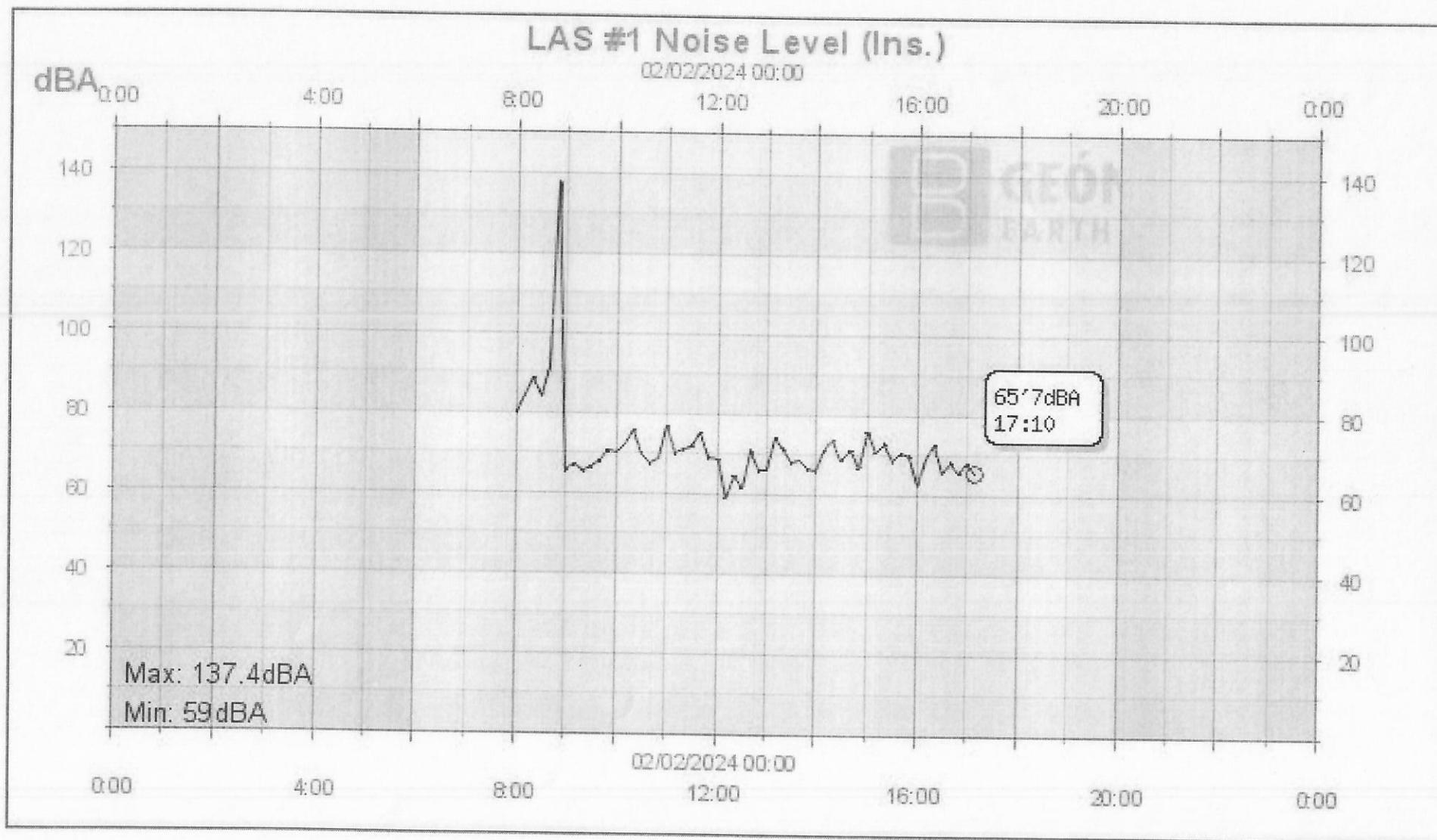
Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



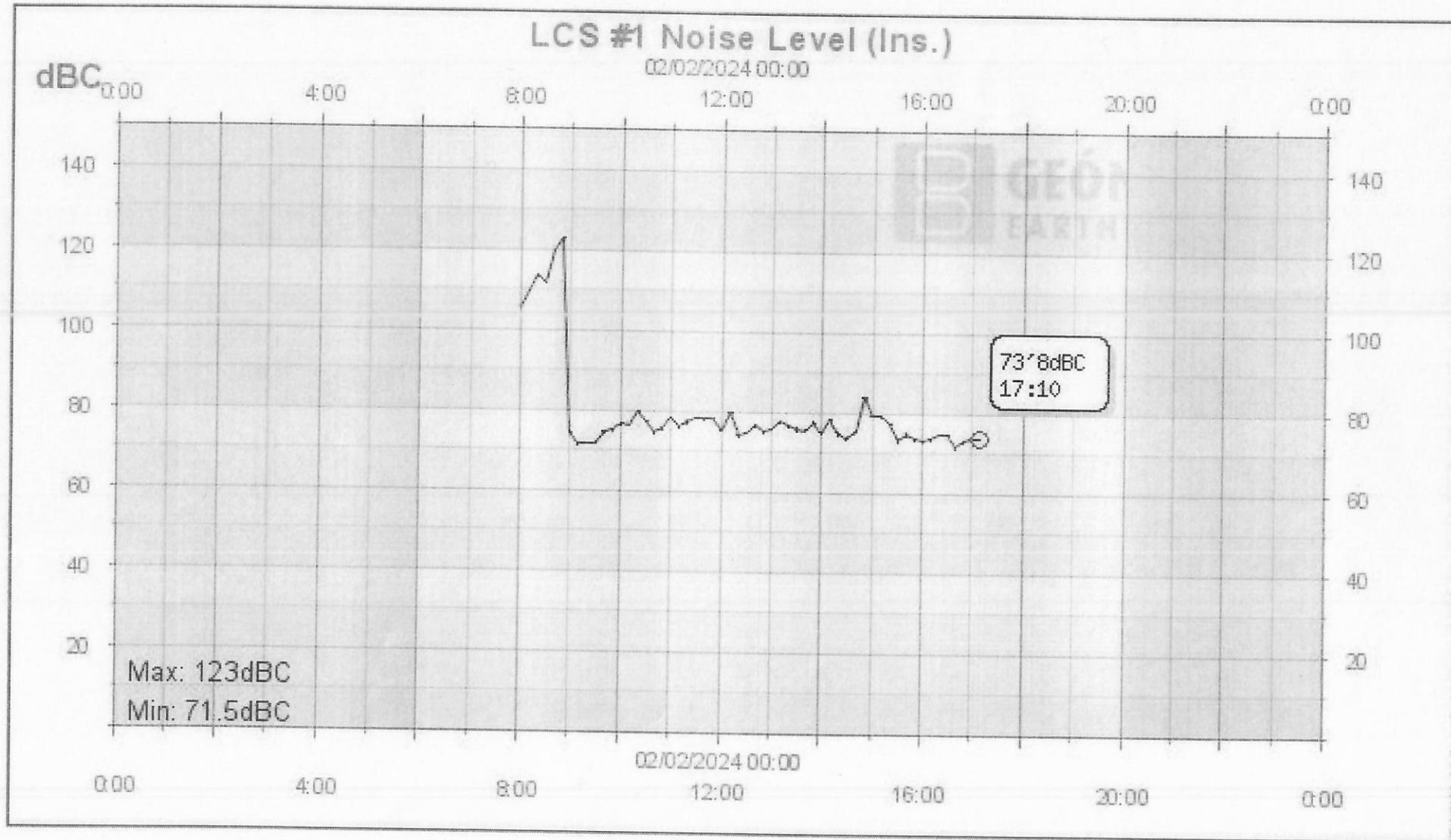
Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



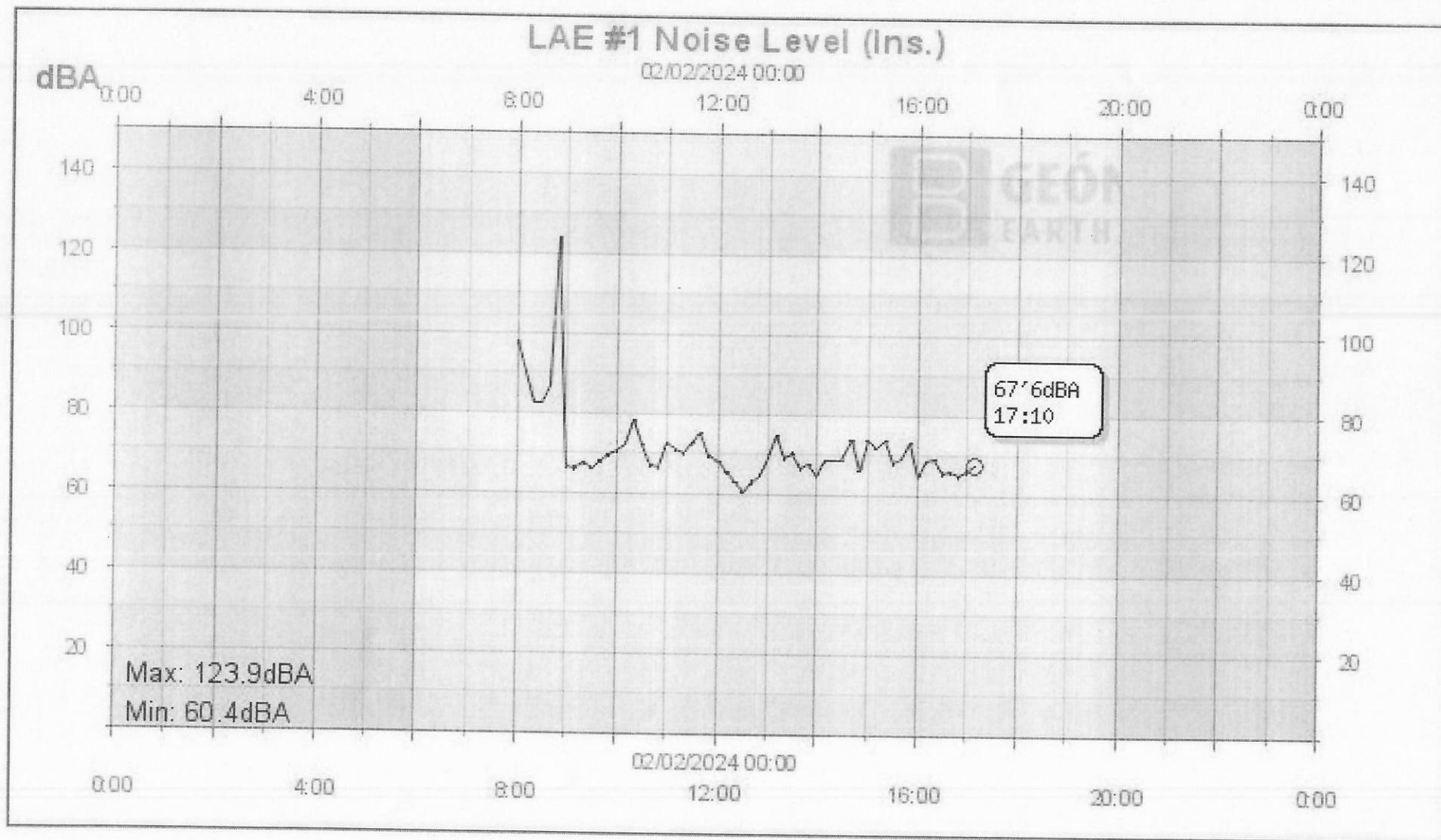
Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



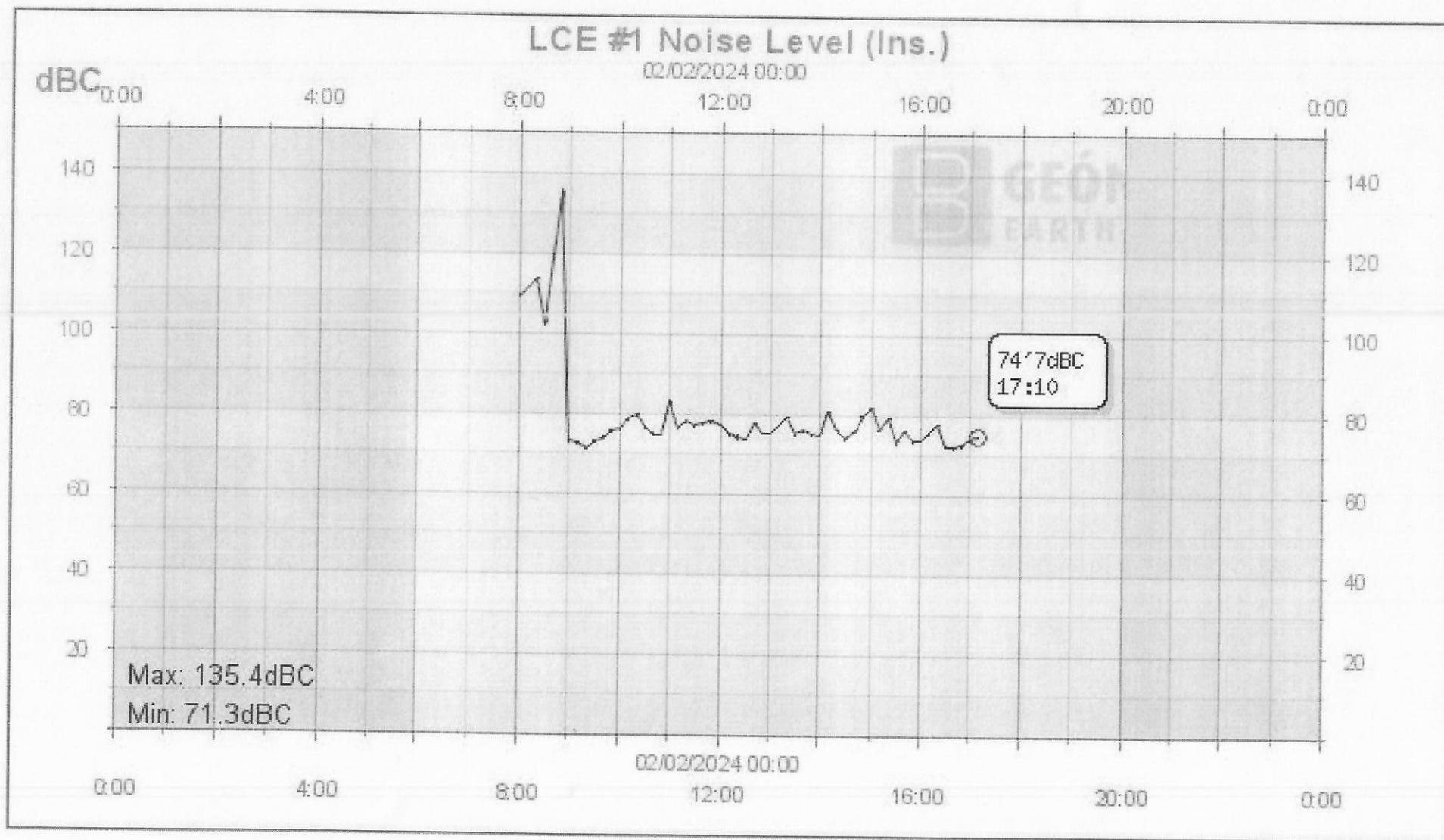
Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



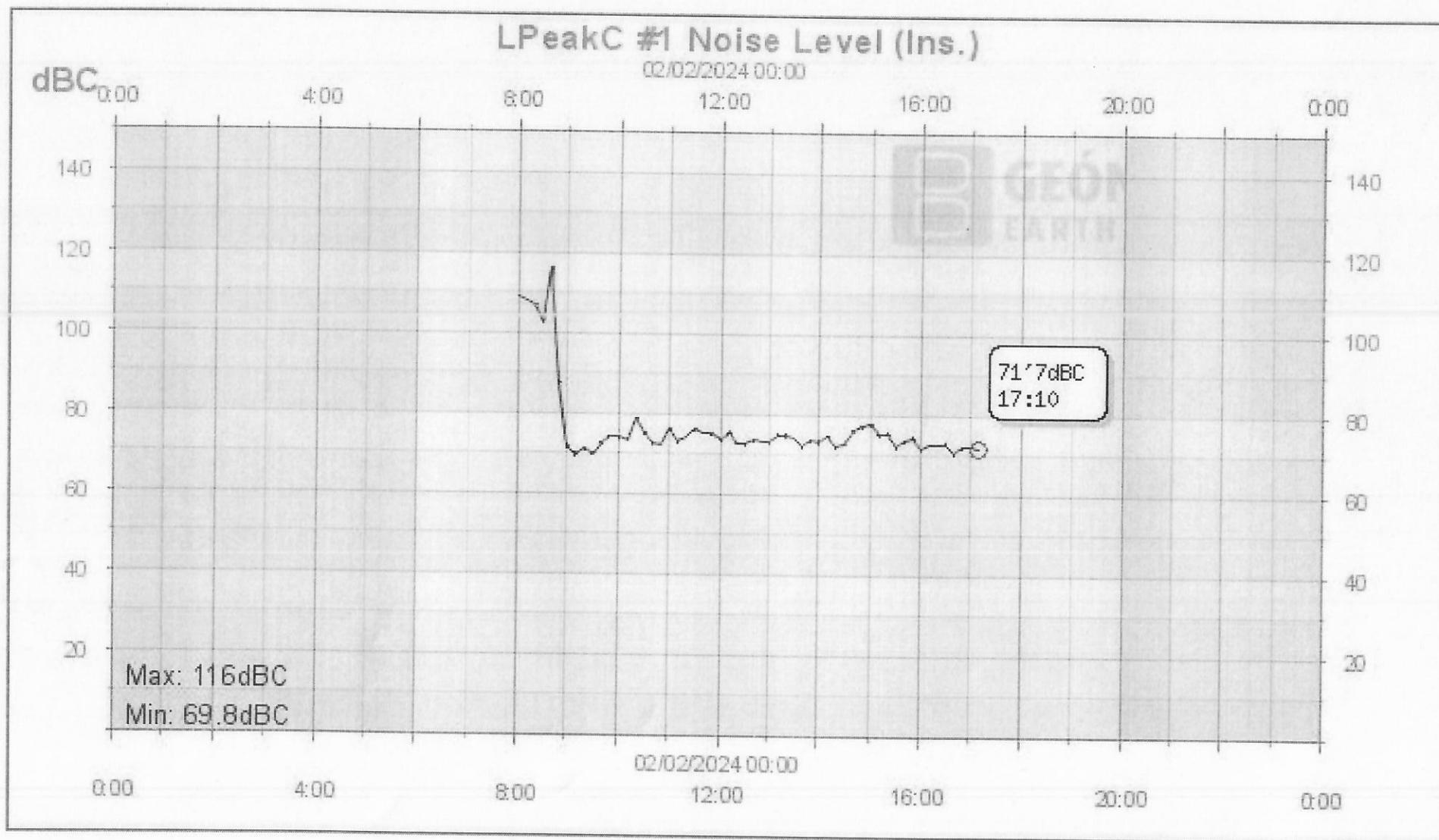
Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Delhi, R K Puram



Town: Delhi - Latitude: 28°33' 46.23" N - Longitude: 77°11' 12" E - Altitude: 225 M

Brief Written Submissions - an x Show station graphs - Ubiquit... x file.pdf x Estimated Wait Time at New D... x +

newdelhiairport.in/passenger-guide/wait-time

Gmail YouTube Maps Payment Account... archived.greentribu... National Green Trib...

DELHI INTERNATIONAL AIRPORT | GAR DELHI AIRPORT IDIU OFFICIAL WEBSITE Menu

WAIT TIME BAGGAGE DELIVERY MEET & GREET UPCOMING TENDERS

On-Ground Traffic

EVOLVE DEL

Type here to search

14°C 20:43 03-02-2024

newdelhiairport.in/passenger-guide/wait-time

DELHI AIRPORT (DEL) OFFICIAL WEBSITE

WAIT TIME BAGGAGE DELIVERY MEET & GREET UPCOMING TENDERS

T3 DEPARTURE TERMINAL ENTRANCE

Entry Gate	Waiting Time	Entry Gate	Waiting Time			Waiting Time
1A	4-9 minutes	2A	0-5 minutes	Check - in Counter	Counter	
1B	2-7 minutes	2B	5-10 minutes		A - F	4-9 minutes
				Domestic Security	Zone	Waiting Time
3A	0-5 minutes	4A	0-5 minutes		1 - 2	2-7 minutes
3B	6-11 minutes	4B	3-8 minutes		3 - 5	2-7 minutes
5A	3-8 minutes	6A	1-6 minutes	International Security	Type	Waiting Time
5B	1-6 minutes	6B	1-6 minutes		Economy	4-9 minutes
7A	1-6 minutes	8A	0-5 minutes		First/Business/Staff	0-5 minutes
7B	2-7 minutes	8B	2-7 minutes			

Windows taskbar: Type here to search, Breaking news, 20:45, 03-02-2024

Brief Written Submissions - an x Show station graphs - Ubiquit... x file.pdf x Estimated Wait Time at New Delhi x +

newdelhiairport.in/passenger-guide/wait-time

Gmail YouTube Maps Payment Account - archived.greentribu... National Green Trib...

DELHI AIRPORT (DELHI) OFFICIAL WEBSITE | GAR Menu

WAIT TIME BAGGAGE DELIVERY MEET & GREET UPCOMING TENDERS

Queue Status Tracker

The Live Queue Status Tracker aims to enhance your airport experience by helping you plan ahead. It provides real-time data on the waiting time at the airport queues. You can check the on-ground traffic and airport queue time at different processes like check-in, security check, and emigration at all eight departure gates at terminal 3. At the arrival level, the tracker provides airport waiting time for the immigration and domestic-to-international transfer areas.

Why Live Queue Status Tracker?

Better Planning
Flyers can learn the live status of processes like check-in and airport security check at all eight gates on terminal 3 and leave for their flights accordingly.

Increased Convenience
The AI-enabled queue management tech can tell travellers which airport line is the shortest and help reduce the waiting time.

Reduced Uncertainty
The live queue status tracker can reduce the uncertainty and unpredictability associated with flying and make travelling easier.

Reduced Congestion
Tracking the airport queue time on a real-time basis will keep flyers from arriving at the premises too early. It will reduce congestion at the airport.

Flying soon from Delhi Airport? Use DigiYatra for a quick, contactless, and paperless boarding experience.

Follow us on: f X YouTube Instagram LinkedIn

#VOTE DEL

Breaking news 20:46 03-02-2024

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA)

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

INDEX

S. No.	Particulars	Pg. No.
1.	Written Submissions on behalf of Respondent No.9, Delhi International Airport Limited	1-7
2.	Annexure 1: Colour copy of the map showing the location of the Noise Monitoring Terminals	8
3.	Annexure 2 (Colly): Screenshots of the relevant pages of the Delhi Airport website and Airport Noise zone area.	9-10
4.	Annexure 3: Report of IIT, Delhi dated January 2024	11-26
5.	Proof of Service	27

FILED BY:



MILANKA CHAUDHURY/ ASHLY CHERIAN/ SWET SHIKHA
TRILEGAL

ADVOCATES FOR RESPONDENT NO.9
1ST FLOOR, WING A&B, PRIUS PLATINUM,
D-3, DISTRICT CENTRE, SAKET,
NEW DELHI, 110017
Mobile-9871706992

PLACE: NEW DELHI

DATE: 09.02.2024

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA)

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

**WRITTEN SUBMISSIONS ON BEHALF OF RESPONDENT NO. 9, DELHI
INTERNATIONAL AIRPORT LTD**

1. The present written submissions are being filed by Respondent No.9, Delhi International Airport Limited, (“**DIAL**”), in terms of the liberty granted by this Hon’ble Tribunal vide its order dated 31.01.2024. It is prayed that the present written submission be read in conjunction with the grounds raised by DIAL in its Preliminary Reply dated 08.11.2023 (“**Reply by DIAL**”), which are not repeated herein for the sake of brevity. Further, all allegations, averments, and submissions made by the Applicant concerning DIAL are denied, save and except those which are a matter of record and/or specifically admitted in the present written submissions and Reply by DIAL and shall not be deemed to be admitted for specific non-transverse.
2. The Applicant has confined its prayer and limited its written submissions to the singular aspect of compliance with noise limits prescribed in Notification No. G.S.R.568(E) dated 18.06.2018, issued by the Ministry of Environment, Forest, and Climate Change (**MoEF Notification**). This aspect is also recorded in the order dated 31.01.2024, passed by the Hon’ble Tribunal. Accordingly, DIAL is restricting its response to the singular aspect raised by the Applicant vide its written submissions dated 05.02.2024 in relation to compliances with the MoEF Notification.
3. At the outset, it is reiterated that DIAL is compliant with its obligations under Notification No. G.S.R.568(E) dated 18.06.2018, issued by the Ministry of Environment, Forest, and Climate Change (**MoEF Notification**) which is evident from the following:

A. Compliance for Airport Noise Zone

- i. Noise levels to be maintained at the airport noise zone are governed by the MoEF Notification which states that the noise levels for busy airports are **70**

dB(A) Leq for daytime (from 6 AM to 10 PM) and 65 dB(A) Leq for nighttime (10 PM to 6 AM). The unit of **Leq** is well defined in the MoEF Notification as “*energy mean of the noise level over a specified period.*”

- ii. Further, as **per para 4** of the MoEF Notification, **the Airport Noise Zone** area for each Airport shall be defined by the respective Airport Operator on the basis of existing GSR 751 (E), issued by the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015 published on 30.09.2015 in consultation with airports Air Navigation Service Provider as per the Master Plan of the Airport. It further states that the same shall be approved by the DGCA and displayed on the website of respective Airport Operators which shall be completed within two years from the date of issuance of the final notification.
- iii. In the Reply by DIAL, the answering Respondent has clarified that they are in compliance with the MoEF Notification regarding the ‘**Airport Noise Zone**’ which has also been approved by the DGCA. The approval of the DGCA is also attached as **Annexure R-16 to the Reply by DIAL at Page 451**.

Further, DIAL has also installed **five Noise Monitoring Terminals** which have been installed under the approach and departure funnels of the Delhi Airport to measure and monitor the aircraft noise level. The NMT’s are recording the sound levels on real time basis at IIT Delhi - Hauz Khas, R.K Puram, Vasant Kunj, Dwarka Sec- 19 and Dwarka Sec- 24. The **Noise Monitoring Terminals** installed at the funnel areas of the Delhi Airport is supplied by M/s Topsonic Systemhaus GmbH, an internationally recognized agency which is operating globally in 13 countries and at 32 airports with more than 300 NMT installations and operating under a wide range of climatic conditions. They are designed for unattended continuous outdoor use. Measurement of level, calculation of noise events and reporting are fulfilling ISO 20906 “Unattended monitoring of aircraft sound in the vicinity of airports” and DGCA Civil Aviation Requirements. A map showing the locations of the five Noise Monitoring Terminals installed by DIAL at the Delhi Airport has already been annexed at **Annexure R-12 to the Reply by DIAL at Page 406**. Technical information of the Noise Monitoring Terminals installed by DIAL are already annexed at **Annexure R-13 at Page 407 to the Reply by DIAL**.

Colour copy of the map showing the location of the Noise Monitoring Terminals is annexed herewith as **Annexure 1 of the present Written Submissions**

- iv. In compliance of the MoEF Notification, DIAL has uploaded on its website- <https://www.newdelhiairport.in/corporate/our-company/sustainability> :
 - (a) the monthly noise levels recorded at the Airport Noise Zone; and

(b) the Airport noise zone area

Respondent No.9 has already filed the noise levels recorded at the Delhi Airport alongwith its Reply (*Annexure R-8 AT Page 247*)

Screenshots of the relevant pages of the Delhi Airport website and Airport Noise zone area are annexed herewith as **Annexure 2 (Colly) of the present Written Submissions.**

- v. In addition to the above, DIAL approached IIT Delhi for an independent assessment of the Noise Monitoring Terminal units, calibration, and validation of aircraft noise data collected at the terminals installed by DIAL at all runway approach funnels. This assessment aimed to ensure compliance with DGCA's Civil Aviation Requirements (CAR) dated 18.12.2014 and CPCB's Requirements and Procedure for monitoring ambient noise level due to Aircraft, dated June 2008.

As per the said independent report of IIT, Delhi dated January 2024 gave its key findings observing :

“It may be noted that the difference in the values reported by both IITD and DIAUs NMT systems is less than 1 dB. Considering over-prediction of 0.3 dB by IITD system, the noise metrics evaluated by DIAL. NMTs can be considered quite accurate with less than 0.5 dB difference in most metric values.”

Whereby, it was concluded that:

“Overall, the NMTs installed and Aircraft Noise metric evaluation and reporting by DIAL are in compliance to DGCA Civil Aviation Requirements (CAR) dated 18.12.2014 and CPCB requirements and procedure for monitoring ambient noise level due to Aircraft, dated June, 2008.”

The findings of the report of IIT Delhi are of independent academic observations which confirms and authenticates the genuineness of the aircraft noise levels obtained from the NMTs and thus confirms the compliances of the aircraft noise data. The report of IIT, Delhi dated January 2024 is annexed herewith as **Annexure 3.**

B. Compliance of Aircraft Noise levels

- vi. **Aircraft Noise** on the other hand is governed in terms of **para iv of the Note read with para 1(1)** of the MoEF Notification in terms of which the limit for aircraft noise as **Lmax** will be notified by the airport operator with approval of the Directorate General of Civil Aviation (“**DGCA**”).

Lmax as defined in the MoEF Notification is “*unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Directorate General of Civil Aviation for respective airports.*”

DIAL has notified the Lmax levels with the approval of the DGCA at the aircraft noise monitoring locations and the same is also being communicated to all the Airline operators and is further also published in the Aeronautical Information Publication (AIP) dated 11.08.2022 (*annexed as Annexure R-10 of Reply by DIAL at Page 276, relevant page 335 and 336*) which sets out the noise levels for aircrafts (as Lmax) as **105 dB(A) for daytime (6 AM to 10 PM)** and **95 dB(A) for night-time (10 PM to 6 AM)**.

- vii. Compliance with noise levels in the Airport Noise Zone must be overseen by the DGCA, as per the MoEF Notification. The DGCA has confirmed in its reply to the present application before this Hon’ble Tribunal, that DIAL is compliant with its obligations under the MoEF Notification.
4. In light of the above, it is evident that DIAL is fully compliant with its obligations under the MoEF Notification.

Parawise response to the written submissions filed by the Applicant.

5. In response to para 1 and 2, it is submitted that as the Applicant has confined its prayer to the compliance of noise limits prescribed in the MoEF Notification which is also noted in the order dated 31.01.2024 passed by this Hon’ble Tribunal. Accordingly, DIAL is responding to this singular aspect.
6. In response to para 3, it is submitted that Vasant Kunj is in landing funnel and falls within Airport Noise Zone.
7. In response to Para 4 of the Written Submissions filed by the Application, DIAL states as under:
 - i. The noise levels referred to in Para 4(i) by the Applicant **are noise metrics of Lmax (unit) i.e. maximum noise level for an event and not the Leq (unit) which is the noise metrics used for noise limits prescribed in Airport Noise Zone** as set out in the MoEF Notification. As per the MoEF Notification, the standard for aircraft noise limits is defined with a unit called Leq dBA for day and night period.
 - **dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing. A day time*

from 6.00 a.m. to 10.00 p.m. and night time from 10.00 p.m. to 6.00 a.m. are considered for time weighted average.

- *Leq: It is energy mean of the noise level over a specified period.*
- *Lmax is unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Directorate General of Civil Aviation for respective airports.*

It is also pertinent to mention that DGCA and CPCB have outlined monitoring protocols for aircraft noise as Civil Aviation Requirements (CAR) dated 18.12.2014 and Requirements and Procedure for monitoring ambient noise level due to Aircraft dated June 2008, respectively.

It is submitted that in order to achieve accurate measurements, it is important that the Noise Monitoring Terminals consists of high-quality components, including a Class 1 outdoor microphone, which is essential for precise and accurate sound level measurement. It ensures accurate and standard-compliant recording of aircraft noise and ensures that the measurements are correct. The installed Noise Monitoring Terminals by Delhi Airport at different locations are highly credible, accurate, and world-wide recognized and have been installed under the approach and departure funnels of Delhi Airport to measure and monitor the aircraft noise level. The Noise Monitoring Terminals are recording the sound levels on a real-time basis and are installed at all Approach and Departure funnels of Delhi Airport.

On the other hand, the noise data provided by the Applicant is generated from random software apps downloaded on a mobile phone from the App Store, which lacks genuineness, authenticity, and accuracy, and thus cannot be relied upon. The Applicant has submitted noise events (***Annexure 11 of additional documents filed by the Applicant***) indicating values as minimum, maximum, and average. This data is not in line with the MoEF Notification requirement, as the notification defines standard limits as Leq dBA, a time-weighted average for daytime (6 am to 10 pm) and nighttime (10 pm to 6 am).

Further, as stated above, the aircraft noise limit as Lmax has been approved by DGCA for Delhi Airport, and the same has been prescribed in AIP dated 11.08.2022, issued by AAI as Lmax (maximum sound level for aircraft) in dB(A) at the NMTs, which is to be complied with by airlines.

Considering the above, it is evident that the data generated by the Applicant is not in line with the notification requirement and the requirements outlined by CPCB and DGCA, the data does not hold any authenticity on noise levels monitored and its reference to compliances. The aircraft noise data for six months, which complies with DGCA's Civil Aviation Requirements (CAR) dated 18.12.2014 and CPCB's Requirements and Procedure for monitoring

ambient noise level due to Aircraft dated June 2008, has been provided by the answering Respondent in *Annexure R-8 at Page 247-252 of the Reply by DIAL*, demonstrating compliance with the noise levels as per the MoEF Notification.

- ii. In response to Para 4 (ii) and (iii), it is submitted that the Applicant's data recorded in the PDF (*Annexure 3 of the written submissions*) on noise level recordings indicating the ten monitoring stations, allegedly downloaded from CPCB's website, is of no relevance with respect to compliances under the MoEF Notification. The data provided by the Applicant is not in line with the MoEF notification requirement, as the notification defines standard limits as Leq dBA, a time-weighted average for daytime (6 am to 10 pm) and nighttime (10 pm to 6 am). **Instead, the Applicant has presented data showing minimum, maximum and instantaneous values of some random events.** It is pertinent to mention that nine (9) out of the ten (10) locations mentioned by the Applicant in Annexure 3 of its written submissions are not even part of the Airport Noise Zone. Only one (1) location, i.e., R.K Puram, is in the approach area, and the noise levels recorded by the Airport NMTs there are in compliance with the MoEF Notification.

The Applicant is misleading the Hon'ble Tribunal by choosing irrelevant data like LAF #1 Noise levels (Ins.), LAS #1 Noise levels (Ins.) etc. from the CPCBs website and misrepresenting the facts whereas the Applicant should have referred the Noise levels in CPCBs website given as Leq A for Day and Night.

8. The contents of Para 5 need no reply as it is merely a reproduction of the contents of the Environmental clearance dated 30.05.2018 granted to Respondent No.9.
9. In response to Para 6 and 7, it is submitted that the noise level recorded at the Noise Monitoring Terminals of all runways of the Delhi Airport is published on its website and the data can be accessed by public. The noise levels are in compliance with the MoEF Notification which was also demonstrated before the Hon'ble Tribunal in the presence of the Applicant and other Respondents on the last date of hearing i.e. 31.01.2024. The Delhi Airport webpage link is provided herein below – <https://www.newdelhiairport.in/corporate/our-company/sustainability> - for the published noise level data and airport noise zone which can be referred under “**Information**” Tab of the page.
10. In addition to the above, it is submitted that Airports are held accountable and liable to comply with high standards under Civil Aviation Requirements (‘CAR’) issued by Director General Civil Aviation (‘DGCA’). All the airport and airlines activities are being regulated by the DGCA under the governance of International Civil Aviation

Organization (“**ICAO**”) requirements, through the Standard and Recommended Practice.

Furthermore, it is submitted that Applicant has without even knowing or considering the basic elementary requirements under the MoEF Notification is alleging non-compliance in a most casual manner. In the present matter, the regulatory bodies such as MOEF, DGCA and other relevant Authorities have stated that DIAL is compliant with the MoEF Notification. No grounds are raised, substantiated or even made out by the Applicant to show non-compliance by DIAL in any manner. A Court/Tribunal especially the Expert Environmental National Tribunal cannot be approached again and again as no Tribunal draws its own conclusion so as to substitute conclusion especially the one arrived at by Expert bodies until and unless there is gross miscarriage of justice, which is pointed out and made out, which strikes at the root of the case. In the present matter, the DGCA and MOEF have arrived at a conclusion that the MoEF Notification has duly been complied with - such a decision from expert bodies is not amenable to judicial scrutiny until and unless there is proven arbitrariness and/or unreasonableness.

11. In the written submissions filed by the Applicant, in the last two paragraphs, the applicant has sought that documents may be supplied to the Applicant. It is submitted that the Applicants at this stage cannot seek “evidence and material” from the Respondents to establish a cause of action and to substantiate its own allegations after having filed an application and having failed to substantiate the allegations on its own.

In light of the above submissions and the grounds raised by DIAL in its Reply, it is prayed that this Hon’ble Tribunal dismiss the present Application with exemplary costs.

FILED BY:



MILANKA CHAUDHURY/ ASHLY CHERIAN/ SWET SHIKHA
TRILEGAL

ADVOCATES FOR RESPONDENT NO.9
1ST FLOOR, WING A&B, PRIUS PLATINUM,
D-3, DISTRICT CENTRE, SAKET,
NEW DELHI, 110017

PLACE: NEW DELHI
DATE: 09.02.2024

Location Map of NMTs



Environment Sustainability Management

Home / Corporate / Environment

Sustainability

Environment Sustainability Management is an integral part of business strategy at Delhi Airport, which helps in achieving credibility and business sustainability. DIAL is committed to conduct its business in an environment-friendly and sustainable manner by minimizing the impact of its activities on the environment with necessary pollution control systems and safeguards.

#VOTE DEL

Environment Sustainability Management

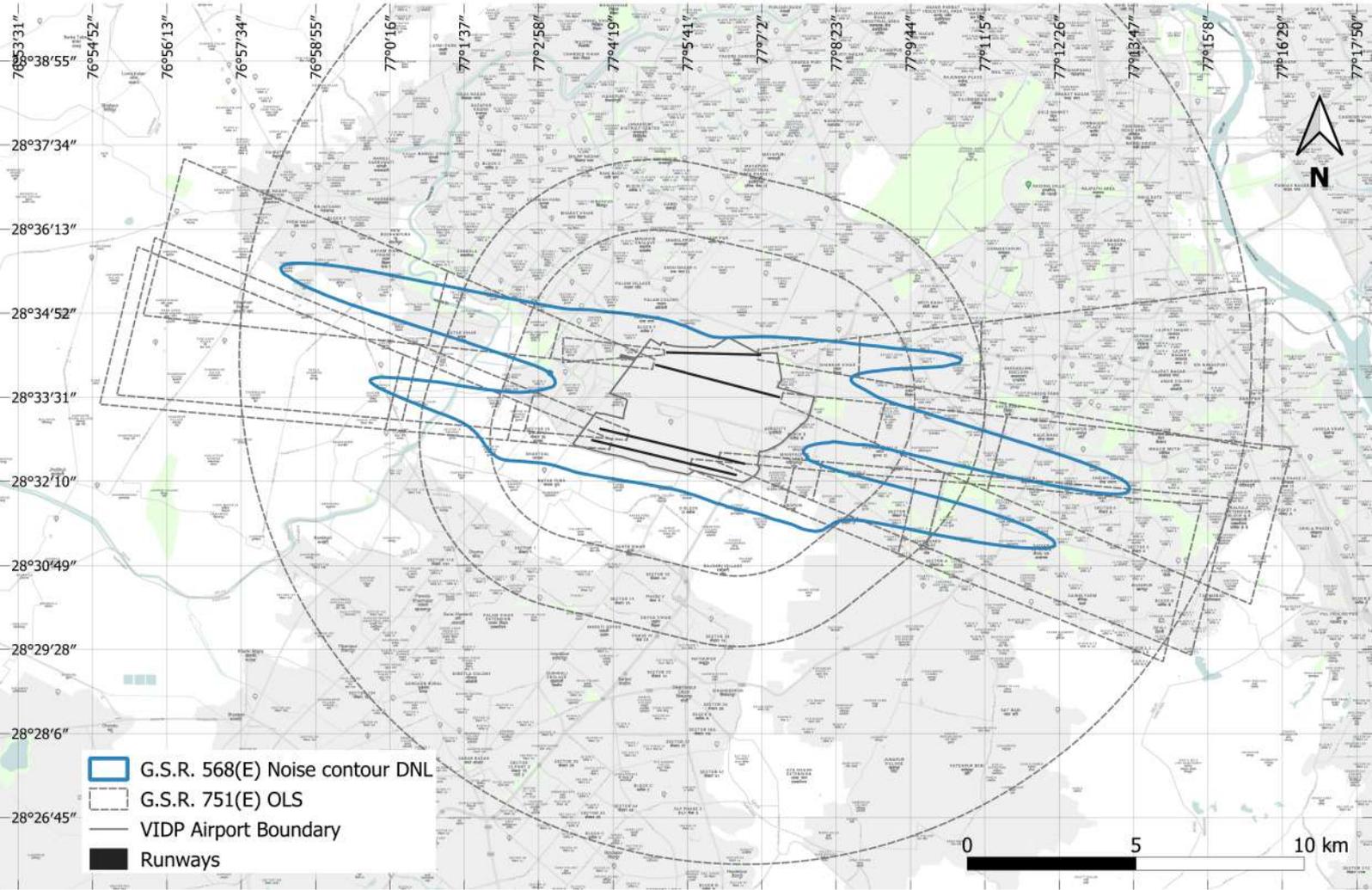
Home / Corporate / Environment

MANAGEMENT WASTE MANAGEMENT AIRCRAFT NOISE BIODIVERSITY AWARDS **INFORMATION**

- Click here to view Aircraft Noise Level and Monitoring
- Click here to view Aircraft Noise Level and Monitoring
- Click here to view Aircraft Noise Level and Monitoring
- Click here to view Bio Medical Waste
- Click here to view Airport Zone
- Click here to view EC Compliance Status
- Click here to view EC Statement FY 2022-2023
- Click here to view EC for IGIA expansion project

#VOTE DEL

Airport Zone



Technical Report on

**Assessment of Aircraft Noise Monitoring Terminal
(NMT) units, Calibration and Aircraft Noise Data of
Delhi Airport**

Submitted to
Delhi International Airport Limited



Prof. A. K. Darpe, Professor, Dept. of Mechanical Engineering, IIT Delhi

Darpe
30/1/24

Prof. Arpan Gupta, Associate Professor, Dept. of Mechanical Engineering, IIT Delhi

Arpan
30/1/24

January 30, 2024

Introduction

Delhi International Airport Limited (DIAL) had approached IIT Delhi for the assessment of Aircraft Noise Monitoring Terminal (NMT) units, calibration, and to validate the aircraft noise data at the NMT (noise monitoring terminals) installed at all runway approach funnels. The task involved the assessment of NMT functions, calibration, validation of measured data, data storage, and processing of all NMTs and the central server. A team from IIT Delhi – Prof. A. K. Darpe and Prof. Arpan Gupta, along with research scholar Sarthak Mittal, visited five NMTs. They had performed aircraft noise measurements using scientific - laboratory grade instruments at three of the NMTs, assessed the overall functioning of all the NMT's and validated the aircraft noise data of NMT's where measurements were made. The details of the findings are shared in this document.

Review of NMTs

The Noise Monitoring Terminal (NMT) installed at Delhi Airport is supplied by OEM M/s Topsonic. The NMT is supplied by M/s Topsonic Systemhaus GmbH, a German based company, providing aircraft noise monitoring solutions and can operate under a wide range of climatic conditions.

The NMT comprises of following components –

S.No.	NMT Component	Remark
1.	NMT PC	For storing and processing of data
2.	Microphone	GRAS make. Class 1 Instrument.
3.	Sound Level Meter	Norsonic make.
4.	UPS	For continuous power supply
5.	Battery	For backup
6.	Router	For transmitting the data from NMT PC to Server

The installed NMTs are stand-alone operating terminal for continuous measurement of aircraft noise. In the Terminal, aircraft noise is measured through a microphone via a sound level meter and stored at the NMT PC at all sites. The terminal NMT PC's are connected to Noise Server; the data is transferred on a real-time basis to the server. Features such as audio data storage, meteorological data, ADSB track is also available and retrievable. A dedicated noise measurement software (NMS) is available at the user end to access, monitor and analyse the aircraft noise data and automatically correlate the aircraft events with the aircraft noise.

DIAL has installed 05 Aircraft Noise Monitoring Terminals (NMT) in runway approach and departure funnel at the following locations:

S.No.	NMT	Location	Airport Runway Funnel
1.	NMT01	IITD, Hauz Khas	A28, D10
2.	NMT02	Vasant Kunj	A29L/R & D11L/R
3.	NMT03	Dwarka Sector 24	D29L/R, A11L/R
4.	NMT05	Dwarka Sector 19	D28, D27, A10, A09
5.	NMT06	RK Puram	D09, A27
Note: A – Arrival and D - Departure			

Calibration of NMT sensor

The IITD team physically validated the NMT sensor at the NMTs. The details and sample data are given in the Annexure 1. As per the calibration assessment, the data readings indicate that the sensor and associated measurement and processing system at NMTs gives accurate measurements. It may be noted that the calibrator generates a pure tone of 94.5 dB at 1 kHz.

Measurement and Validation of Noise data

Aircraft noise was measured using the sensors (microphone) and instrumentation of IIT Delhi parallel to the NMTs installed by the Airport. Both the microphones – from NMT and IITD, were placed close by, and noise measurements were made simultaneously at the NTMs. During the validation of Aircraft Noise data, all NMTs were operational. However, two NMT stations (IITD and Dwaraka sector 19) could not record any aircraft event data, as the runway 28/10 was closed for recarpeting work since September 2023.

The pictures showing microphones (DIAL and IITD) placed at the NMTs for simultaneous measurements are shown below.



Figure 1 Microphone location at IITD (NMT01), Vasant Kunj (NMT02) and Dwaraka Sec 19 (NMT05).

Details of instrumentation used from IITD

The instrumentation used by IITD team for the noise measurement is shown in Fig. 2 below. The system consists of a measurement-grade, laboratory standard microphone, data acquisition system, and laptop for data storage and processing. The specifications of the sensor/instruments used by IITD are given below.

Microphone type – PCB 377B20, ½ inch, sensitivity 50 mV/Pa, frequency range 3.5 Hz – 12.5 kHz, dynamic range > 144 dB.

The microphone data was acquired through a data acquisition card (DAQ – NI 4432).

Sampling rate used for the microphone measurements was 48 k-samples/sec.

The microphone used was calibrated using a calibrator. The calibrator used by IITD was calibrated at National Physics Laboratory. There was an overprediction of 0.3 – 0.4 dB in IITD microphone with respect to the calibrator.

Another calibrator (from M/s GRAS) used to validate NMT station (details in Annex-I) was also used on IIT Delhi microphone and measurement system and measured value was 94.8 dB (as against the expected value of 94.5 dB).

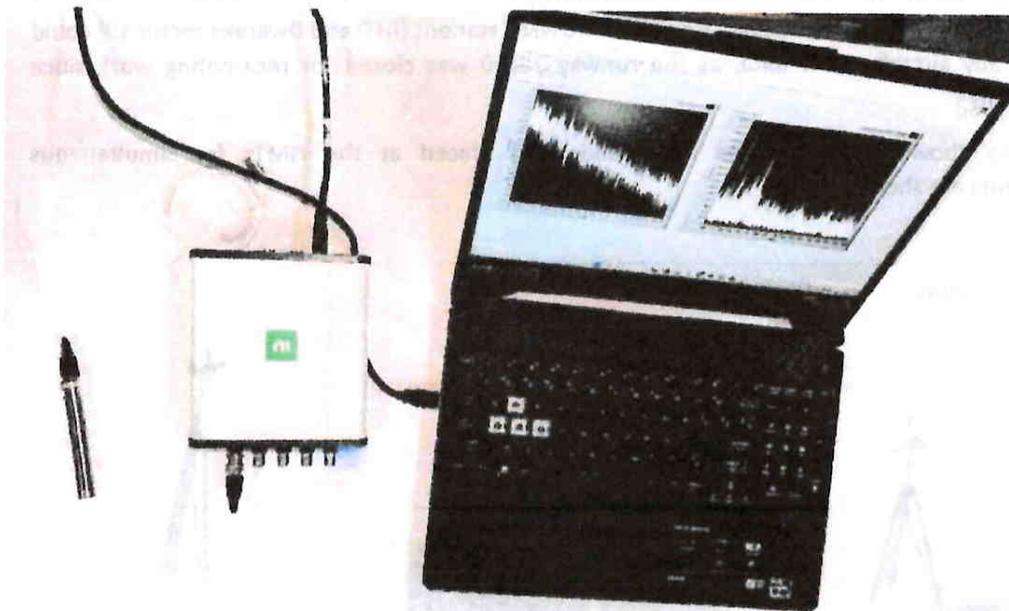


Figure 2 Sensor (PCB Microphone) along with NI data acquisition system used for IITD measurements.

Comparison of $L_{A,eq}$ for the flying of aircraft event.

The microphone data of sound pressure as a function of time was recorded and analyzed. A-weighting was applied and $L_{A,s}$ (for every second) was computed. Detailed plots are shown in Annex-II. The measurements by both existing NMS and IITD system were simultaneously made to ensure comparison.

Out of the $L_{A,s}$ data the noise metrics $L_{A5,Max}$ and $L_{A,eq}$ are important. $L_{A5,Max}$ represents the maximum value of noise data as dBA or noise level from the aircraft pass-by as perceived by human beings as dBA. The tabulated data with some statistical analysis of $L_{A5,Max}$ for all the measurements at the NMTs are given below.

Das

AO

Table 1 $L_{A,max}$ for various aircraft noise events at Vasant Kunj

Aircraft Event No	L_{AsMax} (dB) IITD	L_{AsMax} (dB) DIAL	Difference (dB)
1	78.0	77.8	0.2
2	78.1	77.7	0.4
3	76.3	74.9	1.4
4	78.1	77.2	0.9
5	75.5	73.9	1.6
6	79.7	78.9	0.8
7	83.5	82.2	1.3
8	78.6	77.6	1.0
9	61.5	60.1	1.4
10	80.8	80.3	0.5
Mean Difference			0.9
Standard Deviation			0.5

Table 2 $L_{A,max}$ for various aircraft noise events at Dwaraka Sector 24

Aircraft Event No	L_{ASMax} (dB) IITD	L_{ASMax} (dB) DIAL	Difference(dB)
1	74.0	73.5	0.5
2	74.1	73.6	0.5
3	83.6	83.2	0.4
4	73.5	73.1	0.4
5	71.7	73.1	-1.4
6	77.3	75.2	2.1
7	77.4	76.5	0.9
8	72.2	72.1	0.1
9	73.9	73.7	0.2
10	73.4	73.5	-0.1
11	71.2	69.9	1.3
12	79.4	78.0	1.4
13	72.1	72.0	0.1
14	77.4	76.5	0.9
Mean Difference			0.5
Standard Deviation			0.8

Date



Aircraft Event No.	L_{asMax} (dB)	L_{asMax} (dB)	Difference (dB)
1	75.2	74.4	0.8
2	75.1	74.1	1.0
3	76.0	75.9	0.1
4	75.9	75.6	0.3
5	75.0	74.7	0.3
6	75.2	74.8	0.4
7	78.0	77.1	0.9
8	76.4	75.2	1.2
9	77.9	77.2	0.7
10	75.5	75.0	0.5
11	74.4	73.4	1.0
12	71.8	70.5	1.3
13	75.3	75.0	0.3
14	77.3	76.7	0.6
15	77.1	76.0	1.1
16	74.6	74.1	0.5
Mean Difference			0.7
Standard Deviation			0.4

Similar to the dBA levels and the corresponding L_{asMax} (dB) for an event, the noise metric $L_{A,eq, event}$ is evaluated for a few data sets. The results for some sample aircraft pass by events are shown below:

Data set	L_{asMax} (dB)		$L_{A,eq, event}$ (dB)*	
	IITD	DIAL	IITD	DIAL
1. (RK Puram)	75.1	74.1	70.5	69.7
2. (Dwarka Sec 24)	72.2	72.1	68.8	67.8
3. (Dwarka Sec 24)	72.1	72.0	68.5	68.3

*The above L_{asMax} (dB) is only for the event of aircraft flying by and noise levels crossing 60 dB and coming back to 60 dB. This evaluation aims to compare the basic event level value from the DIAL and IITD systems, as they form the basis of the evaluation of other metrics. However, the parameter $L_{A,eq, event}$ should not be compared with Day/Night Leq parameter (or DNL) mentioned in MOEF notification June 2018). It should be noted that measurements by the IITD system were conducted only for a few hours during the day with limited aircraft pass-by events.

Note:

L_{asMax} (dB) is the unit for the aircraft's maximum noise level in units dB(A) which is the maximum or peak noise value for aircraft at the monitoring location.

$L_{A,eq, event}$ (dB): It pertains to the mean energy of the noise during one event of an airplane flying by NMT.

It may be noted that the difference in the values reported by both IITD and DIAL's NMT systems is less than 1 dB. Considering over-prediction of 0.3 dB by IITD system, the noise metrics evaluated by DIAL NMTs can be considered quite accurate with less than 0.5 dB difference in most metric values.

Summary

- 1) The report details about the measurements made at the NMTs installed by DIAL for the purpose of noise monitoring of aircrafts operating in the runway approach/departure funnel for Delhi airport, New Delhi and compliance to DGCA Civil Aviation Requirements (CAR) dated 18th Dec, 2014 and CPCB requirements and procedure for monitoring ambient noise level due to Aircraft, date June, 2008.
- 2) The activity involved inspecting the NMT sites, checking the measurement system and its hardware and software, checking the calibration of NMT's and more importantly carrying out parallel/simultaneous measurements using IIT Delhi's own measurement system, analysing and comparing the data from NMTs with those generated by IITD system.
- 3) In the NMTs installed, we found that the NMTs were equipped with weatherproof microphone, data storage and analysis device and information transmission system. There is a cloud-based data processing and sharing system including a central monitoring station at New Udaan Bhavan, IGI Airport, New Delhi.
- 4) It has been observed through measurements that the A-weighted maximum SPL from aircraft movements was at least 15 dB above the background noise level existing at the visited NMT sites. Hence the site selection is as per the CPCB guidelines (point no 6).
- 5) At all NMTs the microphone was located well above 6 m height from the ground. (as per DGCA CAR point no h, pg 8, CPCB point no 10, pg 7).
- 6) All the NMTs carry out continuous 24x7, 365 days noise measurements, as per CPCB point no 12.
- 7) At least two NMT stations per runway are expected (CPCB Point no 8, pg 6). Based on the runway configuration, NMT located at Dwarka sector 19 caters to two runways. Hence, the required number of NMTs are present.
- 8) The instrumentation installed in NMTs are class 1 which is in compliance to DGCA CAR and CPCB guidelines.
- 9) The NMS has a central receiving station to download, process, archive and visualize data collected, and transmitted from all NMTs as well as from the airport's flight information system.
- 10) The central receiving station had a software employing cloud based computing to generate reports from the NMT data and had a user friendly display. The software could also collate the noise data with flight movement information. The system is also capable of correlating noise data with meteorological parameters such wind direction, speed, temperature and relative humidity. The system also has the capability of audio data storage and listening to stored noise events. This allows the segregation of noise from other noise sources.
- 11) It should also be noted that IITD microphone gave a reading of 94.8 dB against an expected value of 94.5 dB with a calibrated sound source. So, an over-prediction by 0.3 dB of IITD data is expected across all the data sets.

- 12) Overall, there is a reasonably good match between the noise metrics predicted by NMTs and those measured by the IITD measurement system. The difference noted from the data processed across NMTs is less than 1 dB.
- 13) Based on the comparative plot $L_{A,s}$ of Dwaraka Sector 24 (NMT03), it appears that there is a time delay of around 4 secs. However, the noise metrics do match with IITD calculations and are found to be correct.

Conclusion

Overall, the NMTs installed and Aircraft Noise metric evaluation and reporting by DIAL are in compliance to DGCA Civil Aviation Requirements (CAR) dated 18th Dec, 2014 and CPCB requirements and procedure for monitoring ambient noise level due to Aircraft, dated June, 2008.



Annex – I**Calibration of NMT sensor**

The IITD team physically validated the NMTs sensor at NMT. For this purpose, the GRAS calibrator was mounted on the NMT microphone. The readings were recorded and provided by the main control center.

12/27/2023	12:40:10 PM	94.5
12/27/2023	12:40:11 PM	94.5
12/27/2023	12:40:12 PM	94.5
12/27/2023	12:40:13 PM	94.5
12/27/2023	12:40:14 PM	94.5
12/27/2023	12:40:15 PM	94.5
12/27/2023	12:40:16 PM	94.5
12/27/2023	12:40:17 PM	94.5
12/27/2023	12:40:18 PM	94.5
12/27/2023	12:40:19 PM	94.5
12/27/2023	12:40:20 PM	94.5
12/27/2023	12:40:21 PM	94.5
12/27/2023	12:40:22 PM	94.5
12/27/2023	12:40:23 PM	94.5
12/27/2023	12:40:24 PM	94.5
12/27/2023	12:40:25 PM	94.5
12/27/2023	12:40:26 PM	94.5
12/27/2023	12:40:27 PM	94.5
12/27/2023	12:40:28 PM	94.5
12/27/2023	12:40:29 PM	94.5
12/27/2023	12:40:30 PM	94.5
12/27/2023	12:40:31 PM	94.5
12/27/2023	12:40:32 PM	94.5
12/27/2023	12:40:33 PM	94.5

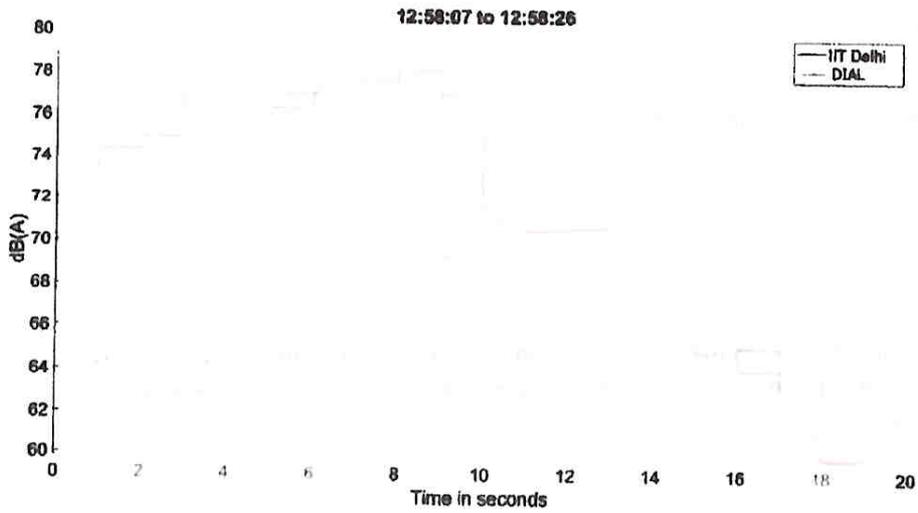
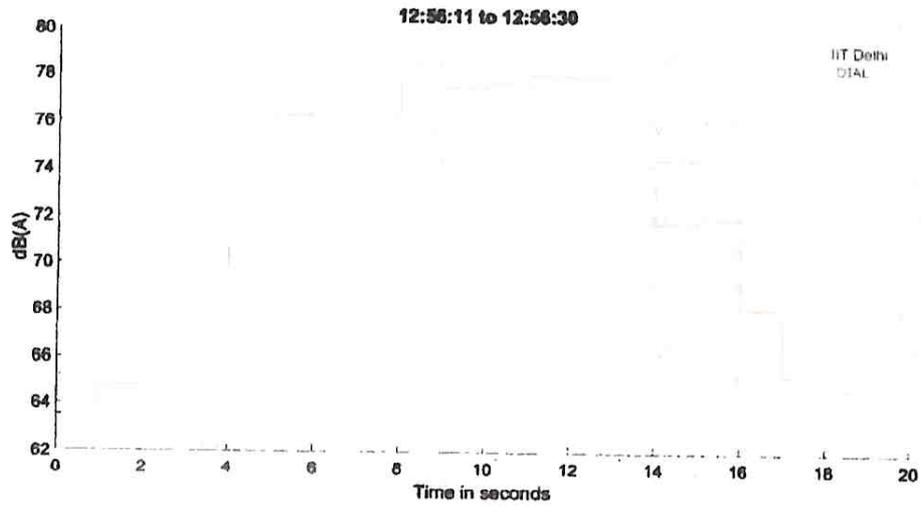
The above readings indicate that the sensor and associated measurement and processing system at NMT02 gives accurate measurements. It may be noted that the calibrator generates a pure tone of 94.5 dB at 1 kHz.



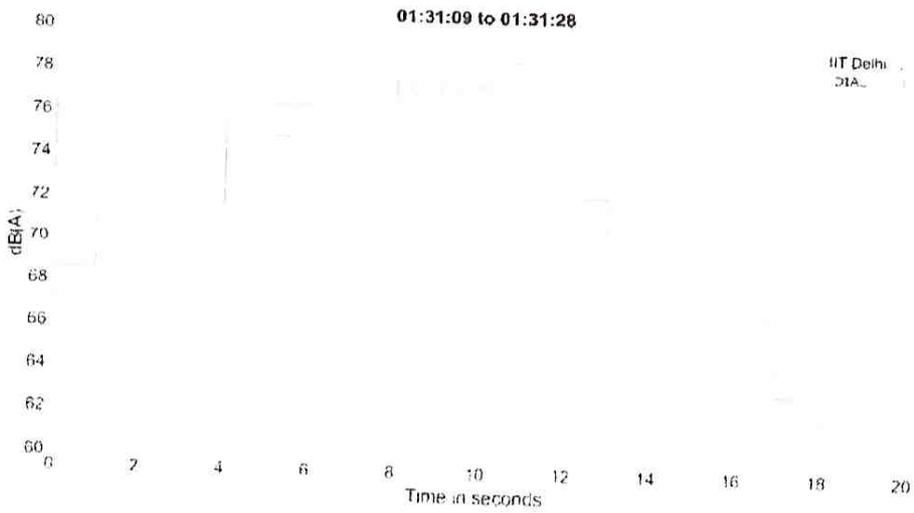
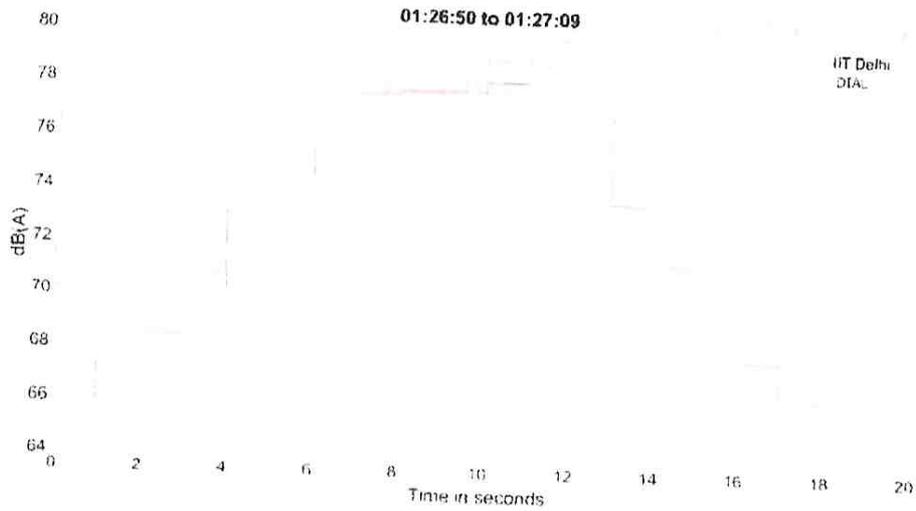

Annex – II

The comparative results of L_A or dBA for every second is presented below for a few events at various NMTs.

Data from Vasant Kunj (NMT2)



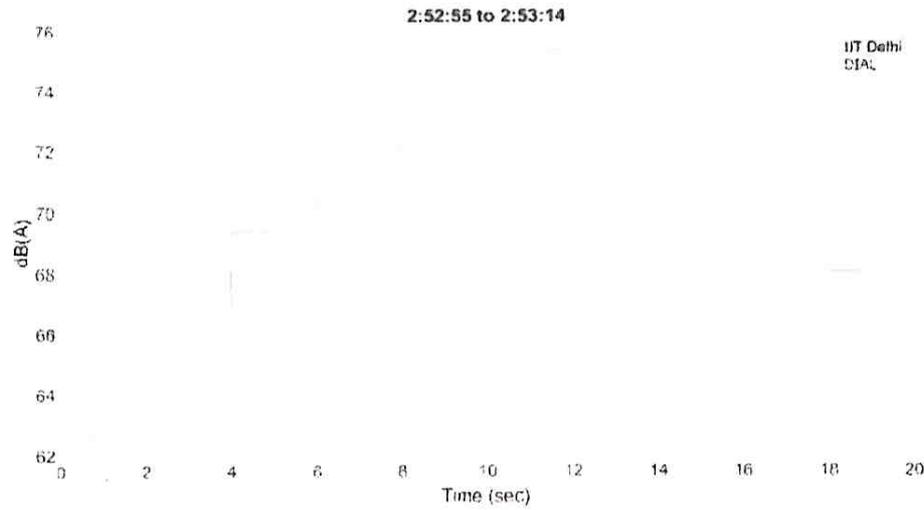
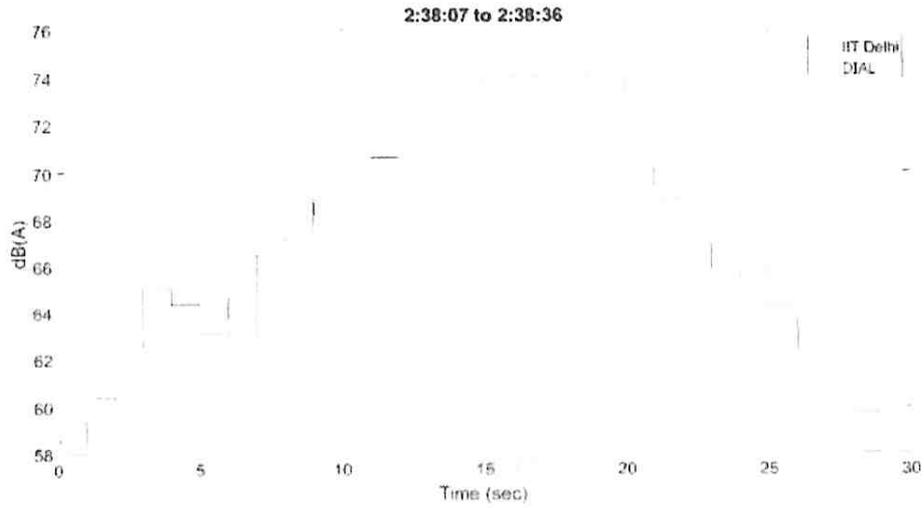
Dark
AG



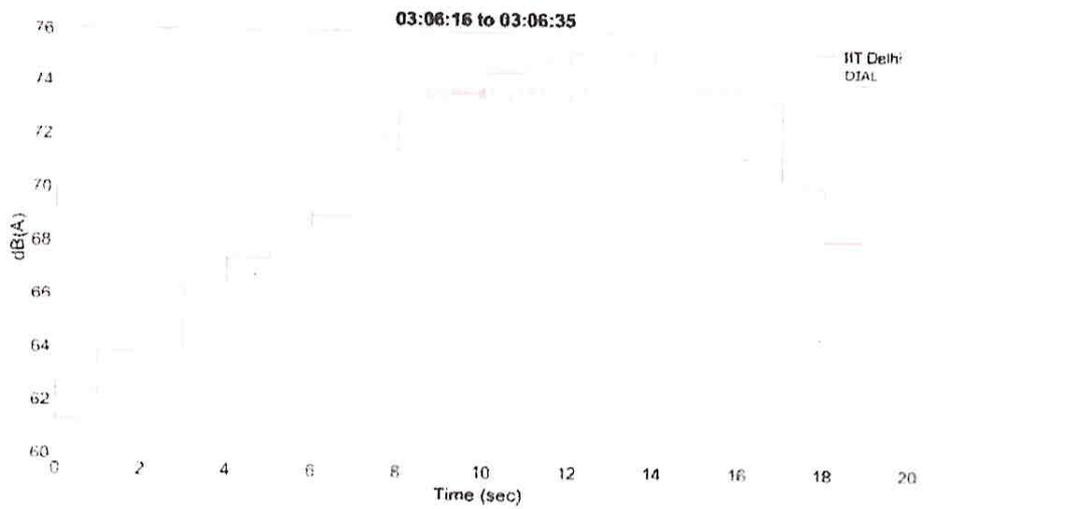
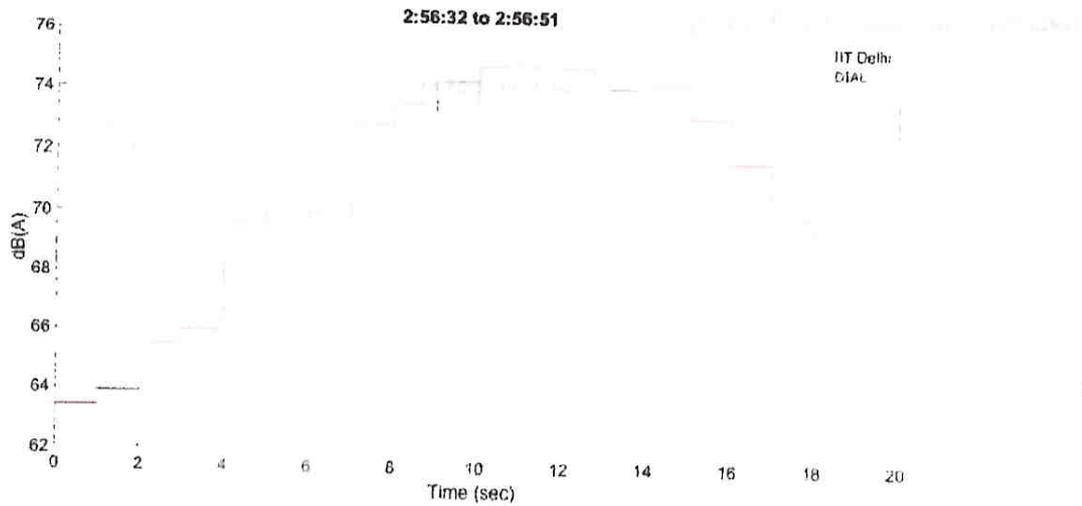
Duke

Re

Data from RK Puram (NMT06)

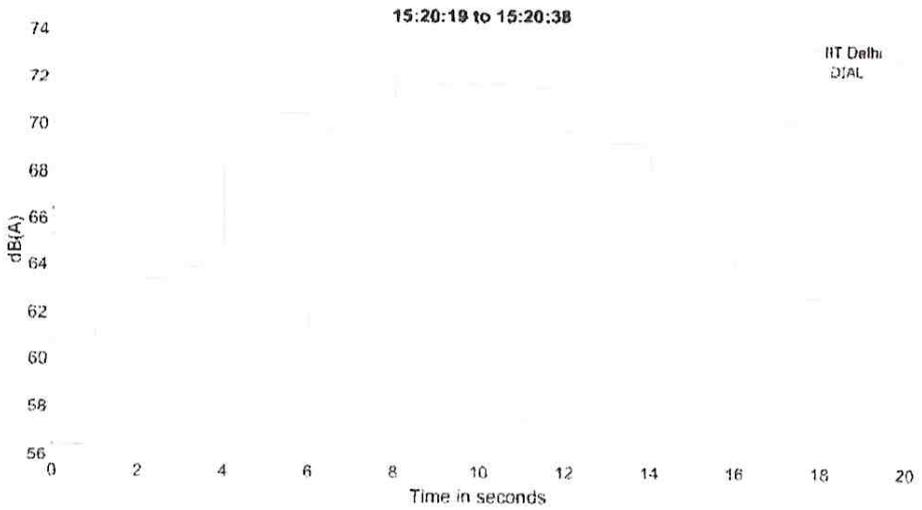
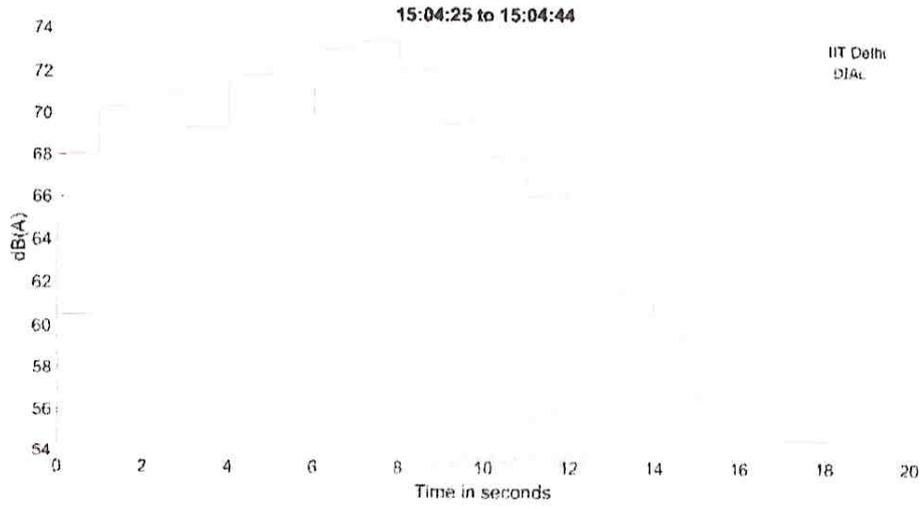


Handwritten signature
Handwritten signature

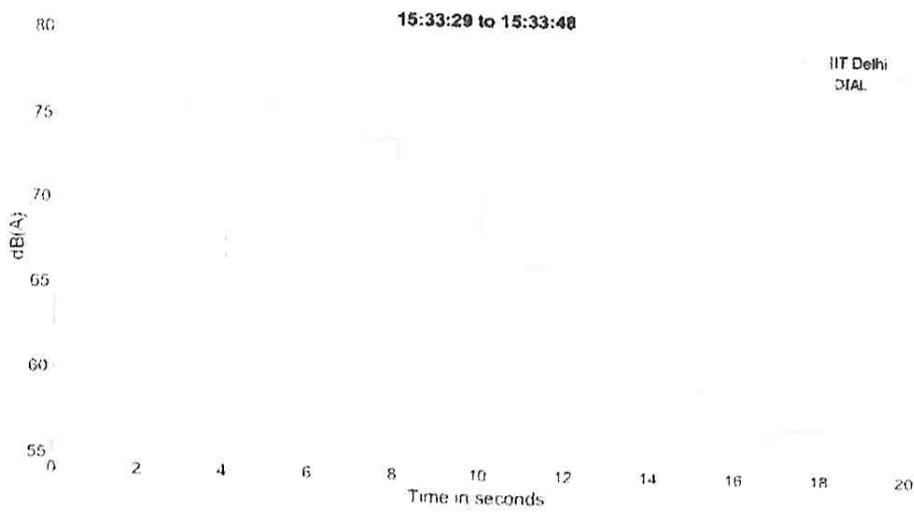
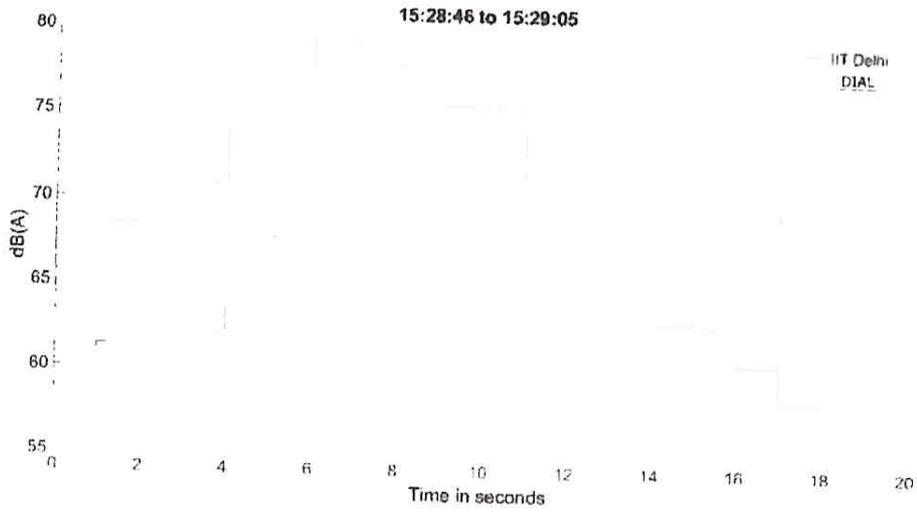


Dark
AG

Data from Dwaraka Sec 24(NMT03)



Darfo
AR



Handwritten signatures in blue ink.

Ravneet Singh

From: Ashly Cherian
Sent: Friday, February 09, 2024 7:57 PM
To: anilsood@spchetna.com; madhumita@casassociates.in; secy-moef@nic.in; sanand.cpcb@nic.in; tn.dwivedi57@nic.in; chairman@aai.aero; dgoffice.dgca@nic.in; chdpcc@nic.in; vcdda@dda.org.in; secl@nic.in
Cc: Ravneet Singh; Swet Shikha
Subject: RE: Advance Service- Reply on behalf of DIAL- SP Chetna vs UOI
Attachments: Written Submissions 09020224.pdf

Dear Sir/Ma'am,

Please see attached the Written Submissions on behalf of our Client, Delhi International Airport Limited in the captioned matter. Kindly treat this email as advance service.

Regards,
Ashly

Ashly Cherian
Counsel

**CONFIDENTIALITY NOTE**

This communication (including any accompanying documents) is intended only for the use of the addressee(s) and contains information that is PRIVILEGED AND CONFIDENTIAL. Unauthorized reading, dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately at <https://www.trilegal.com/offices/> and promptly destroy the original communication. This email has been scanned for viruses and malware and has been automatically archived. Thank you for your cooperation.

1045 ANNEXURE R-13

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA)

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

INDEX

Sl. No.	Particulars	Pages
1.	Additional Written Submissions on behalf of Respondent No. 9 – Delhi International Airport Limited to the Rejoinder Submissions filed by the Applicant	1-4
2.	Proof of Service	5

FILED BY:



MILANKA CHAUDHURY/ ASHLY CHERIAN/ SWET SHIKHA
TRILEGAL

ADVOCATES FOR RESPONDENT NO.9
1ST FLOOR, WING A&B, PRIUS PLATINUM,
D-3, DISTRICT CENTRE, SAKET,
NEW DELHI, 110017
Mobile-9871706992

PLACE: NEW DELHI
DATE: 18.02.2024

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA)

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

**ADDITIONAL WRITTEN SUBMISSIONS ON BEHALF OF RESPONDENT
NO. 9, DELHI INTERNATIONAL AIRPORT LTD TO THE REJOINDER
SUBMISSIONS FILED BY THE APPLICANT.**

1. Respondent No.9, Delhi International Airport Limited, is providing its para wise response to the Rejoinder Submissions filed by the Applicant only to assist this Hon'ble Tribunal as it is pertinent to clarify the factual inaccuracies presented by the Applicant, which appear to be intended to mislead this esteemed Tribunal. At the outset it is stated that the Applicant's failure to substantiate its case is apparent, and its actions seeking additional documents suggest a desperate attempt at a fishing expedition to bolster its position which cannot be permitted by this Hon'ble Tribunal, as the Applicant must first demonstrate that their claims are founded on substantial evidence and adhere to the principles of transparency and truthfulness. Most importantly, the Applicant is repeatedly seeking documents which are already part of the record indicating a lack of diligence in their preparation. Such conduct undermines the integrity of this esteemed Tribunal and obstructs the expeditious resolution of the matter at hand.
2. It is prayed that the present additional written submission be read in conjunction with the grounds raised by DIAL in its Preliminary Reply dated 08.11.2023 (“**Reply by DIAL**”) and Written Submissions dated 09.02.2024, which are not repeated herein for the sake of brevity. Further, all allegations, averments, and submissions made by the Applicant concerning DIAL are denied, save and except those which are a matter of record and/or specifically admitted in the present written submissions and Reply by DIAL and shall not be deemed to be admitted for specific non-transverse.

Para-wise response to the Rejoinder Written Submissions

3. The contents of Para 1 of the Rejoinder Written Submissions are wrong and denied. It is respectfully submitted that the Applicant's actions are aimed at obfuscating the matter

and shifting the primary focus away from the issue concerning compliance with GSR 568 dated 18.06.2018 (“**MoEF Notification**”) at IGI Airport.

4. In response to Para 2 of the Rejoinder Written Submissions it is reiterated that the Respondent No.9 is compliant of its obligations under the MoEF Notification which is evident from the following:
 - i. As per **clause 1(1)** of the MoEF Notification, aircraft noise monitoring is conducted at all runway funnel areas, and the levels are in compliance with the standards specified for a busy airport. These levels are being published on Respondent No.9’s website.
 - ii. Pursuant to **clauses 2 and 3** of the MoEF Notification, the Noise Management Plan has been established, and approval from the Directorate General of Civil Aviation (DGCA) has been secured.
 - iii. In accordance with **clauses 4 and 5** of the MoEF Notification, airport noise mapping and the delineation of airport noise zones have been implemented for IGI Airport, with DGCA approval obtained in alignment with the MoEF Notification. This information has been duly disseminated on Respondent No.9's website and was also presented before the Tribunal during the hearing on January 31, 2024.
 - iv. Pursuant to **clause 6** of the MoEF Notification, the Monitoring Protocol and Measurement Procedures for airport noise zones outlined on the websites of the Ministry of Environment, Forest, and Climate Change and the Central Pollution Control Board are being adhered to. Compliance has been ensured, with all Noise Monitoring Terminals (NMTs) installation and operational locations in accordance with CPCB monitoring protocol, a fact corroborated by verification from IIT Delhi, as detailed in the written submissions filed by the Respondent No.9 on 09.02.2024.
5. In response to Para 2(a) of the Rejoinder Written Submissions it is submitted that the allegations raised by the Applicant have already been addressed in detail by the Respondent No.9 at Paragraph D 11 (iii) (b) of the Preliminary Objections submitted by Respondent No. 9. It is reiterated that the Applicant's assertion is false and deliberately misrepresents facts, as the MoEF Notification provided airports with a two-year compliance period for noise level regulations. Respondent No.9 submitted its final EIA report before the issuance of the MoEF Notification, dated July 2017, whereas the notification is dated 18.06.2018. Current noise level recordings at Delhi Airport are within the notified levels, detailed in Annexure R-8 of the Preliminary Objections filed by Respondent No.9.

It is reiterated that the noise levels referenced in sub-paragraph C3-45 of the EIA Report on Page 72 of the Original Application represent baseline noise levels comprising a combination of noises from various sources, including vehicles, general traffic, aircraft, and others. Respondent No. 9 reaffirms its full compliance with the provisions outlined in the MoEF Notification.

6. In response to Para 2(b) of the Rejoinder Written Submissions it is submitted that Respondent 9 has submitted the recorded noise data and demonstrated compliance with the requirements outlined in MoEF Notification in its Preliminary Objections and also during the hearing before this Hon'ble Tribunal.
7. In response to Para 2(c) of the Rejoinder Written Submissions it is submitted that the Applicant is attempting to mislead this Hon'ble Tribunal. The document referenced by the Applicant delineates the established protocols for slot allocation among aviation stakeholders. Importantly, the document cited by the Applicant (Annexure 7 of additional documents) conspicuously lacks any reference to the turnaround time and assessment of noise levels concerning slot allocation.
8. In response to Para 2(d) of the Rejoinder Written Submissions, it is submitted that Respondent No. 9 has installed an NMT at the RK Puram funnel area of the runway. The noise levels of RK Puram have been submitted as Annexure R-8 (Pages 247-252) of the Preliminary Objections filed by Respondent No. 9 and demonstrate that the Respondent No.9 is in compliance with the MoEF Notification. This compliance has been verified by IIT Delhi regarding the fulfilment of DGCA and CPCB requirements.
9. In response to Para 2(e) of the Rejoinder Written Submissions, it is submitted that Respondent No. 9 has already provided the noise levels recorded in the funnel areas of the Runway of IGI Airport, which are on record as Annexure R-8 (Pages 247-252) of the Preliminary Objections filed by Respondent No. 9.
10. In response to Para 3 of the Rejoinder Written Submissions, it is reiterated that Respondent 9 has complied with the requirements under the MoEF Notification and have already provided noise level recorded in the funnel areas of Runway of IGI Airport and are on record of this Hon'ble Tribunal as Annexure R-8 (Page 247-252) of Preliminary Objections filed by Respondent No.9.
11. The response to Para 4 of the Rejoinder Submissions may kindly be read as the response provided in Para 2(b) of the present Additional Written Submissions.
12. In response to Para 5 and 6 of the Rejoinder Submissions, it is stated that this Hon'ble Tribunal has already been apprised regarding the noise monitoring data and its source have been placed on record by the Respondent No.9. The source of noise is attributed to "Aircraft," and the data is obtained from the NMTs installed in the funnel areas of IGI Airport, in accordance with DGCA CAR Requirements and CPCB monitoring protocol requirements, as published on Respondent No. 9's website. The installation of NMTs, noise data, and its accuracy are in compliance and have been verified by IIT Delhi. The report from IIT Delhi has been submitted to the Hon'ble Tribunal. The noise data available on the website effectively addresses the noise source, clearly indicating

the monitoring location, noise levels during the day and night, and specifying the source as "Aircraft Noise Levels".

In light of the above submissions, it is prayed that this Hon'ble Tribunal dismiss the present Original Application with exemplary costs.

FILED BY:



MILANKA CHAUDHURY/ ASHLY CHERIAN/ SWET SHIKHA
TRILEGAL

ADVOCATES FOR RESPONDENT NO.9
1ST FLOOR, WING A&B, PRIUS PLATINUM,
D-3, DISTRICT CENTRE, SAKET,
NEW DELHI, 110017
Mobile-9871706992

PLACE: NEW DELHI
DATE: 18.02.2024

Ravneet Singh

From: Ravneet Singh
Sent: Sunday, February 18, 2024 2:02 PM
To: anilsood@spchetna.com; madhumita@casassociates.in; secy-moef@nic.in; sanand.cpcb@nic.in; tn.dwivedi57@nic.in; chairman@aai.aero; dgoffice.dgca@nic.in; chdpcc@nic.in; vcdda@dda.org.in; secl@nic.in
Cc: Ashly Cherian; Swet Shikha
Subject: RE: Advance Service- Reply on behalf of DIAL- SP Chetna vs UOI
Attachments: Additional Submissions - 18022024.pdf

Dear Sir/Ma'am,

Please see attached the Additional Written Submissions on behalf of our Client, Delhi International Airport Limited in the captioned matter. Kindly treat this email as advance service.

Regards,
Ravneet

Ravneet Singh

Associate

**CONFIDENTIALITY NOTE**

This communication (including any accompanying documents) is intended only for the use of the addressee(s) and contains information that is PRIVILEGED AND CONFIDENTIAL. Unauthorized reading, dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately at <https://www.trilegal.com/offices/> and promptly destroy the original communication. This email has been scanned for viruses and malware and has been automatically archived. Thank you for your cooperation.

1051

ANNEXURE R-14

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/ 2023**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA)

... APPLICANT

VERSUS

UNION OF INDIA & ORS.

... RESPONDENTS

INDEX

S. NO.	PARTICULARS	PAGE NO.
1.	COMPLIANCE REPORT BY RESPONDENT NO.9, DELHI INTERNATIONAL AIRPORT LIMITED IN TERMS OF THE DIRECTIONS GIVEN BY THIS HON'BLE TRIBUNAL IN ITS JUDGMENT DATED 21.03.2024 ALONG WITH AFFIDAVIT	1-5
2.	ANNEXURE R-1: CERTIFIED COPY OF RESOLUTION PASSED BY BOARD OF DIRECTORS OF DELHI INTERNATIONAL AIRPORT LIMITED DATED 26.05.2023	6-7
3.	ANNEXURE R-2: COPY OF JUDGMENT PASSED BY HON'BLE NATIONAL GREEN	8-63

	TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN ORIGINAL APPLICATION NO. 612/2023 DATED 21.03.2024	
4.	ANNEXURE R-3: SNAPSHOT OF AIRCRAFT NOISE DISPLAYED ON RESPONDENT NO. 9 WEBSITE	64
5.	ANNEXURE R-4: COPY OF AIRCRAFT NOISE LEVELS RECORDED BY RESPONDENT NO.9 FOR THE MONTH OF MARCH 2024	65
6.	PROOF OF SERVICE	66

FILED BY


TRILEGAL
MILANKA CHAUDHURY/ASHLY CHERIAN
ADVOCATES FOR THE RESPONDENT NO. 9
1st Floor, Wing A&B, Prius Platinum,
D-3, District Centre, Saket, New Delhi, 110017
Enrolment no.: D//2168/2011
Email: ashly.cherian@trilegal.com
Mobile: 9871706992

PLACE: NEW DELHI
DATED: 01.05.2024

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA) ... APPLICANT

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

**COMPLIANCE REPORT BY RESPONDENT NO. 9, DELHI
INTERNATIONAL AIRPORT LTD IN TERM OF THE DIRECTIONS
GIVEN BY THIS HON'BLE TRIBUNAL IN ITS JUDGMENT DATED
21.03.2024.**

1. The present report is being filed by Delhi International Airport Limited, (“Respondent No. 9”) in compliance with the directions passed by this Hon’ble Tribunal vide its judgment dated 21.03.2024 in the captioned matter. The present report is being filed through Mr. Shyam Sundar, Deputy Chief Executive Officer, Delhi International Airport Limited, who has been duly authorised by the Respondent No.9 vide Board Resolution dated 26th May 2023.
Copy of the Board Resolution dated 26th May 2023 is annexed herewith as **Annexure R-1.**
2. This Hon’ble Tribunal, through its judgment dated 21.03.2024, mandated the Respondent No. 9 to ensure compliance with the following two directions which is reproduced as under:

81. So far as placing noise level on website is concerned, details of the website has been given by respondent 9 in its reply and aircraft noise level and monitoring at different points with monthly average has been given as collectively as annexure R-8 but the factum that the information has been placed on the website has been seriously disputed by applicant. We also tried to open the website mentioned by respondent 9 but could not find it convenient to open the required information with regard to aircraft noise level and monitoring as claimed by respondent 9. Hence, we direct respondent 9 to

display aircraft noise level on monthly basis as required by Notification dated 18.06.2018 and given in direction no. 7 of Tribunal's order dated 18.06.2019 on the website in such a manner that it may conveniently be available to everyone who is interested to find out the said information and this shall be done within 30 days from today. A compliance report on this respect shall also be submitted with Registrar General of this Tribunal within 15 days after expiry of 30 days as directed above.

82. Learned Counsel appearing for applicant in its Written Submissions has raised objections that the information given is not a daily and hourly information but the monthly average taken by respondent 9. In this regard, we find that direction contained in para 7 of the order dated 18.09.2019 says that noise level should not only be measured and maintained but be displayed on the public domain. Therefore, the monthly average given by respondent 9, in our view, is not sufficient and instead, it should be given every month but the record should be on daily basis. The average of the day may be maintained to avoid functional difficulty in the matter. Issue I is answered accordingly.

[Emphasis supplied]

Copy of the judgment dated 21.03.2024 passed by this Hon'ble Tribunal is annexed herewith as **Annexure R-2**.

3. In compliance with the **first direction**, the Respondent No. 9 is now conveniently displaying the data related to aircraft noise levels recorded at Noise Monitoring Terminals of runway approach and departure funnel of Delhi airport on its website which is easily accessible to all. This information can be accessed by all users by visiting the website of the Respondent No. 9 at <https://www.newdelhairport.in/> and clicking on the 'Corporate' tab in the Menu on the Home page, which directs the user to the 'Sustainability' page (<https://www.newdelhairport.in/corporate/our-company/sustainability>), where the aircraft noise levels recorded by the Respondent No. 9 at the Delhi airport are conveniently visible. Respondent No. 9 in future may further bring the "Sustainability" page under the "Menu" on the Home page itself. A snapshot of the aircraft noise levels displayed on Respondent No. 9's website is annexed herewith as **Annexure R-3**.

4. In compliance with the **second direction**, Respondent No. 9 confirms that it has published the aircraft noise levels recorded at the Delhi airport for the month of March 2024, along with the daily average noise level for night and day periods, within the prescribed timelines set by this Hon'ble Tribunal vide its judgment dated 21.03.2024.. The Respondent No. 9 further confirms its commitment to ensuring that all aircraft noise levels recorded at the Delhi airport will be published on its website monthly with the daily data as directed by this Hon'ble Tribunal. Additionally, the Respondent No. 9 also shall ensure that the recorded aircraft noise levels at the Delhi airport comply with the levels stipulated in Notification No. G.S.R.568(E) dated 18.06.2018. Aircraft noise levels recorded for the month of March 2024 with its daily data at the Delhi airport is annexed herewith as **Annexure R-4**.
5. In light of the above, Respondent No. 9 states that it is in compliance with the directions passed by this Hon'ble Tribunal in its judgment dated 21.03.2024.


RESPONDENT NO. 9 

THROUGH

PLACE: NEW DELHI
DATED: 30.04.2024


MILANKA CHAUDHURY & ASHLY CHERIAN
ADVOCATES FOR THE PETITIONER/APPLICANT
TRILEGAL
1st Floor, Wing A&B, Prius Platinum,
D-3, District Centre, Saket, New Delhi, 110017

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 612/2023**

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS & PROMOTION OF
NATIONAL AWARENESS (SP-CHETNA) ... APPLICANT

VERSUS

UNION OF INDIA & ORS. ... RESPONDENTS

AFFIDAVIT

I, Shyam Sundar, son of Gopalakrishnan Subramaniaiyer, aged about 52 years, working as Deputy Chief Executive Officer with the Respondent No.9, Delhi International Airport Ltd, having its registered office at New Udaan Bhawan, Terminal – 3, Opposite ATC Complex, International terminal, Indira Gandhi International Airport, New Delhi -110037, do hereby solemnly affirm and state as under:

1. That I am working with the Respondent No. 9 as the Deputy Chief Executive Officer, and I have been authorised to represent Respondent No. 9 and file pleadings on behalf of the Respondent No.9 before this Hon'ble Tribunal vide Board Resolution dated 26th May 2023 and as such, I am competent to depose by way of the present affidavit.
2. That I have read and understood the contents of the accompanying Compliance Report which has been drafted under my instructions and state that the contents of the same are true and correct to my knowledge based on the official records maintained by the Respondent No.9.
3. That the annexures to the Compliance Report are true copies of their respective originals.
4. That the contents stated in the present affidavit are true and correct and nothing material has been concealed therefrom.



DEPONENT



VERIFICATION

I, Shyam Sundar, the abovenamed Deponent, do hereby verify that the contents of the present Affidavit are true and correct to the best of my knowledge and belief, and no part of it is false and no material facts have been concealed therefrom.

Shyam Sundar
I identify the Deponent who has signed/put TI in my Presence
28/05/2023

Shyam Sundar
DEPONENT




1983/21

ATTESTED
Pooja Bhasin
NOTARY PUBLIC, INDIA

30 APR 2024

Delhi International Airport Limited
(Formerly known as Delhi International Airport (P) Limited)



Registered Office:
New Udaan Bhawan, Opp. Terminal 3
Indira Gandhi International Airport
New Delhi – 110 037
CIN U63033DL2006PLC146936
T +91 11 4719 7000 F +91 11 4719 7181
W www.newdelhiairport.in
E DIAL-CS@gmrgroup.in

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF DELHI INTERNATIONAL AIRPORT LIMITED AT THEIR 102nd MEETING HELD AT 2:00 P.M (IST) ON FRIDAY, MAY 26, 2023.

Authorization for Legal Matters of the Company.

“RESOLVED THAT in supersession of all earlier Resolutions passed in this regard, Mr. G.M. Rao – Executive Chairman, Mr. G.B.S. Raju - Managing Director, Mr. Indana Prabhakara Rao - Executive Director, Mr. Kada Narayana Rao - Whole-Time Director, Mr. Videh Kumar Jaipurkar - Chief Executive Officer, Mr. Shyam Sunder - Deputy Chief Executive Officer, Mr. G.R.K. Babu - CFO (Airports Sector), Mr. Bhaskar Chandran - Group General Counsel - Business Legal, Mr. Ajay Kharbanda - Chief Legal Officer - North & West - Business Legal (Airports Sector), Mr. Hari Nagrani - Chief Financial Officer, Mr. Aseem Mohan - Head Legal, Mr. Dinesh Kumar - Lead Counsel - Business Legal, Mr. Patrick Muller - Chief Operating Officer, Mr. Tarun Arora - Chief Commercial Officer – Non – AERO and Mr. Puskar Nath Thakur - Chief Commercial Officer – AERO, Ms. Pradnya Kulkarni - Head – Procurement, Mr. Keshava Murthy TV - Chief Human Resource Officer, Mr. Bithal Kumar Bhardwaj - Group Chief Information Security Officer – Technology, Mr. Rahul Shandilya – Group Chief Info & Digital Officer - Corporate IT, Mr. Srinadh Prasad K - Chief Information Officer – DIAL – IT, Mr. Dheeraj Gehani - Group Head -Enterprise IT Infrastructure, Mr. Pankaj Kalra - Head - Revenue Management – Procurement and Mr. Abhishek Chawla - Company Secretary of the Company etc., be and are hereby severally authorized, as long as they are associated with the Company:

- (a) To institute, defend, prosecute, conduct, pursue, compound, settle, withdraw or compromise legal or other proceedings, claims and disputes by or against the company or in which the company may be concerned or interested before any court, tribunal, judicial or quasi-judicial bodies, arbitrator, conciliator, Governmental or regulatory authorities or any other forum.
- (b) To accept service of any writ, summons or other legal processes and to appear and to represent the company before any courts or judicial or quasi-judicial bodies or revenue authorities or administrative bodies or executive officers or tribunals or commissions and/or before all other Governmental or regulatory authorities including municipal, industrial, labour, tax authorities, and other bodies etc. whatsoever, as the said person(s) may deem fit and proper in interest of the company, and for and on behalf of the company, in the name of the company or otherwise, as may be necessary to commence any or defend any action, suit, claim, complaint, reply, appeal, petition, settlement, arbitration or other proceedings before



True Copy



any court, judicial or quasi-judicial bodies, revenue authorities, industrial bodies, labour bodies, or any other officer, body, authority, Commission, or tribunal etc. for any reliefs, declaration, right, title, interest, property, matter or thing wherein the company is or may hereafter become interested or concerned by any means or on any account whatsoever or otherwise in relation to any of the company's affairs, property and business or in which the company, may be or may be deemed to be necessary as a party and the same action, suit, claim, reply, complaint, appeal, petition or proceedings to prosecute or discontinue, or to become non-suit therein, if the said person(s) shall think fit or be advised and to take all execution and other proceedings and also to take such other lawful ways, means or steps for the enforcement, realization or possession of any relief's, rights, interests, claims, demands or property in relation to any of the properties, affairs and business of the company whatsoever, to which the said person(s) may consider the company to be entitled or which may be considered to be due, owing or belonging to the company by or from any person(s), firm or company whatsoever and to sign and file/cause filing of Caveats before any Court of Law with regards to the above.

- (c) To join with any other party as a party to any action, suit, complaint, petition, appeal or other legal proceeding whether as plaintiff or complainant or defendant or appellant or respondent and to interplead, claim set-off or make a counter claim, and to issue or cause to be issued third party notices.
- (d) To appoint advocates, lawyer(s), solicitors, legal practitioners etc. related to the above stated legal matters and sign and execute Vakalatnama in this regard.
- (e) Generally to do all other acts, deeds and things, which are necessary, incidental to and deem fit by the above person(s) in respect of the above matters.

RESOLVED FURTHER THAT the Managing Director of the Company be and is hereby authorized to further authorize officials of the Company from time to time and to make suitable modification to the authority delegated, including change in executives /authorized signatories and other instructions in connection with matters as covered in the above resolution."

CERTIFIED TRUE COPY

For and on behalf of

Delhi International Airport Limited



Abhishek Chawla
Company Secretary





True Copy

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

**ORIGINAL APPLICATION NO. 612/2023
(IA NO.758/2023)**

IN THE MATTER OF:

**SOCIETY FOR PROTECTION OF CULTURE,
HERITAGE, ENVIRONMENT, TRADITIONS AND
PROMOTION OF NATIONAL AWARENESS**

Through its President
A-414-415, Somdutt Chambers,
5 Bhikaji Cama Place,
New Delhi-110066
Also known as (SP-CHETNA)

...Applicant(s)

Versus

- 1. UNION OF INDIA**
Through its Secretary,
Ministry of Environment, Forest & Climate Change,
Indira Bhawan, Jor Bagh,
New Delhi-110003
- 2. CENTRAL POLLUTION CONTROL BOARD**
Through its Chairman,
Parivesh Bhawan,
CBD-cum-Office Complex,
East Arjun Nagar,
Delhi-110032
- 3. MINISTRY OF CIVIL AVIATION,**
Through its Secretary,
Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi-110003
- 4. AIRPORT AUTHORITY OF INDIA**
Through its Chairman,
Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi-110003



True Copy

5. **DIRECTOR GENERAL OF CIVIL AVIATION**
Through Director General,
Opposite Safdarjung Airport,
New Delhi-110003
6. **DELHI POLLUTION CONTROL COMMITTEE**
Through its Chairman,
4th Floor, ISBT Building,
Kashmere Gate,
Delhi-110006
7. **DELHI DEVELOPMENT AUTHORITY,**
Through its Vice Chairman,
Vikas Sadan, INA,
New Delhi-110003
8. **LT. GOVERNOR OF DELHI,**
Raj Niwas, Rajpur Road,
Delhi-110054
9. **DELHI INTERNATIONAL AIRPORT LTD.,**
New Udaan Bhawan, IGI Airport,
Opposite T3,
New Delhi-110037

...Respondent(s)

COUNSELS FOR APPLICANT(S):

Mr. Sanjeev Anand, Senior Advocate with Ms. Madhumita Singh, Advocate

COUNSELS FOR RESPONDENT(S):

Mr. Atma Ram Nadkarni, Senior Advocate with Mr. Milanka Chaudhury, Ms. Ashley Cherian, Mr. S.S. Rebello, Ms. Deepti Arya, Ms. Arzu Paul, Ms. Manisha Gupta, Mr. Siddhant Gupta and Mr. Rishikesh Haridas, Advocates for Delhi International Airport Ltd. (R-9)

Mr. Vivek Kumar Tandon and Ms. Prerna Tandon, Advocates for R-1 (Through VC)

Ms. Anjana Gosain and Ms. Nippun Sharma, Advocates for AAI and DGCA (R - 4 and 5)

Mr. Narender Pal Singh, Advocate for DPCC (R - 6)

Ms. Vidhi Gupta and Ms. Latika Malhotra, Advocates for DDA (Through VC)



True Copy

CORAM:

HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

RESERVED ON: JANUARY 31, 2024
PRONOUNCED ON: MARCH 21, 2024

JUDGMENT

BY HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER

1. This Original Application (hereinafter referred to as '**OA**') has been filed by Society for Protection of Culture, Heritage, Environment, Traditions and Promotion of National Awareness through its President (hereinafter referred to as '**applicant**') under Sections 14 and 15 read with Section 18(1) of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act 2010**'), raising the grievance of noise pollution at Indira Gandhi International Airport (hereinafter referred to as '**IGI Airport**') and all other airports, similarly located, within the city limit caused due to landing and taking off aircrafts on all the runways during night time i.e., from 10:00 pm to 06:00 am, except for international airports. Applicant has also sought enforcement of noise limits at IGI Airport and other airports by implementing Notification No. GSR.568(E) dated 18.06.2018 issued by Ministry of Environment, Forest and Climate Change (hereinafter referred to as '**MoEF&CC**') and to publish high noise impacted areas around airports and stop further development around airport.

2. Applicant is a society registered under Societies Registration Act, 1860 and is accredited and enrolled with Ministry of Home Affairs. It is an association of individuals joining together with the objective of serving the



True Copy

mankind and maintaining, preserving cultural heritage of motherland i.e., Bharat.

3. Applicant filed a Public Interest Litigation i.e., **WP(C) No.9337/2009, Society for Protection of Culture Heritage Environment Traditions and Promotions of National Awareness and others v Union of India** in Delhi High Court, challenging Environmental Clearance (hereinafter referred to as '**EC**') dated 17.01.2007 by MoEF&CC i.e., respondent 1 for construction of 3rd runway no. 11/29 at IGI Airport, New Delhi and also prayed for other reliefs including prohibitory orders against respondents to stop flying aircrafts over the areas of Vasant Kunj, Masoodpur and Rangpuri as take-off and landing of aircrafts at 3rd runway was causing serious noise pollution and disturbing life and sleep of public residing in that area causing serious health problems.

4. Writ Petition was transferred by Delhi High Court vide order dated 16.04.2013 to this Tribunal in terms of Supreme Court's judgment dated 09.08.2012 passed in **Bhopal Gas Peedith Mahila Udyog Sangathan & Others vs. Union of India & Others 2012 (8) SCC 326** and registered hereat as **Appeal No. 60/2013 (THC), Society for Protection of Culture Heritage Environment, Traditions and Promotion of National Awareness vs. UoI & Others.**

5. There were two more **Writ Petitions Nos. 13675/2009, Bijwasan Gram Vikas Samiti & Others vs. Union of India & Others** and **12719/2009, Indian Spinal Injuries Hospital Sector-C, Vasant Kunj vs. Union of India & Others**, which also involved similar issue of noise pollution due to landing and taking-off aircrafts at 3rd runway no. 11/29 which were filed before Delhi High Court. The said writ petitions were also



True Copy

transferred vide order dated 16.04.2013 and registered hereat as **OA 115/2013 (THC)**, and **OA 117/2013 (THC)** respectively.

6. Fourth matter i.e., **OA 90/2014, Neelam Sanjeev vs. Directorate General Civil Aviation and Others** was filed before Tribunal itself under Sections 14 and 15 of NGT Act 2010 wherein also, similar issue was raised.

7. All these matters were considered and decided by Tribunal vide judgment dated 24.11.2017. In para 8 of the judgment, Tribunal noticed that the controversy has narrowed down to the following issues:

- “(a) Taking **mitigation measures for controlling noise pollution** at the IGI Airport, New Delhi;*
- (b) Expert Body be appointed to suggest **erection of appropriate barriers for control of noise pollution and for taking other remedial measures**;*
- (c) The **aircrafts should be restricted from applying reverse thrust upon landing** as it results the maximum noise level;*
- (d) There should be **night curfew** on flight operations atleast **between 10:00 pm to 05:00 am** and/or the same should be regulated.”*

8. Tribunal observed that the matter has to be examined in the light of principle of ‘sustainable development’ and ‘precautionary principle’. In para 13, Tribunal observed that nearly 80 to 82 flights take-off or land every hour at Delhi domestic/international airport and this shows the extent of air traffic that IGI airport is handling. To put a prohibition or a night curfew would not be rational and would not be in line with the doctrine of ‘sustainable development’. Tribunal also observed that it was not established before it that stakeholders particularly the official respondents were not taking adequate steps to mitigate the noise levels at



True Copy

the airport and its surrounding areas. Thereafter, Tribunal disposed of the matters with the following directions:

- “1. We **decline the prayer of the Appellant/Applicants in all these cases for imposition or night curfew on landing or taking off of aircrafts at the airport** and more particularly on run way no. 11/29.
2. We also **decline the prayers of the Appellant/Applicants for issuances of directions to the Central Government and other official respondents for providing sound proofing of the houses in the colonies, falling on the flight pathway of aircrafts while landing and taking off.**
3. We **direct all the official respondents to take all mitigating measures for reducing noise pollution in terms of the report submitted by MoEF** and as even proposed by these very respondents themselves, expeditiously.
4. The **official respondents shall act in furtherance to the report of IIT in relation to construction of sound barriers, which report of IIT is accepted by the Tribunal.**

However, if any, variations are suggested and the official respondents consider it proper to carry out such variations on the ground of safety, security and height of the sound barrier walls, the same may be implemented after discussion with the team of IIT, The sound barriers should be constructed at the earliest and in accordance with report.

5. The **official respondents shall ensure providing of a green belt around the boundary wall of the airport, while keeping the safety and security both in mind. The plantations shall be of the species which would only grow to the permissible height or would be maintained at the permissible height only.**
6. The official respondents may **issue an advisory to all the airlines whose aircrafts land at the runway of the IGI and domestic Airport, New Delhi to ensure ‘Judgment based’ use of reverse thrust keeping in view weather, length of run way, wind, and other attendant circumstances to reduce the noise level particularly at the time of landing of aircrafts.**



True Copy

7. *All the **coaches/buses and other vehicles plying at the airport should be CNG** and must comply with the prescribed emission standards. Non-CNG buses/coaches or other vehicles plying at the airport, should be converted to CNG within six months from today.*”

9. It appears that the above directions resulted in amendment in Environment (Protection) Rules, 1986 (hereinafter referred to as '**EP Rules 1986**').

10. Section 3 of EP Rules 1986 provides that for the purpose of protecting and improving the quality of environment and preventing, controlling and abating environmental pollution, standards for emission or discharge of environmental pollutants from the industries, operations or processes shall be specified in Schedule I to IV. In order to put the record straight, we may point that EP Rules 1986 initially contained Schedules I to VII where to, Schedules I to IV referred to Rule 3(1). However, Schedule II was omitted by G.S.R. 801(E) dated 31.12.1993 w.e.f. the said date. A perusal of Schedule I, II and III shows that Schedule I contained list of various industries, operations, and processes in respect whereof, standards for emissions or discharge of environmental pollutants were prescribed and prior to 22.03.2018, there were total 111 industries/processors/operations mentioned therein. Schedule III dealt with ambient air quality standards in respect of noise in different areas like industrial area, commercial area, residential area and silence zone and Schedule IV contained standards for emission of smoke, vapor etc. from motor vehicles.

11. MoEF&CC amended Schedule I of EP Rules 1986 by inserting entry 112, adding '**airports**' industry in respect whereof, standards of emissions and discharge of environmental pollutants were prescribed. The said



True Copy

amendment came into force on the date of publication in the Official Gazette and it was published in Gazette of India (Extraordinary) dated 18.06.2018. The amendment made by clause 2 of the notification dated 18.06.2018 read as under:

Sl. No.	Industry	Parameters	Standards	
1	2	3	4	
		<i>Ambient Air Quality Standards with respect to Noise in Airport Noise Zone</i>		
112	Airports	Type of Airports	Limits in dB (A) Leq*	
			Day Time	Night Time
		Busy Airports	70	65
		All other Airports excluding proposed airports	65	60

Definitions:

- (a) ***dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing.** A day time from 6.00 a.m. to 10.00 p.m. and night time from 10.00 p.m. to 6.00 a.m. are considered for time weighted average.
- (b) "A", in dB(A) Leq, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear (The range of human hearing is 20 Hz to 20 kHz)
- (c) A "decibel" is a unit in which noise is measured.
- (d) Leq: It is energy mean of the noise level over a specified period.
- (e) **Busy Airport-For the purpose of noise management at airports, a busy airport shall be defined as "a civil airport which has more than 50,000 aircraft movements per year (a movement being a take-off or landing)" excluding those purely for training purposes on light aircraft.**



True Copy

- (f) *Take-off - A phase of flight from the application of takeoff power to an altitude of final take-off.*
- (g) *Landing - A phase of flight from the beginning of the landing flare until aircraft exits the landing runway comes to a stop on the runway, or when power is applied for takeoff in the case of a touch-and-go landing.*
- (h) *L_{max} is unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Director General of Civil Aviation for respective airports.*
- (i) **Other Airports-an airport having more than 15000 but less than 50000 aircraft movement annually.**
- (j) *Proposed Airports-airport that is not functional yet and is under development.”*

12. Applicant has stated in para 14 of OA that compliance of Notification dated 18.06.2018 has not been made by respondents authorities and instead they are proceeding ahead with construction of further new runways and a fourth runway is in the process of construction for which EC has been granted on 30.06.2018. It is said that Delhi Airport is a 'busy airport' and prescribed noise limit is 70 decibels for day time and 65 decibels for night. Further, two years' period was allowed to place a suitable mechanism by the industry to control noise pollution so that neither the industry nor the citizen should suffer. However, respondents have failed to maintain noise limits prescribed vide Notification dated 18.06.2018 at and around Delhi airport. Applicant has been monitoring noise level caused by aircrafts landing and taking-off at IGI Airport since 2020. During COVID-19 period, number of flights were very few and for part of the period, all the operations were banned, therefore, applicant did not lodge any complaint about noise pollution. From newspaper reports,



True Copy

later, applicant came to know about setting up of a Noise Monitoring Cell by respondent 9 i.e., Delhi International Airport Limited, hence first complaint was lodged by applicant on 27.03.2022 through e-mail followed by some further complaints.

13. It is said that respondent 9 is a joint venture formed as a consortium between GMR Group having 54% share, Airport Authority of India (hereinafter referred to as '**AAI**') having 26% share and Fraport AG. Incidentally, Fraport AG manages most airports in Germany and is aware as to how should control huge noise pollution caused by aviation particularly and also aware of the fact of night curfew at airports in Germany.

14. Copies of the above complaints were also sent to other respondents. Respondent 2 i.e., Central Pollution Control Board (hereinafter referred to as '**CPCB**') vide letter dated 03.01.2023 asked Director General of Directorate General of Civil Aviation i.e., respondent 5 and Delhi Pollution Control Committee (hereinafter referred to as '**DPCC**') i.e., respondent 6 to ensure compliance with the noise limits as prescribed under Notification dated 18.06.2018 and control noise pollution. DPCC also sent a letter dated 06.02.2023 asking Director General of Directorate General of Civil Aviation to ensure compliance of noise pollution limits and control noise pollution.

15. Applicant sought to collect information for noise level due to landing and taking off aircrafts at various airports located at Delhi, Madras, Bombay, Bengaluru, Kolkata and Hyderabad from Ministry of Civil Aviation i.e., respondent 3 but except Madras airport, information in regard of other airports was denied on the ground that the said airports



True Copy

are being operated by private operators. With regard to Madras Airport, noise level recorded by AAI shows that at the time of landing, noise level used to be very high from the prescribed limit.

16. It is further said that AAI was constituted by an Act of Parliament and came into being on 01.04.1995 by merging erstwhile National Airport Authority and International Airport Authority of India. AAI manages total 137 airports which include 24 international airports (3 civil enclaves), airports operating under public private partnership, 10 custom airports (4 civil enclaves) and 103 domestic airports (23 civil enclaves).

17. Directorate General of Civil Aviation (hereinafter referred to as 'DGCI') is an attached office of Ministry of Civil Aviation and a regulatory body in the field of civil aviation primarily dealing with safety issue. It is responsible for regulation of air transport services to/from/within India and for enforcement of Civil Air Regulations including but not limited to air and noise pollution control measures, air safety and air worthiness standards, investigation of serious incidents, accidents etc. It also coordinates all regulatory functions with intentional civil aviation organizations and collect various information regarding environmental issues as mandatory by international civil aviation.

18. The Statutory Authorities are not taking due care, precaution and remedial steps for prevention of noise pollution though in the minutes of public hearing held by DPCC, while considering expansion of IGI Airport, it is mentioned that there was high noise pollution at airports and factum of this pollution was considered. Noise level recorded at the time of landing at airports at Delhi, Mumbai and Kolkata is bound to be very high in view



True Copy

of number of flights landing and taking off thereat. In support of this assertion, applicant has relied on EC dated 30.05.2018 granted by MoEF&CC for expansion of IGI Airport by M/s. Delhi International Airport Pvt. Ltd. but therefrom, we do not find anything to show that noise pollution level at IGI Airport at Delhi is very high or is not complying with the prescribed norms.

19. It is however, complained that despite knowledge that immense pollution is caused by aircrafts at airports, no steps whatsoever have been taken by respondents though they are under an obligation by virtue of Article 51(A)(g) of Constitution of India. Lacs of citizens living under landing are impacted and deprived of their environmental rights to have peaceful sleep due to actual noise pollution which is seriously impacting health of citizens. Respondents are not controlling huge pollution caused by aircrafts and permitting damage to health of the entire population living under landing funnel, hence all the Statutory Authorities are guilty of breach of their fundamental duties cast upon them in the Constitution. This Tribunal declined to accede the request of applicant in the earlier proceedings for imposing night curfew of landing or taking off by aircrafts at night time and also for providing sound proofing of the houses in the colonies, falling on the flight pathway of aircrafts while landing and taking off, in view of fact that it had already directed respondents' authorities to take all mitigating measures for reducing noise pollution expeditiously. However, respondents have failed in their duty of taking such measures as directed. On the one hand, respondent 2 i.e., CPCB; respondent 6 i.e., DPCC and respondent 8 i.e., Lt. Governor of Delhi are enforcing ban on crackers, loudspeakers after 10:30 pm, pressure horns etc. in the light of directions of Supreme Court but when question of controlling noise



True Copy

pollution caused by aircrafts arises, they go silent and do not take any action in the matter.

20. Applicant has placed reliance on this Tribunal's judgment in **OA 181/2013, Omesh Saigal vs. Govt. of NCT of Delhi, 2017 SCC OnLine NGT 744** decided on 04.10.2017 by Principal Bench, wherein the question of noise pollution caused by traffic passing on both sides of outer ring road dividing the area into two, affecting health of residents of Panchsheela Park area was considered.

21. **OA 181/2013 (supra)** was disposed of with certain directions which are contained in para 30 of the judgment and read as under:

“30. We, therefore, dispose of this petition with the following directions:

- i. We direct that this portion of the Outer Ring Road passing through Panchsheel Park to be the first patch where the **road surface be made of smooth asphalt** which will basically be a low noise causing material. **Planting of trees and shrubs along both sides of the road** should be done more vigorously to prevent noise pollution. **The existing ban on pressure horns and prevention of overloading or goods carriers shall be strictly implemented by the Delhi Police.***
- ii. Further, we direct that **the installation of speed cameras has be to completed** within December 2017 and immediately thereafter the violators should be challaned. We further direct that DDA, Delhi Government and PWD to report to the NGT every three months about the progress on the directions issued by this Tribunal.”*

22. MoEF&CC has issued “Environmental Impact Assessment of Guidance Manual for Airports” in February 2010, wherein it is stated in para 4.4 of chapter 4 that emission from aircrafts below 1000 feet, above the ground (typically around 3 km from departure or, for arrivals, around 6 km from touchdown) are chiefly involved in influencing local air quality.



True Copy

An extract of the Manual has been placed on record as annexure 12 which shows that para 4.4 deals with air environment i.e., Ambient Air Quality for airport projects. It is alleged that respondents are complying and enforcing law made for regulating noise pollution in a selective manner and while stringent actions are being taken against the common people, the others having high status are not being touched. Respondents are trustees of environment for common citizens and must act for the benefit of public in relation to natural resources like air, water and climate. When aircraft is operated, two types of noise are generated. One side-line noise is generated when aircraft is preparing for landing at or taking off from the airport. It is noise caused by engine at the time of landing or taking off. Higher the speed at the time of landing and/or higher engine force at the time of taking off, higher is the noise. Second is the noise generated immediately after landing as the aircrafts apply reverse thrust to quickly bring aircraft to halt without using brakes so that the brake drums and brake pads are not heated. Almost all domestic aircrafts by landing at airport generate higher side-line noise before landing due to speed. Noise generated at the time of landing is much more than the prescribed limit. The use of reverse thrust has been left with the discretion of pilots under the instructions of respondent 5 but the same pilots when on international flights do not use 'reverse thrust' and follow all the laws due to stringent conditions at some international air ports but do not adopt same practice at the airports in India. Very lesser number of noise monitoring sensors have been installed so the recording of noise level generated by aircrafts is not regular and available at all airports. Exposure to huge noise pollution caused various health hazards like high blood pressure, sleep disturbance, insomnia, stress and depression, diabetes etc. Despite knowing serious



True Copy

impact and consequences of high noise pollution and also amendment of Rules of EP Rules 1986 and 2018, appropriate steps for meeting law have not been taken so far. It is in this backdrop, applicant has filed present OA seeking following reliefs:

- “1. *Prohibit/Ban landing and taking off aircrafts on all the runways at Indira Gandhi International Airport and all other airports similarly located within City limits during Night-time i.e., 10.00 PM to 6.00 AM except for international flights.*
2. *Grants stay on landing and taking off aircrafts on all the runways at Indira Gandhi International Airport and all other airports similarly located within City limits during Night-time i.e., 10.00 PM to 6.00 AM except for international flights.*
3. *Issue a command in the nature of order/direction, to respondent No. (s) 1,2,3,4,5,6,7,8 and 9 to comply with the noise limits prescribed under Notification No. G.S.R.568(E) dated 18th June 2018 prescribing the noise limits notified at IGI Airport and other airports similarly situated within city limits.*
4. *Issue a command in the nature of order/direction, to respondent No. (s) 1,2,3,4,5,6,7,8 and 9 to enforce and implement the notification No. G.S.R.568(E) dated 18th June 2018, prescribing noise limits prescribed at the IGI Airport and other airports.*
5. *Issue a command in the nature of /order/direction directing respondent No.2,4,5,6,8 and 9 to publish details noise pollution generated by aircraft on its website live, which are recorded with.”*

Preliminary Reply dated 07.11.2023 filed on 09.11.2023 by Delhi International Airport Ltd. i.e., respondent 9:

23. The above reply has been filed in order to raise the issue of maintainability of OA. Giving background of the dispute, it is pointed out the applicant filed **Writ Petition No. 9337/2009 (supra)** wherein Environmental Clearance (hereinafter referred to as ‘**EC**’) dated 17.01.2007 issued by MoEF&CC for construction of 3rd runway 11/29 at



True Copy

Delhi Airport was challenged. Applicant had also prayed for issue of a prohibitory order against respondents to stop flying of aircrafts over the areas of Vasant Kunj, Masoodpur and Rangpuri with immediate effect as also to prohibit landing of the aircrafts at runway 11/29. The said petition was transferred by High Court vide order dated 16.04.2013 to this Tribunal where it was registered as **Appeal No. 60/2013 (supra)**. Vide judgment dated 24.11.2017, Tribunal decided the Appeal holding that it is not established by applicant that stakeholders i.e., the official respondents are not taking adequate steps to mitigate noise levels at airport and its surrounding areas. Tribunal also issued certain directions which we have already reproduced in para 8, therefore, not repeating. **Civil Appeal Nos. 4958-4961 of 2018** were filed before Supreme Court by certain aggrieved parties i.e., Narang International Hotels Pvt. Ltd. Appeals were decided vide judgment dated 06.08.2018. Noticing the contention of appellant before Supreme Court that Tribunals had directed that even other vehicles plying at the airports should be CNG though there are several kinds of specialized vehicles which cannot be CNG mode at all, Supreme Court found grievance of appellants genuine and, therefore, direction no. 7 was modified by removing the words "other vehicles" and it was clarified that the direction shall be confined to coaches and buses.

24. MoEF&CC, in the meantime, had issued Notification dated 18.06.2018 amending EP Rules 1986. Applicant filed **Execution Application 24/2019 in Appeal 60/2013, Society for Protection of Culture, Heritage, Environment, Traditions and Promotions of National Awareness vs. Union of India & Others** before Tribunal for compliance of the directions given in the judgment dated 24.11.2017. Tribunal sought Action Taken Report/Compliance Report vide order dated



True Copy

21.05.2019 pursuant whereto, respondent 9 filed Action taken Report/affidavit dated 21.06.2019, giving details of the compliance made by it in respect of the directions given by Tribunal. The said Action taken Report is at page 544 and directions wise compliance mentioned therein reads as under:

"...The status of compliance with the said directions are as under:

DIRECTION NO.1 (CONTAINED IN PARA 15, SUB-PARA 3)

*"We direct all the official respondents to **take all mitigating measures for reducing noise pollution** in terms of the report submitted by MoEF and as even proposed by these very respondents themselves, expeditiously."*

The status of Direction No.1 is as follows:

1. DIAL has undertaken aircraft noise mitigation measures at IGI Airport. These mitigation measures are in line with the International Civil Aviation Organization ("**ICAO**") guidelines and the report submitted by MoEF&CC. Following are the aircraft noise mitigation measure adopted at IGI Airport by DIAL and Airport Authority of India ("**AAI**"):

i) Continuous Descent Approach:

Continuous Descent Approach ("**CDA**") is an aircraft operating procedure in which an arriving aircraft descends with minimum thrust and avoids step down flight to the extent permitted by the safe operation of the aircraft and compliance with published procedures and ATC. It results in to reduced noise and fuel consumption as compared to other conventional descents.

AAI has adopted CDA for aircraft landing at IGI Airport and has communicated this through Aeronautical Information Publication ("**AIP**") which has initially made effective from 21st October 2010. Further, **AAI has issued eAIP dated 19th July 2018 which specifies the CDA as part of the Noise Abatement Procedures. It is followed by pilots while landing at IGI Airport for smooth landing with comparatively less engine thrust. Therefore, the noise levels are less than the conventional stepped down approach in the close vicinity of airport.**



True Copy

Copy of the eAIP dated 19th July 2018 is annexed as Annexure A.

ii) Mixed Mode Operations:

Mixed Mode Runway Use Plan is adopted as one the noise abatement operational procedures at IGI Airport. The **purpose of this measure is to ensure that the effect of noise is equitably distributed to all the developed places and residential locations located below the flight path of the aircraft and consequently the impact of noise is not localized to a particular settlement.** This helps in reducing the effect of noise levels generated by aircrafts during landing and taking-off in the vicinity of IGI airport. The last AIP was issued on 08th November 2018 for runway use plan by AAI. **The supplement provides the segregated mode of operations on the rotation basis as per prevailing wind direction, in which one runway is used exclusively for landings for a specified period while the other runway is used for departures thus providing reduced noise exposure to the communities under the respective approach funnel.**

Copy of AIP dated 08th November 2018 is annexed herewith as Annexure B.

iii) Operation of Chapter 2 Aircraft

As a mitigation measure, DGCA had initially issued A Notice to Airmen ("NOTAM") on operation of Chapter 2 Aircraft i.e. aircrafts with old noisy engines, restricting their landings during the period 2200 IST - 0600 IST at IGI airport. All operators have been advised to make necessary actions to comply with this requirement which finds mention in the eAIP issued on 19th July 2018. However, **Ministry of Defense, Chapter 2 aircrafts are allowed to operate during this period, since IGI Airport runways are also used by Air Force on National Defence purpose.**

iv) Restricted use of Thrust Reversal

Thrust reversal, also known as reverse thrust, is **a momentary process for safe landing of aircraft after it touch downs from its very high speed on air, wherein the direction of the exhaust from aircraft engine is directed forward after landing to slow down the aircraft movement and control stability and safe breaking.** Reverse thrust is



True Copy

typically applied immediately after the aircraft touchdown in conjunction with spoilers, to improve deceleration during landing. This usually results in momentary increase in noise level adjacent to runway. Since May 2009, NOTAM is in place wherein airlines have been asked to avoid the use of thrust reversal while landing at IGI Airport unless it is deemed necessary for safety reasons. Since **use of thrust reversal is pilot's decision and a safety issue, it cannot be insisted upon in all cases.** Further, this instruction has also been added in the AIP issued on 19th July 2018. by AAI for pilot's to be "consistent with safety of aircraft operations and in consideration of high intensity runway operations, pilots should minimize the use of, reverse thrust after landing to reduce disturbance in areas adjacent to the aerodrome."

v) **Noise Standard for Airports**

MoEF&CC has published Airport Noise Standard as Leq on 06.07.2018 for busy and other upcoming airports with the requirements and responsibilities, and the same shall be complied within the stipulated timelines by all airports in India. As per notification, **all airports in India including IGIA has to comply with the notification by 17th June 2020.** DIAL has initiated the process of defining the Airport Noise Zone along with Air Navigation Service Provider (AAI). The requirements of airport noise mapping, mapping of Standard Terminal Arrival Route / Standard Departure Route and GSR 751 (e) have been communicated to Air navigation Service provider (AAI). **Post the approval of DGCA basis these inputs, airport noise zone will be notified within the stipulated time period.** As a part of mitigation measures in the report submitted, the interim noise limits for aircrafts set by DGCA 105 dB(A) in Lmax for day and 95 dB(A) in Lmax for night is being monitored. **Noisy aircrafts are being identified and communicated to airlines for creating awareness and to adopt effective noise mitigation measure while landing and take-off at IGI airport and to comply with the standard.**

Copy of the Notification dated 06.07.2018 is annexed herewith as **Annexure C**

vi) **Aircraft Noise Monitoring**

Continuous Aircraft noise monitoring terminals (NMT's) have been installed under the approach and departure funnels of the IGI airport to measure and monitor the



True Copy

aircraft noise level. The NMT's are recording the sound levels on real time basis. Noisy aircrafts are being identified and communicated to airlines for creating awareness.

vii) Aircraft Noise Complaint Redressal System

Aircraft Noise Complaint Redressal System has been established by DIAL to collect and address the community noise complaints due to aircraft operations with an active telephone number 011-47198600. Complaint communicating channels are published in website and in prominent local newspapers.

Copy of the announcements in the newspaper is annexed as Annexure D.

viii) Restricted usage of Ground Engine Run-ups

Ground engine run-ups of aircraft engine are a source of noise at the airport and is a part of engine testing after mandatory maintenance procedure. At IGI airport, designated locations have been earmarked to perform ground engine run-ups. These locations are away from residential locality.

ix) Restriction on use of GPU/APU

DIAL has provided Fixed Electrical Ground Power (FEGP) at aerobridge and continuously monitors the FEGP usage. **Fixed Electrical Ground Power units help in reducing ground noise at airport also reduces the carbon emission.** Airlines are advised to switch off APU while parking at aerobridge where FEGP facility is available.

x) Sound Barrier

Sound barrier has been constructed as per IIT Delhi recommendation, which will assist in attenuation of the noise generated by the aircraft during landing and application of reverse thrust.

DIRECTION NO.2 (CONTAINED IN PARA 15, SUB-PARA 4)

"The official respondents shall act in furtherance to the report of IIT in relation to construction of sound barriers, which report of IIT is accepted by the Tribunal. However, if any, variations are suggested and the official respondents consider it proper to carry out such variations on the ground of safety, security and height of the sound barrier walls, the same may be implemented after discussion with the



True Copy

team of IIT. The sound barriers should be constructed at the earliest and in accordance with report.”

The status of Direction No.2 is as follows:

1. This Hon'ble Tribunal vide its order dated 24.11.2017, directed DIAL to construct sound barriers in accordance with IIT Delhi report, whereby, it was recommended to develop the sound barrier of 1.05 Km length along the boundary wall in the south of runway 29-11. In compliance of the direction, **DIAL has constructed a sound barrier along the boundary wall in the south of runway 29-11**, which will help in reducing the noise levels once the aircraft has touched down or is about to take off on the runway 29/11. Copy of the IIT recommended design is annexed as **Annexure E**.

The aircraft noise at the IGI Airport are generated typically during braking process shortly after the touchdown. The sound generated after touchdown may also depend on pilot action during landing process, size of the aircraft, type of aircraft, and its overall design (newer aircrafts are quieter). DIAL has completed the construction of sound barrier as per the design recommended by IIT Delhi along the boundary wall in the south of runway 29-11. Construction of sound barrier took place in a phased manner in a bid to ensure aviation safety and security in not compromised. The sound barrier helps in reduced noise exposure of area adjacent to Runway 29/11 on the south side.

Photograph omitted

DIRECTION NO.3 (CONTAINED IN PARA 15, SUB-PARA 5) “The official respondents shall ensure providing of a green belt around the boundary wall of the airport, while keeping the safety and security both in mind. The plantations shall be of the species which would only grow to the permissible height or would be maintained at the permissible height only.”

The status of Direction No.3 is as follows:

1. Further to the newly developed sound barrier along the boundary wall in the south of runway 29-11, **a dense coverage of four rows of trees on the four lane Dwarka Link Road and its service roads is already existing in the southern boundary wall of the IGI Airport parallel to the runway 29/11 throughout its length and beyond**. It supports in sound attenuations of aircrafts operating on runway 29/11 to its nearby commercial farms and residents adjacent to runway.



True Copy

2. To comply with the directions of this Hon'ble Tribunal, **DIAL has further enhanced the greenbelt by planting shrubs at the airside at the possible location in intervals after taking account of bird and wildlife attraction and other operational risk and airport security and aviation safety. The shrubs will be maintained at a height of 2 meter.** However, in future if any security concern is envisaged by Authority, the planted shrubs will be replanted to other locations of IGI Airport to ensure proper airport security and safety. Since the IGI Airport falls in the Hypersensitive Airport as per Bureau of Civil Aviation Security ("**BCAS**"), various authorities enable the safety and security needs time to time as per priority. BCAS, laying down Aviation Security Standards in accordance with Annex 17 to Chicago Convention of ICAO for airport operators, airlines operators, and their security agencies responsible for implementing AVSEC measures.

DIRECTION NO.4 (CONTAINED IN PARA 15, SUB-PARA 6) "The official respondents may issue an advisory to all the airlines whose aircrafts land at the runway of the IGI and domestic Airport, New Delhi to ensure 'judgment based' use of reverse thrust keeping in view weather, length of run way, wind, and other attendant circumstances to reduce the noise level particularly at the time of landing of aircrafts."

The status of Direction No.4 is as follows:

1. In compliance of this Hon'ble Tribunal's order, **DGCA through AAI has issued an eAIP dated 19th July 2018 whereby it has been incorporated that "Consistent with safety of aircraft operations and in consideration of high intensity runway operations, pilots should minimize the use of, reverse thrust after landing to reduce disturbance in areas adjacent to the aerodrome." It is mandatory to all airlines to follow the information published in AIP.**"

DIRECTION NO.5 (CONTAINED IN PARA 15, SUB-PARA 7) "All the coaches/buses and other vehicles plying at the airport should be CNG and must comply with the prescribed emission standards. Non-CNG buses/coaches or other vehicles plying at the airport, should be converted to CNG within six months from today."

The status of Direction No.5 is as follows:

All stakeholders including Airlines, In Flight Kitchen Operators, Airlines, Federation of Indian Airlines, Ground Handlers and DIAL



True Copy

being aggrieved by this direction of Hon'ble Tribunal, had approached to the Hon'ble Supreme Court for modification of the order dated 24.11.2017. The Hon'ble Supreme court vide its order dated 06-08-2018, modified this direction and held that:

"In our view, the grievance raised by the appellants seems to be justified. We, therefore, modify Direction No. 7 by removing the words "other vehicles" therefrom, meaning thereby, the direction shall be confined to coaches and buses."

*In compliance of the order passed by the Hon'ble Supreme Court and this Hon'ble Tribunal order, it is stated that **all coaches and buses at IGI Airport are CNQ operated vehicles.**"*

25. Tribunal after considering Action Taken Report of respondent 9, disposed of **Execution Application No. 24/2019 (supra)** vide judgment dated 18.09.2019. The relevant extract of the order dated 18.09.2019 reads as under:

"5. The main question for consideration is the compliance of direction number 6 as far as AAI is concerned. According to the action taken report, NOTAM was issued by AAI which has been incorporated in the Aeronautical Information Publication on 11.10.2018. Information regarding use of reverse thrust by pilots is applicable to Delhi, Mumbai, Bengaluru, Chennai, Hyderabad and Kolkata.

6. As regards direction numbers 3, 4, 5 and 9, the said publication applies to all airlines fly to Delhi. DIAL has pointed out that order for use of CNG cover by direction number 7 was partly modified by the Hon'ble Supreme Court vide order dated 06.08.2018. As regards noise pollution, steps have been taken in terms of MOEF&CC Notification dated 06.07.2018 laying down certain requirements which have to be complied by 17.06.2020.

7. We suggest that DIAL should not only measure and maintain the prescribed noise levels but also display the same in public domain."

26. In compliance of the directions given in para 7 of the order dated 18.09.2019, respondent 9 is displaying noise level on its website. Copy of



True Copy

noise levels recorded from January 2023 to September 2023, published on the website, has been placed on record as annexure R-8 (collectively).

27. With the above backdrop, respondent 9 has pleaded that the present OA is barred by the principle of 'Res-judicata' in as much as issues have already been adjudicated and concluded vide judgments dated 24.11.2017 passed in **Appeal No. 60/2013 (supra)**, and 18.09.2019 passed in **Execution Application No. 24/2019 (supra)**; applicant has concealed the above facts and not disclosed the factum about Execution Application filed by it and order passed therein; no new cause of action has arisen; there are false pleadings in OA and application has tried to mislead Tribunal.

Rejoinder dated 05.01.2024 filed on 06.01.2024 by applicant in reply to the response of respondent 9 raising Preliminary Objections:

28. It is said that present OA has been filed on a fresh cause of action arising out of non-compliance of Notification dated 18.06.2018 issued by MoEF&CC. It is also said that respondent 9 has wrongly mentioned in para 5(x) of its reply that it is displaying noise levels on its website, though the fact is that neither details of such official website have been given nor there is any airport noise zone area posted on the website of respondent 9 nor it is being displayed as claimed by respondent 9. However, contents of reply of respondent 9 in para 5(i) to (ix) have not been denied on the ground that the same are matters of record and do not call for any reply.

Preliminary Reply dated 21.11.2023 filed by DPCC i.e., respondent 6:

29. Here also plea of Res-judicata has been raised. It is alleged that prayer of the applicant for imposition of night curfew on landing and taking-off at airports has already been declined by this Tribunal vide



True Copy

judgment dated 24.11.2017 passed in **Appeal No. 60/2013 (supra)** filed by applicant itself. For compliance of other directions of Tribunal, MoEF&CC has already notified standards in respect of noise at airport zones vide notification dated 18.06.2018, hence application is not maintainable.

Rejoinder dated 05.01.2024 filed on 06.01.2024 filed by applicant in reply to the preliminary objections raised by respondent 6 i.e., DPCC:

30. Here also the stand taken by applicant is similar that the cause on action has arisen afresh due to non-compliance of the Notification dated 18.06.2018.

Preliminary Objections dated 02.01.2024 filed by DGCA i.e., respondent 5:

31. It is said that in terms of para 5 of Notification dated 18.06.2018 amending EP Rules 1986, airport noise mapping was to be carried out at all the airports as per the specifications prescribed by respondent 5. This has been complied by respondent 9 i.e., Delhi International Airport Limited for IGI Airport and other applicable airports. Respondent 5, in compliance with the requirement of para 4 of the Notification dated 18.06.2018, has issued letter dated 07.04.2022 (annexure R1 at page 1010 of paper book) granting approval of 'Airport Noise Zone' developed by respondent 9. Respondent 5 had already issued Aviation Environment Protection Series 'A' (hereinafter referred to as **AEPS 'A'**), Part I, Issue I, dated 18.12.2014, requiring all busy airports to install 'noise monitoring stations' and perform 'noise mapping' etc. All Civil Aviation Requirements have been fulfilled by respondent 9 and other applicable airports have complied. Presently, the documented noise level at airports is complying with specifications delineated in Notification dated 18.06.2018. AAI has



True Copy

released periodic Aeronautical Information Publications detailing prescribed noise levels for aircrafts and the most recent publication dated 11.08.2022 for IGI Airport, specify noise level for aircrafts (as Lmax) at 105 dB(A) during the day time (6am to 10pm) and 95 dB(A) during the night time (10pm to 6am). Thus, there is no violation of notification dated 18.06.2018 at IGI airport and this fact was communicated by respondent 5 to applicant vide letter dated 18.08.2022, copy whereof has been placed on record as annexure R2 at page 1011 of paper book.

32. It is also said that the prayer with regard to imposition of night curfew imposing prohibition of landing and taking-off flights at Delhi airports from 10:00 pm to 6:00 am has already been declined by this Tribunal vide judgment dated 24.11.2017 in **Appeal no. 60/2013 (supra)**, and the same issue and relief cannot be pressed again in the present OA since the earlier judgment has become final. It is reiterated that there is no violation of provisions made in EP Rules 1986 vide amendment Notification dated 18.06.2018.

Rejoinder affidavit dated 05.01.2024 filed by applicant in reply to preliminary objections filed by respondent 5 i.e., DGCA:

33. Rejoinder affidavit dated 05.01.2024 has been filed by applicant in reply to the preliminary objections of respondent 5. It is said that principle of '*res-judicata*' is not applicable in as much as the cause of action is different; Notification dated 18.06.2018 requires respondent 9 to delineate 'Airport Noise Zone Area' which has to be approved by respondent 9 and displayed on the website of respondent 9 but no such information has been placed on the website of respondent 9; in the letter dated 07.04.2022 (annexure R1 at page 1010) said to have been issued by respondent 5 granting approval to Airport Noise Zone prescribed by respondent 9, there



True Copy

is a reference to a document no. DIAL/ANZ/2021-22/Verl. but this document is neither on the official website of respondent 9 nor has been placed before Tribunal; reference made to Civil Aviation Requirements is misconceived and circular dated 18.12.2014 referred to in para 2(iii) of the objections filed by respondent 5 is irrelevant for the issue raised in the present OA as the same relates to noise management of aircrafts operations at airports; respondent 5 has wrongly claimed compliance of Notification dated 18.06.2018 though it has not been complied till date.

Preliminary Objections dated 23.01.2024 filed on 29.01.2024 by MoEF&CC i.e., respondent 1:

34. Here also, objections with regard to maintainability of the present OA has been raised on the ground of *res-judicata* that earlier also the issues raised in the present OA were considered by this Tribunal in **Appeal No. 60/2013 (supra)** and declined vide judgment dated 24.11.2017, hence for seeking same relief, another OA is not maintainable. It is also said that applicant has also concealed the factum of **Execution Application No.24/2019 (supra)** which was also decided vide order dated 18.09.2019. Noise levels recorded at IGI Airport are being displayed on the website of the airport operator and applicant has failed to disclose this fact in OA. EC dated 30.05.2019 has been granted to respondent 9 i.e., Delhi International Airport Ltd. after thorough verification and ensuring compliance with all stipulation delineated in EP Act 1986 and relevant regulations as also Environmental Impact Assessment Notification dated 14.09.2006 (hereinafter referred to as '**EIA 2006**'). Respondent 9 has installed 'Dedicated Online Air Craft Noise Monitoring System' in all the runway approach and consistently monitors noise level at IGI airport and regularly publishing recorded levels on its website. Noise level documents



True Copy

by respondent 9 adhere to the levels stipulated in Notification dated 18.06.2018. Allegations made by applicant are incorrect.

Short Affidavit dated 25.01.2024 filed on 30.01.2024 by AAI i.e., respondent 4:

35. This short affidavit also raised preliminary objections with regard to maintainability of OA on the ground that issue has already been decided by this Tribunal vide judgment dated 24.11.2017 in **Appeal No.60/2013 (supra)** and 18.09.2019 passed in **Execution Application No.24/2019 (supra)**. It is said that OA is barred by principle of 'res-judicata' and reliance is placed on Supreme Court's judgment in **S. Ramachandra Rao vs S. Nagabhushana Rao and others, 2022 SCC OnLine SC 1460**. Besides the preliminary objections, respondent 4 has further stated in para 10 to 15 of its reply that applicability of Notification dated 18.06.2018 issued by MoEF&CC on noise pollution level is according to aircraft movements undertaken at a given airport; prescribed mechanism for assessing noise pollution is pertinent to airports having aircrafts movements more than 15,000 per annum; AAI is managing number of airports in the above category; MoEF&CC's Notification dated 18.06.2018 is not applicable to remaining AAI civil airports having aircraft movements less than 15,000 annually; the term "busy airports" has been defined in Notification dated 18.06.2018 which says that busy airport means civil airport which has more than 50,000 aircraft movement per year (a movement being a takeoff or a landing) excluding those purely for training purposes on light aircraft; and the term 'other airports' is also defined by stating that it means an airport having more than 15,000 but less than 50,000 aircrafts movement annually.



True Copy

36. Respondent 4 has given list of AAI airports with the details of aircraft movements in the context of calendar year 2022, in the form of a chart, as under:

Details of AAI Airports

<i>Airport Category as per GSR 568 (E)</i>	<i>Name of the Airport</i>	<i>Aircraft movements for the calendar year-2022</i>	<i>Requirements as per DGCA CAR 2014 & MoEF & CC Notification- 2018</i>
<i>BUSY Airport (Airport having Aircraft movements more than 50,000 Annually)</i>	1. CHENNAI 2 KOLKATA	126856 130209	1) Airport Noise Mapping & Declaration of Airport Noise Zones 2) Continuous Noise Monitoring
<i>Other Airport (Airport having Aircraft movements more than 15,000 & Less than 50,000 Annually)</i>	1. AMRITSAR	18405	Airport Noise Mapping & Declaration of Airport Noise zones
	2. VARANASI	19079	
	3. DEHRADUN	17490	
	4. INDORE	38891	
	5. JUHU	28788	
	6. SURAT	15638	
	7. BHOPAL	26276	
	8. VADODARA	17330	
	9. BHUNESHWAR	28159	
	10. RANCHI	18331	
	11. RAIPUR	20332	
	12. PATNA	29595	
	13. CALICUT	22009	
	14. COIMBTORE	16751	
	15. MYSURU	19738	
<i>Remaining Airports (Aircraft movements less than 15000 annually)</i>			<i>GSR 568 (E) MoEF & CC Notification is not applicable</i>



True Copy

37. The details given in the above chart shows that except airports at Chennai and Kolkata, at other places, movement of aircrafts is less than 50,000 per annum.

38. AAI has said that at Chennai airport, noise mapping has been completed and continuous noise monitoring is being done; declaration of Airport Noise Zones and Lmax value are under process for approval of DGCA and would be completed by 31.03.2024; so far as Kolkata airport is concerned, tender has already been invited and work of airport noise mapping and declaration of Airport Noise Zones as well as installation of Continuous Noise Monitoring System would be completed by 31.07.2024.

39. For the remaining 15 airports maintained by AAI, falling under 'other airports' category, it is said that the tenders have already been invited and work of airport noise mapping and declaration of Airport Noise Zone would be completed by 31.07.2024.

ARGUMENTS:

40. We have heard Learned Counsel appearing for the parties and perused the record.

41. Shri Sanjeev Anand, Learned Senior Counsel appearing for applicant, when questioned as to how the prayer made in respect of imposition of night curfew and prohibition of landing and taking-off aircrafts on all the runway at IGI airport during night time can be pressed since the issue has already been adjudicated by this Tribunal and the said relief has been declined vide judgment dated 24.11.2017 and, therefore, will the present OA be not barred by principle of '*res-judicata*', he, at the



True Copy

outset, stated that he is confining the scope of present OA only to the extent of the prayer made with respect of the compliance of the provisions of Notification dated 18.06.2018, regarding noise limit to be notified at IGI airport and other airports and publishing details of noise pollution generated by aircrafts on live website of the concerned respondent. He submitted that he has checked the website of respondent 9 but did not find any publication of the details of noise pollution level thereon. He also submitted that noise limits have not been prescribed at the concerned airports till date and hence, the mandate of Notification dated 18.06.2018 has not been complied with.

42. Per-contra, Mr. Atma Ram Nadkarni, Learned Senior Advocate advancing his submission on behalf of respondent 9 stated that requirement of Notification dated 18.06.2018 has already been complied with so far as IGI airport at Delhi is concerned.

43. In respect of 'Busy Airports' at Chennai and Kolkata and 'Other Airports', Learned Counsel appearing for AAI and DGCA have submitted that in respect of Chennai, steps have already been taken and it shall be completed by 31.03.2024 and in respect of airport at Kolkata and 15 other airports maintained by AAI, steps have been taken and shall be completed by 31.07.2024.

44. During the course of arguments, our attention is drawn to DGCA's letter dated 07.04.2022 which is annexure R1 to preliminary objections dated 02.01.2024 of DGCA, addressed to respondent 9 and deals on the subject of "Approval of Airport Noise Zone developed by Delhi International Airport Limited, New Delhi" which shows that respondent 9 has carried study and developed Airport Noise Zone document no. DIAL/ANZ/2021-



True Copy

22/Ver1. The said document has been examined in the light of the provisions of MoEF&CC's Notification dated 18.06.2018 by DGCA and it has found the said document to be satisfactory. The letter dated 07.04.2022 further says that DGCA shall review Noise Contour and Lmax of DIAL, New Delhi airport after two years and based on the satisfactory evaluation, approvals will be renewed further for another two years. The last paragraph of the letter shows that approval was granted for a period of two years from the date of issue of letter until revoke suspended or revoke earlier. The last paragraph of the letter dated 07.04.2022, which has been pressed by learned senior counsel, read as under:

"This approval shall remain valid for a period two years from the date of issue unless suspended/revoked/cancelled. The airport operator shall display the approved noise zone on their official website."

45. Learned Senior Counsel Shri A. Nadkarni submitted that this is the approval granted by DGCA to 'Airport Noise Zone' developed by respondent 9 and that is how, the requirement of Notification dated 18.06.2018 with respect of prescription of 'Airport Noise Zone' has been complied with.

46. Our attention is also drawn to the letter dated 18.08.2022 sent by DGCA to applicant's society in respect of its complaint dated 25.05.2022. The said letter says that MoEF&CC has issued Notification dated 18.06.2018 on 'Airport Noise Zone Area' to define 'Noise Contour' for day and night period, considering all approach and departure funnels and instrument Flight Procedures in consultation with Airports' Air Navigation Service Provider as per the master Plan of the airport. Respondent 9 in compliance thereof has developed 'Airport Noise Zone' using noise model in accordance with noise limit prescribed vide Notification dated 18.06.2018. DGCA's letter dated 18.08.2022 further says that no



True Copy

substantial complaint has been received regarding violation of limits prescribed in the 'Noise Zone' defined vide Notification dated 18.06.2018 and as per the information submitted by respondent 9, the noise limit as prescribed by MoEF&CC's Notification dated 18.06.2018 has not been found violated.

47. With regard to mitigation measures taken in respect of noise pollution, it has been pointed out that respondent 9 has already issued circulars dated 24.08.2021, 28.04.2022 and 29.05.2023 to all the airlines operating at IGI airport and ATC Palam requesting to follow the best practices on noise mitigation measures and adopt latest new fleets, technologies and procedures to make aircraft operations quieter while ensuring a safe and efficient operational environment. The active noise mitigation measures jointly implemented at IGI airport by all associated stakeholders and to be followed by airlines operating at the IGI airport and ATC Palam, are detailed as under:

“

- ✓ *Adoption of Continuous Descent Approach (CDA) & Low Power, Low Drag procedure for quieter landings (CAR, Section 10-A-1)*
- ✓ *Minimum climb gradient for all SIDs as per AIP Supplement 53/2017*
- ✓ *SID/STAR published for Delhi Airport as per AIP Supplement 53/2017*
- ✓ *Restricted usage of ground engine run-ups (CAR, Section 10-A-1)*
- ✓ *Minimum use of thrust reversal (CAR, Section 10-A-1)*
- ✓ *Restricted use of APU at airport (CAR, Section 10-A-1)*
- ✓ *Mixed Mode Operation & Runway Use Plan for noise abatement (AIP, AD2 - VIDP-1)*
- ✓ *Noise infringements and grievance response by all stakeholders*
- ✓ *Restriction on operation of Chapter- 2 aircraft from 2200-0600 Hrs. IST (AIP, AD2 - VIDP-1)*
- ✓ *Continuous Aircraft Noise Monitoring (CAR, Section 10-A-1)”*



True Copy

48. Other Learned Counsels appearing for other respondents have adopted the arguments advanced by Shri Nadkarni, Learned Senior Counsel.

49. Learned Counsels appearing for the parties after conclusion of arguments also sought permission to file their written submissions which was granted.

50. Pursuant thereto, written submissions, additional written submissions and reply to such submissions under the title 'rejoinder to the written submissions' have been filed.

Written Submissions dated 05.02.2024 filed on 16.02.2024 by applicant:

51. It is submitted that **applicant is confining present OA to the extent of non-compliance by respondents with the noise limits prescribed under Notification dated 18.06.2018 for Airport Noise Zone and seeking a direction against respondent to comply with the prescribed noise limits.**

52. It is submitted that in terms of Notification dated 18.06.2018, Ambient Air Quality Standards prescribed with respect of noise in Airport Noise Zone limits is 70 dB(A) Leq in day time and 65 dB(A) Leq in night time at busy airports. Respondent 9 has admitted that Vasant Kunj is in landing funnel and thus falls within Airport Zone. However, noise level in Airport Noise Zone in which Vasant Kunj also falls as its neighboring area is not within limits prescribed vide Notification dated 18.06.2018. This is sought to be demonstrated by stating as under:

“(i) Noise levels recorded by the applicant from 19.09.2023 to 19.10.2023 at different timings [Annexure-11 (Pg. 393 to 414) of



True Copy

the additional documents filed by the applicant]. Barring stray incident, the **maximum noise generated exceeds beyond prescribed limit even after including tolerance limit of 10%.**

- (ii) The PDF reports downloaded by the applicant of all the ten monitoring stations, from 02.01.2024, 03.01.2024 and 04.01.2024 available on the Online Noise Monitoring link provided by respondent no.2, from its website and filed as Annexure-3 (Colly) with the rejoinder to the preliminary reply of respondent no.9.
- (iii) The Applicant is attaching Online Noise level recorded by respondent no.2 on 2nd February 2024 and 3rd February 2024, as downloaded from its website (annexed herewith as Annexure-A Colly). A perusal of the same indicates that the **noise level on 2nd February 2024 ranges above 70dBA and goes up to 123.9 dBA to 137.4 dBA and on 3rd February 2024 ranges above 70 dBA and goes up from 128.5 dBA to 142 dBA, which are abnormally high and way above notified limits."**

53. Reference is made to EC file no. 10-72/2016-1A-III dated 30.05.2018, "Part A Specific Condition" no. xxii, at page no. 67 of OA, and Part B condition no. iii at page no. 68 of OA which provides as under:

"Part A Specific Condition -- page 67

(xxii) During airport operation period, noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with prevalent regulations. A monitoring station for ambient air and noise levels shall be provided in the village nearest to the airport.

Part B condition no. iii at page 68

(iii) The **overall noise levels in and around the airport shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc., on all the sources of noise generation.** The ambient noise levels shall conform to standards prescribed under the EPA Rules, 1989 viz 78 dBA (daytime) and 70 dBA (Night time)."



True Copy

4. *The Regional Office of this Ministry/Central Pollution Control Board will monitor the stipulated conditions. A six monthly compliance report and the monitored data along with the statistical interpretation shall be submitted to them regularly.”*

54. The applicant submits that respondent 4 while providing aeronautical services and airport services, record noise level at the boundary of airport. Reports provided by Regional Office, Madras (copy of fortnightly reports for the period 01.08.2022 to 15.08.2022 and 15.09.2022 to 30.09.2022) show that noise level exceed the prescribed limits.

55. It is also said that applicant has been trying its best but could not find the website of respondent 9, wherein noise level data has been displayed.

Written Submissions dated 09.02.2024 filed on 11.02.2024 by respondent 9:

56. Written submission is in two parts. In the first part, respondent 9 has placed its own stand to show compliance of the Notification dated 18.06.2018 and in para 3, it has said:

*“3. At the outset, it is reiterated that DIAL is compliant with its obligations under Notification No. G.S.R.568(E) dated 18.06.2018, issued by the Ministry of Environment, Forest, and Climate Change (**MoEF Notification**) which is evident from the following:*

A. Compliance for Airport Noise Zone

- i. **Noise levels to be maintained at the airport noise zone** are governed by the MoEF Notification which states that the noise levels for busy airports are **70 dB(A) Leq for daytime (from 6 AM to 10 PM)** and **65 dB(A) Leq for nighttime (10 PM to 6 AM)**. The unit of **Leq** is well defined in the MoEF Notification as “energy mean of the noise level over a specified period.”



True Copy

- ii. Further, as **per para 4** of the MoEF Notification, **the Airport Noise Zone** area for each Airport shall be defined by the respective Airport Operator on the basis of existing GSR 751 (E), issued by the Ministry of Civil Aviation (Height Restrictions for Safeguarding of Aircraft Operations) Rules, 2015 published on 30.09.2015 in consultation with airports Air Navigation Service Provider as per the Master Plan of the Airport. It further states that the same shall be approved by the DGCA and displayed on the website of respective Airport Operators which shall be completed within two years from the date of issuance of the final notification.
- iii. In the Reply by DIAL, the answering Respondent has clarified that they are in compliance with the MoEF Notification regarding the '**Airport Noise Zone**' which has also been approved by the DGCA. The approval of the DGCA is also attached as **Annexure R-16 to the Reply by DIAL at Page 451**.

Further, DIAL has also installed **five Noise Monitoring Terminals** which have been installed under the approach and departure funnels of the Delhi Airport to measure and monitor the aircraft noise level. The NMT's are recording the sound levels on real time basis at IIT Delhi - Hauz Khas, R.K Puram, Vasant Kunj, Dwarka Sec- 19 and Dwarka Sec- 24. The **Noise Monitoring Terminals** installed at the funnel areas of the Delhi Airport is supplied by M/s Topsonic Systemhaus GmbH, an internationally recognized agency which is operating globally in 13 countries and at 32 airports with more than 300 NMT installations and operating under a wide range of climatic conditions. They are designed for unattended continuous outdoor use. Measurement of level, calculation of noise events and reporting are fulfilling ISO 20906 "Unattended monitoring of aircraft sound in the vicinity of airports" and DGCA Civil Aviation Requirements. A map showing the locations of the five Noise Monitoring Terminals installed by DIAL at the Delhi Airport has already been annexed at **Annexure R-12 to the Reply by DIAL at Page 406**. Technical information of the Noise Monitoring Terminals installed by DIAL are already annexed at **Annexure R-13 at Page 407 to the Reply by DIAL**.

Colour copy of the map showing the location of the Noise Monitoring Terminals is annexed herewith as **Annexure 1 of the present Written Submissions**



True Copy

iv. In compliance of the MoEF Notification, DIAL has uploaded on its website- <https://www.newdelhiairport.in/corporate/our-company/sustainability> :

(a) the monthly noise levels recorded at the Airport Noise Zone; and

(b) the Airport noise zone area

Respondent No.9 has already filed the noise levels recorded at the Delhi Airport alongwith its Reply (**Annexure R-8 AT Page 247**)

Screenshots of the relevant pages of the Delhi Airport website and Airport Noise zone area are annexed herewith as **Annexure 2 (Colly) of the present Written Submissions.**

v. In addition to the above, DIAL approached IIT Delhi for an independent assessment of the Noise Monitoring Terminal units, calibration, and validation of aircraft noise data collected at the terminals installed by DIAL at all runway approach funnels. This assessment aimed to ensure compliance with DGCA's Civil Aviation Requirements (CAR) dated 18.12.2014 and CPCB's Requirements and Procedure for monitoring ambient noise level due to Aircraft, dated June 2008.

As per the said independent report of IIT, Delhi dated January 2024 gave its key findings observing:

"It may be noted that the difference in the values reported by both IITD and DIAUs NMT systems is less than 1 dB. Considering over-prediction of 0.3 dB by IITD system, the noise metrics evaluated by DIAL. NMTs can be considered quite accurate with less than 0.5 dB difference in most metric values."

Whereby, it was concluded that:

"Overall, the NMTs installed and Aircraft Noise metric evaluation and reporting by DIAL are in compliance to DGCA Civil Aviation Requirements (CAR) dated 18.12.2014 and CPCB requirements and procedure for monitoring ambient noise level due to Aircraft, dated June, 2008."

The findings of the report of IIT Delhi are of independent academic observations which confirms and authenticates the



True Copy

*genuineness of the aircraft noise levels obtained from the NMTs and thus confirms the compliances of the aircraft noise data. The report of IIT, Delhi dated January 2024 is annexed herewith as **Annexure 3**.*

B. Compliance of Aircraft Noise levels

- vi. **Aircraft Noise** on the other hand is governed in terms of **para iv of the Note read with para 1(1)** of the MoEF Notification in terms of which the limit for aircraft noise as **Lmax** will be notified by the airport operator with approval of the Directorate General of Civil Aviation (“**DGCA**”).

Lmax as defined in the MoEF Notification is “unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Directorate General of Civil Aviation for respective airports.”

*DIAL has notified the Lmax levels with the approval of the DGCA at the aircraft noise monitoring locations and the same is also being communicated to all the Airline operators and is further also published in the Aeronautical Information Publication (AIP) dated 11.08.2022 (**annexed as Annexure R-10 of Reply by DIAL at Page 276, relevant page 335 and 336**) which sets out the noise levels for aircrafts (as Lmax) as **105 dB(A) for daytime (6 AM to 10 PM) and 95 dB(A) for night-time (10 PM to 6 AM)**.*

- vii. *Compliance with noise levels in the Airport Noise Zone must be overseen by the DGCA, as per the MoEF Notification. The DGCA has confirmed in its reply to the present application before this Hon’ble Tribunal, that DIAL is compliant with its obligations under the MoEF Notification.*

57. The second part deals with reply to written submissions filed by applicant. It is not denied in para 6 of the written submission of respondent 9 that Vasant Kunj is in landing funnel and falls within Airport Noise Zone.

58. Replying the submission of the applicant with regard to violation of noise limits in Vasant Kunj and neighboring areas raised in para 4 of



True Copy

written submissions, respondent 9 in para 7 of written submissions has said as under:

“i. *The noise levels referred to in Para 4(i) by the Applicant **are noise metrics of Lmax (unit) i.e. maximum noise level for an event and not the Leq (unit) which is the noise metrics used for noise limits prescribed in Airport Noise Zone** as set out in the MoEF Notification. As per the MoEF Notification, the standard for aircraft noise limits is defined with a unit called Leq dBA for day and night period.*

- ****dB(A) Leq denotes the time weighted average of the level of sound in decibels on scale A which is relatable to human hearing. A day time from 6.00 a.m. to 10.00 p.m. and night time from 10.00 p.m. to 6.00 a.m. are considered for time weighted average.***
- *Leq: It is energy mean of the noise level over a specified period.*
- *Lmax is unit for aircraft maximum noise level in units dB(A) which is maximum or peak noise value for aircrafts at the monitoring location in accordance with the noise standards notified by the Directorate General of Civil Aviation for respective airports.*

It is also pertinent to mention that DGCA and CPCB have outlined monitoring protocols for aircraft noise as Civil Aviation Requirements (CAR) dated 18.12.2014 and Requirements and Procedure for monitoring ambient noise level due to Aircraft dated June 2008, respectively.

It is submitted that in order to achieve accurate measurements, it is important that the Noise Monitoring Terminals consists of high-quality components, including a Class 1 outdoor microphone, which is essential for precise and accurate sound level measurement. It ensures accurate and standard-compliant recording of aircraft noise and ensures that the measurements are correct. The installed Noise Monitoring Terminals by Delhi Airport at different locations are highly credible, accurate, and world-wide recognized and have been installed under the approach and departure funnels of Delhi Airport to measure and monitor the aircraft noise level. The Noise Monitoring Terminals are recording the sound levels on a



True Copy

real-time basis and are installed at all Approach and Departure funnels of Delhi Airport.

On the other hand, the noise data provided by the Applicant is generated from random software apps downloaded on a mobile phone from the App Store, which lacks genuineness, authenticity, and accuracy, and thus cannot be relied upon. The Applicant has submitted noise events (**Annexure 11 of additional documents filed by the Applicant**) indicating values as minimum, maximum, and average. This data is not in line with the MoEF Notification requirement, as the notification defines standard limits as Leq dBA, a time-weighted average for daytime (6 am to 10 pm) and nighttime (10 pm to 6 am).

Further, as stated above, the aircraft noise limit as Lmax has been approved by DGCA for Delhi Airport, and the same has been prescribed in AIP dated 11.08.2022, issued by AAI as Lmax (maximum sound level for aircraft) in dB(A) at the NMTs, which is to be complied with by airlines.

Considering the above, it is evident that the **data generated by the Applicant is not in line with the notification requirement and the requirements outlined by CPCB and DGCA**, the data does not hold any authenticity on noise levels monitored and its reference to compliances. The aircraft noise data for six months, which complies with DGCA's Civil Aviation Requirements (CAR) dated 18.12.2014 and CPCB's Requirements and Procedure for monitoring ambient noise level due to Aircraft dated June 2008, has been provided by the answering Respondent in Annexure R-8 at Page 247-252 of the Reply by DIAL, demonstrating compliance with the noise levels as per the MoEF Notification.

- ii. In response to Para 4 (ii) and (iii), it is submitted that the Applicant's data recorded in the PDF (**Annexure 3 of the written submissions**) on noise level recordings indicating the ten monitoring stations, allegedly downloaded from CPCB's website, is of no relevance with respect to compliances under the MoEF Notification. The data provided by the Applicant is not in line with the MoEF notification requirement, as the notification defines standard limits as Leq dBA, a time-weighted average for daytime (6 am to 10 pm) and nighttime (10 pm to 6 am). **Instead, the Applicant has presented data showing minimum, maximum and instantaneous values of some random events.** It is pertinent to mention that **nine (9) out of the ten (10) locations mentioned by the**



True Copy

Applicant in Annexure 3 of its written submissions are not even part of the Airport Noise Zone. Only one (1) location, i.e., R.K Puram, is in the approach area, and the noise levels recorded by the Airport NMTs there are in compliance with the MoEF Notification.

The Applicant is misleading the Hon'ble Tribunal by choosing irrelevant data like LAF #1 Noise levels (Ins.), LAS #1 Noise levels (Ins.) etc. from the CPCBs website and misrepresenting the facts whereas the Applicant should have referred the Noise levels in CPCBs website given as Leq A for Day and Night."

59. On the question of display of the website, respondent 9 has given details of the link i.e., <https://www.newdelhiairport.in/corporate/our-company/sustainability>. It is said that in compliance of Tribunal's direction, noise level recorded at the Noise Monitoring Terminals on all runways of Delhi Airport is being published on the website and data can be accessed by public. It is lastly submitted that airports are held accountable and liable to comply with high standards under Civil Aviation Requirements (hereinafter referred to as '**CAR**') issued by DGCA. All the airports and airlines activities are being regulated by DGCA under the governance of International Civil Aviation Organization requirements through the Standard and Recommended Practice. Furthermore, it is submitted that applicant, without even knowing or considering the basic elementary requirements under MoEF&CC's Notification, is alleging non-compliance in a most casual manner. In the present matter, Regulatory bodies such as MoEF&CC, DGCA and other relevant authorities have stated that DIAL is compliant with MoEF&CC's Notification; no grounds are raised, substantiated or even made out by applicant to show non-compliance by DIAL in any manner; a Court/Tribunal especially NGT cannot be approached again and again as no Tribunal draws its own conclusion so as to substitute conclusion especially the one arrived at by



True Copy

Expert bodies until and unless there is gross miscarriage of justice, which is pointed out and made out, which strikes at the root of the case; in the present matter, DGCA and MoEF&CC's have arrived at a conclusion that the MoEF&CC's Notification has duly been complied with and such a decision from expert bodies is not amenable to judicial scrutiny until and unless there is proven arbitrariness and/or unreasonableness.

Rejoinder dated 13.02.2024 filed on 24.02.2024 by applicant, replying written submissions of respondent 9:

60. Applicant has virtually reiterated what it has stated in written submissions but on the question of display on the website, we do not find that details given by respondent 9 and the website link have been disputed in the rejoinder.

Additional Written Submissions dated 18.02.2024 filed on 20.02.2024 by respondent 9:

61. Referring to various clauses of MoEF&CC's Notification dated 18.06.2018, it is said that the same has been complied with by respondent 9 and details given are as under:

- i. As per **clause 1(1)** of the MoEF Notification, aircraft noise monitoring is conducted at all runway funnel areas, and the levels are in compliance with the standards specified for a busy airport. These levels are being published on Respondent No.9's website.*
- ii. Pursuant to **clauses 2 and 3** of the MoEF Notification, the Noise Management Plan has been established, and approval from the Directorate General of Civil Aviation (DGCA) has been secured.*
- iii. In accordance with **clauses 4 and 5** of the MoEF Notification, airport noise mapping and the delineation of airport noise zones have been implemented for IGI Airport, with DGCA approval obtained in alignment with the MoEF Notification. This information has been duly disseminated on Respondent No.9's website and was also presented before the Tribunal during the hearing on January 31, 2024.*



True Copy

- iv. Pursuant to **clause 6** of the MoEF Notification, the Monitoring Protocol and Measurement Procedures for airport noise zones outlined on the websites of the Ministry of Environment, Forest, and Climate Change and the Central Pollution Control Board are being adhered to. Compliance has been ensured, with all Noise Monitoring Terminals (NMTs) installation and operational locations in accordance with CPCB monitoring protocol, a fact corroborated by verification from IIT Delhi, as detailed in the written submissions filed by the Respondent No.9 on 09.02.2024.”

62. It is reiterated that noise level recorded at Delhi airport are within the notified levels; EIA Report is prior to the Notification dated 18.06.2018 and, therefore, the facts mentioned therein would be of no relevance since compliance has been made in respect of the provisions of Notification dated 18.06.2018; after issue of the said Notification, nobody can expect compliance of the said Notification for a period prior to its issue; regarding recording of noise level, it is said in para 8 of additional written submissions that respondent 9 has installed a Noise Monitoring Terminal at RK Puram funnel area of runway and noise level at RK Puram shows compliance of MoEF&CC's Notification dated 18.06.2018 and the said compliance has been verified by IIT Delhi regarding fulfillment of DGCA and CPCB requirement.

Written Submissions dated 27.02.2024 filed on 28.02.2024 by DGCA i.e., respondent 5:

63. Specific stand taken by DGCA is that it has granted approval to Airport Noise Zone and Lmax for aircraft at IGI airport vide letter dated 07.04.2022. Pursuant to CAR, Section 10 - AEPS 'A' Part I Issue I dated 18.12.2014, issued by DGCA, all major airports are required to install noise monitoring stations and conduct noise mapping among other obligations. Respondent 9 and other relevant airports have duly fulfilled



True Copy

all CAR requirements. It is also said that recorded noise levels at Delhi airport and other applicable airports adhere to the specifications outlined in MoEF&CC's Notification dated 18.06.2018. With respect to the compliance of the noise level, respondent 5 in para 3 has said as under:

“3. Moreover, the Airport Authority of India has issued periodic Aeronautical Information Publications (AIP), delineating the stipulated noise thresholds for aircraft. The latest publication, dated 11.08.2022 for the Indira Gandhi International (IGI) Airport, specifies the noise levels for aircraft (as Lmax) at 105 dB(A) during daytime hours (6AM to 10PM) and 95 dB(A) during night time hours (10PM to 6AM). Given the aforementioned, it is evident that there has been no contravention of the MoEF&CC Notification dated 18.06.2018 at the IGI Airport. This information was conveyed by the responding party to the Applicant through its letter dated 18.08.2022. Consequently, the contention put forth by the Applicant lacks merit.”

64. It is said that since there is no violation of MoEF&CC's Notification dated 18.06.2018, the request of applicant to issue directions for its implementation and compliance is unwarranted and infructuous. It is also said that various compliance aspects have already been examined by Tribunal and it was satisfied therewith while disposing of **Execution Application No. 24/2019 (supra)**, hence the said issue cannot be raised again.

65. Respondent 5 has also referred to **Execution Application No. 24/2019 (supra)** filed by applicant seeking compliance and execution of the judgment dated 24.11.2017 passed in **Appeal No. 60/2013 (supra)** and other connected matters, which was disposed of on 18.09.2019 with the following directions:

“5. The main question for consideration is the compliance of direction number 6 as far as AAI is concerned. According to the action taken report, NOTAM was issued by AAI which has been incorporated in the Aeronautical Information Publication on 11.10.2018. Information



True Copy

regarding use of reverse thrust by pilots is applicable to Delhi, Mumbai, Bengaluru, Chennai, Hyderabad and Kolkata.

6. *As regards direction numbers 3, 4, 5 and 9, the said publication applies to all airlines fly to Delhi. DIAL has pointed out that order for use of CNG cover by direction number 7 was partly modified by the Hon'ble Supreme Court vide order dated 06.08.2018. As regards noise pollution, steps have been taken in terms of MOEF&CC Notification dated 06.07.2018 laying down certain requirements which have to be complied by 17.06.2020.*

7. *We suggest that DIAL should not only measure and maintain the prescribed noise levels but also display the same in public domain."*

66. It is submitted by respondent 5 that applicant has neither disclosed the above factum of the filing of above Execution Application nor the order passed therein, but again, has prayed similar relief for which, this OA is not maintainable.

Rejoinder dated 01.03.2024 filed on 04.03.2024 by applicant to the Written Submissions of respondent 5 i.e., DGCA:

67. Applicant has said that record with respect to noise level is lying with the respondents but they are not making the same available to applicant. He, however, reiterated that noise level in the funnel zone is higher than the prescribed Ambient Noise Standards. In the rejoinder, applicant has said that in the light of the claims set up by respondent 9 and 5, directions be issued to place on record the statutory record which are being maintained on time basis by respondents 2, 4 and 6 regarding noise level in landing funnel. He has placed again reliance on EIA Report filed by respondent 9 to say that noise level was higher than the prescribed Ambient Noise Standards. It is also said that **on the website, monthly average noise level has been disclosed** though people are affected by the actual noise caused by aircrafts during landing and taking-off under



True Copy

landing funnel area. It has also sought certain information from respondents, which may support its contention and submitted that non-submission of statutory record which in possession of respondents 1, 2, 4 and 6 demonstrates a lack of credibility on the part of respondents who are custodian of environment and thus, such attitude is deprecable. In support of this submission, applicant has relied on the observations made by Supreme Court in para 33 and 34 of the judgment dated 03.06.2022 in ***T.N. Godavarman Thirumulpad vs. Union of India & Others, (2022) 10 SCC 544.***

Written Submissions dated 21.02.2024 filed on 28.02.2024 by AAI i.e., respondent 4:

68. It is said that the applicant has not raised any new issue except the level of noise pollution. With respect to the details of Delhi Airport, it is said that the same is not under the monitoring authority of AAI and, therefore, no information for this airport can be required to be supplied by respondent 4. Applicant is making issue of noise pollution level without substantiating any fact and, therefore, the application deserves to be rejected.

Rejoinder dated 01.03.2024 filed on 04.03.2024 filed by applicant to the written submissions of respondent 4:

69. Here also, applicant has virtually reiterated what is already said but has further said that respondent 4 should be directed to place the following record which is in its possession:

“(a) Allotment of slots and turnaround time for the last winter and now received for approval at Delhi International Airport and other airports, which is essential to assess the correctness of the statements made by both Respondent No.5 and Respondent No.9.



True Copy

(b) *the noise levels recorded at the boundary of the Airport for the period July 2022, October 2022, January 2023, April 2023, July 2023, October 2023 and January 2024 which are being recorded by it on real time basis. This request finds support from the Notice Inviting Tenders issued and placed on record by Respondent No.4, through affidavit dated 25th January 2024, and copy of similar report that was provided by Regional Office, Madras (Copy of Fortnightly reports for the period 01-08-2022 to 15-08-2022 and 15-09-2022 to 30-09-2022 submitted as additional documents at page no.(s) 433 to 462.”*

ISSUES:

70. The rival submissions, in the light of the above discussion, give rise to the following issues:

- (I) Whether the provisions of Notification dated 18.06.2018 in respect of Airport Noise Zone and noise limit are being complied with or not?
- (II) Whether in respect to the issue of the compliance also, the matter is covered by judgment dated 18.09.2019 passed in **Execution Application No. 24/2019 (supra)** and is it open to applicant to raise this issue in the fresh OA?

71. We proceed to consider and decide both the issues together.

72. Notification dated 18.06.2018 prescribe noise limits by dividing airports in two types i.e., ‘busy airports’ and ‘other airports’ excluding ‘proposed airports’ in the context of ‘Airport Noise Zone’, therefore, to apply the noise limit prescribed by Notification dated 18.06.2018, one of the first conditions which has to be complied by respondents is delineation of “Airport Noise Zone”.



True Copy

73. So far as IGI airport and ATC Palam is concerned, we find that Airport Noise Zone has been provided and it has been duly approved by DGCA.

74. Letter dated 07.04.2022 sent by DGCA (annexure R1 to Preliminary Objections dated 02.01.2024 of DGCA), we have already referred to above. This letter is addressed to respondent 9 i.e., Delhi International Airport Ltd. (DIAL) and deals with the subject of approval of Airport Noise Zone developed by DIAL in respect of airports at Delhi. Initially, Learned Counsel appearing for applicant sought to submit that letter dated 07.04.2022 specifically does not say that Airport Noise Zone delineated by DIAL has been approved by DGCA but when we pointed out that a wholesome reading of the letter clearly shows that the document prepared by DIAL in respect of Airport Noise Zone at Delhi stands approved by DGCA and it is also mentioned that the said approval is valid for a period of 2 years from the date of issue of the letter unless suspended/revoked/cancelled earlier, he could not make any further submission to pursue us to take a different view. We are, therefore, satisfied that Airport Noise Zone in respect of airport at Delhi has been delineated by DIAL and it is approved by DGCA and has become operative on and after issue of the letter dated 07.04.2022.

75. Learned Counsel appearing for applicant, however, submitted that document no. DIAL/ANZ/2021-22/Ver1., which is said to contain the details of Airport Noise Zone developed by DIAL, is neither appended to the letter dated 07.04.2022 nor is available on the concerned website, therefore, applicant is not in a position to make any comments thereon but in our view, this fact cannot be construed as if the requirement of



True Copy

Notification dated 18.06.2018 in respect of delineation of Airport Noise Zone has not been complied by DIAL for airports at Delhi. Therefore, once substantial compliance has been shown by respondents, we do not find any necessity to go into this aspect further at this stage.

76. In fact, we are fortified in taking the above view from further letter dated 18.08.2022 sent by DGCA to applicant's society placed on record as annexure R2 at page 1011, wherein DGCA has communicated to applicant, referring to its complaint dated 25.05.2022 that DIAL has developed Airport Noise Zone, using Noise Model in accordance in noise limit prescribed vide Notification dated 18.06.2018. This letter also shows a clear stand of DGCA that Airport Noise Zone has already been provided by DIAL and since it was approved by DGCA itself, therefore, it has taken the said stand that Airport Noise Zone has been defined by DIAL and accordingly, communicated this information to applicant.

77. DIAL has also provided 05 Noise Monitoring Terminals at Delhi airport as is evident from annexure R-12 to the reply of DIAL at page 877.

78. It is also evident from record that besides IGI Airport at Delhi, the other two airports which answers the definition of "busy airports" are at Chennai and Kolkata. These airports are being maintained by AAI. In its reply, AAI has clearly stated that at Airport Kolkata, declaration of Airport Noise Zone and Lmax value are under process for approval to DGCA and would be completed by 31.03.2024. In respect of Chennai airport, the work of Airport Noise Mapping, declaration of Airport Noise Zone and installation of continuous noise monitoring systems would be completed by 31.07.2024.



True Copy

79. It is true that AAI has taken longer time than what was required to be done by Notification dated 18.06.2018 and no reason for such delay has been explained but since the timeline given by AAI for completion of the work at Kolkata and Chennai Airports from this day is not very far, we do not find any reason to take any stern view of the matter except of reminding AAI that it shall adhere to its time line and complete the work at Chennai and Kolkata airport within the time as mentioned in its Short Affidavit dated 25.01.2024 filed before Tribunal on 30.01.2024.

80. There are 15 more airports which satisfy the definition of "other airports" maintained by AAI and in respect to the said airports also, AAI has taken a clear stand that the work of Airport Noise Mapping and declaration of Airport Noise Zone would be completed by 31.07.2024. We hope and trust that this timeline shall also be adhered to and abided by AAI in words and spirit.

81. So far as placing noise level on website is concerned, details of the website has been given by respondent 9 in its reply and aircraft noise level and monitoring at different points with monthly average has been given as collectively as annexure R-8 but the factum that the information has been placed on the website has been seriously disputed by applicant. We also tried to open the website mentioned by respondent 9 but could not find it convenient to open the required information with regard to aircraft noise level and monitoring as claimed by respondent 9. Hence, we direct respondent 9 to display aircraft noise level on monthly basis as required by Notification dated 18.06.2018 and given in **direction no. 7 of Tribunal's order** dated 18.06.2019 on the website in such a manner that it may conveniently be available to everyone who is interested to find out



True Copy

the said information and this shall be done within 30 days from today. A compliance report on this respect shall also be submitted with Registrar General of this Tribunal within 15 days after expiry of 30 days as directed above.

82. Learned Counsel appearing for applicant in its Written Submissions has raised objections that the information given is not a daily and hourly information but the monthly average taken by respondent 9. In this regard, we find that direction contained in para 7 of the order dated 18.09.2019 says that noise level should not only be measured and maintained but be displayed on the public domain. Therefore, the monthly average given by respondent 9, in our view, is not sufficient and instead, it should be given every month but the record should be on daily basis. The average of the day may be maintained to avoid functional difficulty in the matter. **Issue I is answered accordingly.**

83. So far as **Issue II** is concerned, we find that the judgment in **Appeal No. 60/2013 (supra)** was rendered on 24.11.2017 i.e., prior to issue of Notification dated 18.06.2018. **Execution Application No. 24/2019 (supra)** was considered in the context of the directions issued in the judgment dated 24.11.2017 and when it was disposed of on 18.09.2019, Tribunal recorded its satisfaction with regard to compliance of the directions given in the judgment dated 24.11.2017. So far as compliance of the Notification dated 18.06.2018 is concerned, that was not an issue in the earlier proceedings and, therefore, it cannot be said that disposal of **Appeal No. 60/2013 (supra)** vide judgment dated 24.11.2017 or **Execution Application No. 24/2019 (supra)** vide judgment dated 18.09.2019 shall stand in the way to maintain this OA only to the extent



True Copy

of compliance with Notification dated 18.06.2018. **Question II is answered accordingly.**

84. However, before concluding the matter, we find it appropriate to observe that it is the admitted case of respondents also that effective measures for mitigating noise during landing and taking off of aircrafts at airports should be taken and observed in words and spirit. After Notification dated 18.06.2018, the noise level prescribed therein has to be observed by the various operators of airports in the country as also by the operators of aircrafts of concerned air lines. Though, it is the stand of DGCA that it has outlined monitoring protocol for aircraft noise as CAR dated 24.11.2014 and requirement and procedures for monitoring ambient noise level due to aircrafts dated June 2018 respectively and the same have been communicated to all concerned airports and airlines, but after Tribunal's judgment dated 24.11.2017 in **Appeal No. 60/2013 (supra)** and 18.09.2019 in **Execution Application no. 24/2019 (supra)** as also publication of Notification dated 18.06.2018, we do not find from record that appropriate directions have been issued to all the concerned airlines and airports to ensure all possible mitigation measures for controlling noise pollution in Airport Noise Zone.

85. Respondent 9, however, has said that it has issued circulars dated 24.08.2021, 28.04.2022 and 29.05.2023 to all the airlines operating at IGI airport and ATC Palam requesting them to follow the best practices on noise mitigation measures and adopt latest new fleets, technologies and procedures to make aircraft operations quieter while ensuring a safe and efficient operational environment but this is applicable to airports under management of respondent 9 but no similar circulars and directions have



True Copy

been issued by AAI in respect of the airports which are being maintained by it and the airlines operating at such airports. In our view, AAI should also issue similar directions to all airports maintained by it and also the concerned airlines which are operating at such airports. This exercise shall be undertaken by AAI within two months from this judgment.

86. DGCA is also directed to issue similar circulars, requesting all the concerned airports as also airlines operating thereat to take effective steps for mitigating noise level so as to comply with the Notification dated 18.06.2018 by issuing requisite circulars and also by appending a copy of this judgment to all the concerned airports and also airlines operating at such airports, within three months.

87. We may also notice at this stage that initially airports were established at distant places, away from city or urban areas, mostly where there was no abadi or population or habitation. Since there was no restriction in developmental activities of creating infrastructural improvements, with the passage of time localities in the vicinity of airports developed with residential and commercial buildings as a result whereof number of people started residing thereat. These people obviously would have come within the noise area/zone of the airports and would have to undergo problems of air pollution. However, for this situation, it is difficult to hold the airports responsible since development of airport is a major infrastructure activity and any subsequent improvement in the vicinity or locality resulting in growth of abadi or habitation cannot be a ground to seek any disturbance in the operation of airports activities. The local bodies or concerned Ministries in Central Government or airport authority in the consultation with the State Government and concerned



True Copy

departments should have taken care of making provision so that the area in the vicinity of airport or the buffer area should have remain construction free to avoid this situation. For the existing airports at present, whatever has already happened in past, it is difficult to rectify but whatever is possible without disturbing airport's operations and also without compromising with safety and security aspects, can be done, and that includes steps for mitigating measures to reduce noise pollution. Further, in respect of new airports which are now coming mostly in distant places, appropriate provisions may be made by ensuring "no construction zone" in and around the new airports or in the buffer area outside the boundary of airports so that similar problem may not be faced due to subsequent construction activities in those areas. In our view, MoEF&CC in consultation with concerned Ministry of Urban Development and Aviation and also in consultation with the respective State Governments, and concerned departments should look into this aspect of the matter and make provisions so as to protect future development of airports as also people from involuntary facing noise pollution due to raising construction of residential and/or commercial buildings near the new airports which are under construction/development.

88. In the light of the above observations and subject to the directions stated above, we dispose of the present OA with the direction that Compliance Report by the concerned respondents in respect to the directions given in the judgment shall be filed with Registrar General of this Tribunal within 15 days after expiry of the period given for compliance of the directions. Registrar General, if finds necessary, may place the matter before Tribunal for further orders.



True Copy

89. OA is disposed of with the above directions.

90. Pending IA also stands disposed of.

91. Copy of this judgment be forwarded to MoEF&CC, CPCB, Ministry of Civil Aviation, AAI, DGCA, DPCC, Lt. Governor of Delhi and Delhi International Airport Ltd., by e-mail for compliance.

SUDHIR AGARWAL,
JUDICIAL MEMBER

DR. A. SENTHIL VEL,
EXPERT MEMBER

March 21, 2024
Original Application No. 612/2023
R



True Copy

- Travellers ▾
- Corporate ▾
 - Overview
 - About Us
 - Sustainability
 - Careers
 - Media
- Investor
- Upcoming Tenders
- Business ▾
- Cargo ▾
- Contact

Level Load



Delivering to **190+ Countries**
Starts **₹99/kg**

Find your flight  12:51 | 38°C | ☰


True Copy

-  PARK N FLY
-  BAGGAGE DELIVERY
-  MEET & GREET

Aircraft Noise Levels and Monitoring

Aircraft Noise Monitoring is done under each runway funnel and the measured noise levels in dB (A) Leq is for March 2024 given below:

Standard: 70 dB(A) Leq for daytime (from 6 AM to 10 PM) and 65 dB(A) Leq for nighttime (10 PM to 6 AM).

Noise Level dB(A) (Leq) – March 2024										
Date	Lday 0600 hrs-2200 hrs					Lnight 2200 hrs-0600 hrs				
	NMT 01 Hauz Khas	NMT 02 Vasant Kunj	NMT 03 Dwarka Sec 24	NMT 05 Dwarka Sec 19	NMT 06 RK Puram	NMT 01 Hauz Khas	NMT 02 Vasant Kunj	NMT 03 Dwarka Sec 24	NMT 05 Dwarka Sec 19	NMT 06 RK Puram
3/1/2024	52.3	61.0	62.6	63.7	57.3	57.7	60.3	59.5	63.6	43.6
3/2/2024	47.6	60.0	63.8	65.9	57.5	55.5	61.3	61.4	63.0	48.1
3/3/2024	49.6	63.7	61.2	62.0	61.0	53.9	62.0	60.2	62.0	51.2
3/4/2024	53.2	62.8	60.4	61.7	60.3	59.2	60.7	61.0	61.0	54.5
3/5/2024	53.1	63.6	60.3	62.3	61.8	58.5	61.1	61.8	56.9	54.5
3/6/2024	53.1	64.2	60.6	62.2	60.7	58.9	62.1	60.7	57.4	55.7
3/7/2024	55.0	63.9	61.2	62.9	59.5	59.3	62.0	61.5	58.5	53.1
3/8/2024	53.1	62.9	61.0	62.3	58.9	53.5	63.5	61.0	55.4	51.4
3/9/2024	53.1	63.5	60.2	62.1	61.3	59.4	61.1	61.5	54.9	55.7
3/10/2024	51.1	62.8	61.2	62.4	59.2	56.7	61.9	62.0	58.9	51.7
3/11/2024	53.2	61.7	62.4	62.8	56.2	55.0	61.3	58.8	62.5	54.0
3/12/2024	51.0	63.7	60.3	61.8	59.7	57.6	63.3	59.2	59.8	53.0
3/13/2024	51.0	62.6	61.5	62.8	59.1	56.0	60.9	62.0	59.2	50.4
3/14/2024	50.5	63.8	47.6	62.7	60.5	59.4	61.3	41.0	59.2	55.9
3/15/2024	53.9	62.7	46.1	60.3	61.4	57.2	61.2	48.0	56.4	57.4
3/16/2024	54.4	64.0	47.8	62.0	59.8	59.9	61.0	43.3	57.3	55.1
3/17/2024	55.5	63.6	51.1	63.9	60.3	54.8	63.6	52.0	54.4	53.3
3/18/2024	48.7	63.4	49.3	63.4	58.8	58.8	61.0	48.2	57.6	53.7
3/19/2024	49.9	63.1	45.0	63.3	58.4	56.7	61.4	50.1	56.2	50.8
3/20/2024	*	63.5	45.4	61.9	59.8	*	62.2	42.6	57.1	53.8
3/21/2024	52.0	48.7	63.1	65.1	57.9	58.8	51.7	61.6	62.1	49.6
3/22/2024	52.3	52.5	62.8	64.6	52.7	53.3	58.5	59.1	62.2	48.9
3/23/2024	49.8	63.6	42.1	61.4	60.9	62.8	63.7	51.1	55.7	52.6
3/24/2024	50.5	63.1	55.6	62.3	60.2	58.2	50.7	58.1	62.2	42.1
3/25/2024	42.7	63.5	41.8	60.4	60.5	60.2	59.0	57.6	58.7	54.9
3/26/2024	51.8	63.7	48.3	60.8	59.9	55.6	63.0	47.9	53.9	55.1
3/27/2024	47.9	63.4	48.4	62.3	59.8	55.5	61.1	35.6	56.2	55.1
3/28/2024	51.7	63.1	45.7	62.5	62.5	55.9	62.6	48.5	54.9	53.6
3/29/2024	53.2	56.8	61.0	64.1	56.3	56.8	60.6	58.3	59.4	44.9
3/30/2024	49.6	60.9	58.3	63.1	59.6	55.0	53.0	58.1	63.9	51.9
3/31/2024	51.8	63.7	48.5	61.5	58.6	56.5	59.5	61.6	58.0	56.4

* Under maintenance

True Copy

Ravneet Singh

From: Ravneet Singh
Sent: Wednesday, May 01, 2024 4:28 PM
To: anilsood@spchetna.com; madhumita@casassociates.in; secy-moef@nic.in; sanand.cpcb@nic.in; tn.dwivedi57@nic.in; chairman@aai.aero; dgoffice.dgca@nic.in; chdpcc@nic.in; vcdda@dda.org.in; secl@nic.in
Cc: Ashly Cherian
Subject: Advance Service - Compliance Report - OA No. 612/2023 - SP Chetna vs UOI
Attachments: Compliance Report_R9 DIAL.pdf

Dear Sir/Ma'am,

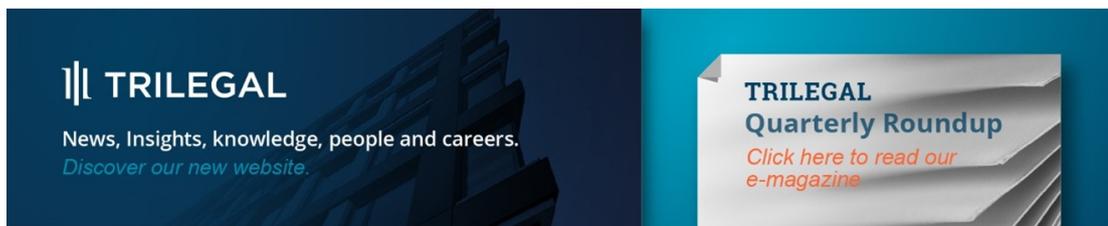
Please see attached the Compliance Report being filed on behalf of Delhi International Airport Limited – Respondent No. 9 in terms of directions of the Hon'ble Tribunal in its judgement dated 21.03.2024 the captioned matter. Kindly treat this email as advance service.

Regards,
Ravneet
Counsel for Respondent No. 9

Trilegal

1st Floor, Wing A&B,
Prius Platinum,
D-3, District Centre,
Saket, New Delhi,
110017

Tel
Dir +911142257613

**CONFIDENTIALITY NOTE**

This communication (including any accompanying documents) is intended only for the use of the addressee(s) and contains information that is PRIVILEGED AND CONFIDENTIAL. Unauthorized reading, dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately at <https://www.trilegal.com/offices/> and promptly destroy the original communication. This email has been scanned for viruses and malware and has been automatically archived. Thank you for your cooperation.

ANNEXURE R-15

Item No. 08

Court No. 1

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

Execution Application No. 25/2025
In
Original Application No. 612/2023

Society for protection of Culture Heritage
Environment Traditions and Promotion of
National Awareness

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 28.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Madhumita Singh, Adv. for Applicant in E.A. 25/2025

ORDER

1. Learned Counsel for the applicant after arguing the matter at length seeks permission to withdraw this Execution Application (EA) with liberty to file a fresh EA, if required. Prayer is allowed.
2. EA is dismissed as withdrawn with liberty as prayed for.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 28, 2025
Execution Application No. 25/2025
JG.

Item Nos. 01&02

Court No. 1

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

Execution Application No. 33/2025
In
Original Application No. 612/2023

WITH

M.A. No. 76/2025
In
Original Application No. 612/2023

Society for protection of Culture
Heritage Environment Traditions and
Promotion of National Awareness

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 26.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Sanjeev Anand, Senior Advocate with Ms. Madhumita Singh, Adv. for
Applicant in E.A 33/2025

ORDER

1. This order will govern the disposal of the above EA No. 33/2025 and MA No. 76/2025 in OA No. 612/2023.
2. The EA No. 33/2025 has been filed by the Applicant seeking compliance of the direction issued by the Tribunal in the order dated 21.03.2024 passed in OA No. 612/2023, whereas the MA No. 76/2025 is a compliance report filed by Respondent No. 9, Delhi International Airport Limited disclosing the compliance of the directions issued by the Tribunal in the order dated 21.03.2024.

3. The OA No. 612/2023 was filed by the Applicant raising a grievance about the noise pollution being caused at the Indira Gandhi International Airport in landing and taking off the aircrafts on all the runways during the night time.

4. The Tribunal had considered the grievance of the Applicant and while disposing of the OA by order dated 21.03.2024 had observed as under:

“xxxxxx.....xxx

81. *So far as placing noise level on website is concerned, details of the website has been given by respondent 9 in its reply and aircraft noise level and monitoring at different points with monthly average has been given as collectively as annexure R-8 but the factum that the information has been placed on the website has been seriously disputed by applicant. We also tried to open the website mentioned by respondent 9 but could not find it convenient to open the required information with regard to aircraft noise level and monitoring as claimed by respondent 9. Hence, we direct respondent 9 to display aircraft noise level on monthly basis as required by Notification dated 18.06.2018 and given in direction no. 7 of Tribunal's order dated 18.06.2019 on the website in such a manner that it may conveniently be available to everyone who is interested to find out the said information and this shall be done within 30 days from today. A compliance report on this respect shall also be submitted with Registrar General of this Tribunal within 15 days after expiry of 30 days as directed above.*

82. *Learned Counsel appearing for applicant in its Written Submissions has raised objections that the information given is not a daily and hourly information but the monthly average taken by respondent 9. In this regard, we find that direction contained in para 7 of the order dated 18.09.2019 says that noise level should not only be measured and maintained but be displayed on the public domain. Therefore, the monthly average given by respondent 9, in our view, is not sufficient and instead, it should be given every month but the record should be on daily basis. The average of the day may be maintained to avoid functional difficulty in the matter. **Issue I is answered accordingly.***

83. *So far as **Issue II** is concerned, we find that the judgment in **Appeal No. 60/2013 (supra)** was rendered on 24.11.2017 i.e., prior to issue of Notification dated 18.06.2018. **Execution Application No. 24/2019 (supra)** was considered in the context of the directions issued in the judgment dated 24.11.2017 and when it was disposed of on 18.09.2019, Tribunal recorded its satisfaction with regard to*

compliance of the directions given in the judgment dated 24.11.2017. So far as compliance of the Notification dated 18.06.2018 is concerned, that was not an issue in the earlier proceedings and, therefore, it cannot be said that disposal of **Appeal No. 60/2013 (supra)** vide judgment dated 24.11.2017 or **Execution Application No. 24/2019 (supra)** vide judgment dated 18.09.2019 shall stand in the way to maintain this OA only to the extent of compliance with Notification dated 18.06.2018. **Question II is answered accordingly.**

84. However, before concluding the matter, we find it appropriate to observe that it is the admitted case of respondents also that effective measures for mitigating noise during landing and taking off of aircrafts at airports should be taken and observed in words and spirit. After Notification dated 18.06.2018, the noise level prescribed therein has to be observed by the various operators of airports in the country as also by the operators of aircrafts of concerned air lines. Though, it is the stand of DGCA that it has outlined monitoring protocol for aircraft noise as CAR dated 24.11.2014 and requirement and procedures for monitoring ambient noise level due to aircrafts dated June 2018 respectively and the same have been communicated to all concerned airports and airlines, but after Tribunal's judgment dated 24.11.2017 in **Appeal No. 60/2013 (supra)** and 18.09.2019 in **Execution Application no. 24/2019 (supra)** as also publication of Notification dated 18.06.2018, we do not find from record that appropriate directions have been issued to all the concerned airlines and airports to ensure all possible mitigation measures for controlling noise pollution in Airport Noise Zone.
85. Respondent 9, however, has said that it has issued circulars dated 24.08.2021, 28.04.2022 and 29.05.2023 to all the airlines operating at IGI airport and ATC Palam requesting them to follow the best practices on noise mitigation measures and adopt latest new fleets, technologies and procedures to make aircraft operations quieter while ensuring a safe and efficient operational environment but this is applicable to airports under management of respondent 9 but no similar circulars and directions have been issued by AAI in respect of the airports which are being maintained by it and the airlines operating at such airports. In our view, AAI should also issue similar directions to all airports maintained by it and also the concerned airlines which are operating at such airports. This exercise shall be undertaken by AAI within two months from this judgment.
86. DGCA is also directed to issue similar circulars, requesting all the concerned airports as also airlines operating thereat to take effective steps for mitigating noise level so as to comply with the Notification dated 18.06.2018 by issuing requisite circulars and also by appending a copy of this judgment to all the concerned airports and also airlines operating at such airports, within three months.

87. *We may also notice at this stage that initially airports were established at distant places, away from city or urban areas, mostly where there was no abadi or population or habitation. Since there was no restriction in developmental activities of creating infrastructural improvements, with the passage of time localities in the vicinity of airports developed with residential and commercial buildings as a result whereof number of people started residing thereat. These people obviously would have come within the noise area/zone of the airports and would have to undergo problems of air pollution. However, for this situation, it is difficult to hold the airports responsible since development of airport is a major infrastructure activity and any subsequent improvement in the vicinity or locality resulting in growth of abadi or habitation cannot be a ground to seek any disturbance in the operation of airports activities. The local bodies or concerned Ministries in Central Government or airport authority in the consultation with the State Government and concerned departments should have taken care of making provision so that the area in the vicinity of airport or the buffer area should have remain construction free to avoid this situation. For the existing airports at present, whatever has already happened in past, it is difficult to rectify but whatever is possible without disturbing airport's operations and also without compromising with safety and security aspects, can be done, and that includes steps for mitigating measures to reduce noise pollution. Further, in respect of new airports which are now coming mostly in distant places, appropriate provisions may be made by ensuring "no construction zone" in and around the new airports or in the buffer area outside the boundary of airports so that similar problem may not be faced due to subsequent construction activities in those areas. In our view, MoEF&CC in consultation with concerned Ministry of Urban Development and Aviation and also in consultation with the respective State Governments, and concerned departments should look into this aspect of the matter and make provisions so as to protect future development of airports as also people from involuntary facing noise pollution due to raising construction of residential and/or commercial buildings near the new airports which are under construction/development.*
88. *In the light of the above observations and subject to the directions stated above, we dispose of the present OA with the direction that Compliance Report by the concerned respondents in respect to the directions given in the judgment shall be filed with Registrar General of this Tribunal within 15 days after expiry of the period given for compliance of the directions. Registrar General, if finds necessary, may place the matter before Tribunal for further orders.*
89. *OA is disposed of with the above directions."*

5. The submission of learned Senior Counsel for the Applicant is that the direction of the Tribunal contained in para 81 of the order has not

been complied with. Further submission of learned Senior Counsel for the Applicant is that as per the runway-wise arrival and departure details from July 2024 to December 2024 more than 50% of the flights are either arriving or departing from Runway No. 29/11 which is impacting the residents of Vasant Kunj.

6. A compliance report on behalf of the Respondent No. 9, Delhi International Airport Limited has been filed disclosing that the directions issued by the Tribunal have been complied with.

7. In the compliance report in respect of first direction, following action has been taken:

“xxxxxx.....xxx
 3. In compliance with the **first direction**, the Respondent No. 9 is now conveniently displaying the data related to aircraft noise levels recorded at Noise Monitoring Terminals of runway approach and departure funnel of Delhi airport on its website which is easily accessible to all. This information can be accessed by all users by visiting the website of the Respondent No. 9 at <https://www.newdelhiairport.in/> and clicking on the 'Corporate' tab in the Menu on the Home page, which directs the user to the 'Sustainability' page (<https://www.newdelhiairport.in/corporate/our-company/sustainability>), where the aircraft noise levels recorded by the Respondent No. 9 at the Delhi airport are conveniently visible. Respondent No. 9 in future may further bring the "Sustainability" page under the "Menu" on the Home page itself. A snapshot of the aircraft noise levels displayed on Respondent No. 9's website is annexed herewith as **Annexure R-3.**”

8. In respect of the second direction, the following action has been taken:

“xxxxxx.....xxx
 4. In compliance with the **second direction**, Respondent No. 9 confirms that it has published the aircraft noise levels recorded at the Delhi airport for the month of March 2024, along with the daily average noise level for night and day periods, within the prescribed timelines set by this Hon'ble Tribunal vide its judgment dated 21.03.2024. The Respondent No. 9 further confirms its commitment to ensuring that all aircraft noise levels recorded at the Delhi airport will be published on its website monthly with the daily data as directed by this Hon'ble Tribunal. Additionally, the Respondent No. 9 also shall ensure that the recorded aircraft noise levels at the Delhi

*airport comply with the levels stipulated in Notification No. G.S.R.568(E) dated 18.06.2018. Aircraft noise levels recorded for the month of March 2024 with its daily data at the Delhi airport is annexed herewith as **Annexure R-4.***

9. Thus, we find that the direction issued by the Tribunal has been complied with.

10. So far as the allegation of the Applicant in respect of use of runway 29/11 is concerned, there was no separate specific direction of the Tribunal in this regard.

11. In view of the above, we find that no further order in this execution application is required. The compliance report filed by Respondent No. 9 is taken on record.

12. The E.A. and M.A. are accordingly disposed of.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

May 26, 2025
Execution Application No. 33/2025
with M.A. No. 76/2025
In Original Application No. 612/2023
dv..

1126
ANNEXURE R-17

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

REVIEW PETITION (C) NO. 2433 OF 2025

IN

CIVIL APPEAL NO. 11051/2025

DELHI INTERNATIONAL AIRPORT LTD

Petitioner(s)

VERSUS

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS AND PROMOTION OF NATIONAL
AWARENESS (REGD.) & ORS.

Respondent(s)

O R D E R

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.

.....J.
(B.V. NAGARATHNA)

.....J.
(R. MAHADEVAN)

NEW DELHI;
NOVEMBER 06, 2025

ITEM NO.1002

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

R.P. (C) No. 2433/2025 in C.A. No. 11051/2025

[Arising out of impugned final judgment and order dated 01-09-2025
in C.A. No. 11051/2025 passed by the Supreme Court of India]

DELHI INTERNATIONAL AIRPORT LTD

Petitioner(s)

VERSUS

SOCIETY FOR PROTECTION OF CULTURE, HERITAGE,
ENVIRONMENT, TRADITIONS AND PROMOTION OF NATIONAL
AWARENESS (REGD.) & ORS.

Respondent(s)

FOR ADMISSION

IA No. 252719/2025 - APPLICATION FOR LISTING REVIEW PETITION IN
OPEN COURT

IA No. 252717/2025 - GRANT OF INTERIM RELIEF

IA No. 252712/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 06-11-2025 This matter was circulated today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE R. MAHADEVAN

By Circulation

UPON perusing papers the Court made the following
O R D E R

Application for listing Review Petition in open
Court is rejected.

The Review Petition is dismissed in terms of the
signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)

(Signed order is placed on the file)

Delhi International Airport Limited
(Formerly known as Delhi International Airport (P) Limited)

Registered Office:
New Udaan Bhawan, Opp. Terminal 3
Indira Gandhi International Airport
New Delhi – 110 037
CIN U63033DL2006PLC146936
T +91 11 4719 7000 F +91 11 4719 7181
W www.newdelhiairport.in
E DIAL-CS@gmrgroup.in

18th October, 2024

ENVIRONMENT CIRCULAR ON AIRCRAFT NOISE: TO ALL AIRLINES OPERATING AT IGI AIRPORT & ATC PALAM

In continuation to the previous Environment Circulars on Aircraft Noise Management, we wish to bring your attention on the **Civil Aviation Requirements** issued by **Directorate General of Civil Aviation, Aeronautical Information Publication (AIP)** issued by **Airports Authority of India and GSR 568(E)** issued by **MoEF&CC** on various aircraft noise abatement measures required to be adhered at IGI Airport.

Managing aircraft noise is one of the important aspects of our airport operation. At IGI Airport, various measures have been taken by DIAL, DGCA and ATC to mitigate aircraft noise in the vicinity of the Airport. The **maximum permissible noise levels (as unit Lmax) at Noise Monitoring Terminals for aircrafts operation is 105 dB (A) for Day time – from 0600 hrs. to 2200 hrs. and 95 dB (A) for Night time – from 2200 hrs. to 0600 hrs.** Further, Ambient Air Quality Standards with respect to Noise in Airport Noise Zone for **busy airport in unit Leq is 70 dB (A) in day time and 65 dB (A) in night time.** The following are the active noise mitigation measures jointly implemented at IGI Airport by all associated stakeholders and to be followed by Airlines operating at IGI Airport and Air Traffic Control (ATC), Palam in their day-to-day operations:

- ✓ **Adoption of Continuous Descent Approach (CDA) & Low Power, Low Drag procedure for quieter landings (CAR, Section 10-A-1)**
- ✓ **SID/STAR published for Delhi Airport as per AIP Supplement 53/2017**
- ✓ **Restricted usage of ground engine run-ups (CAR, Section 10-A-1)**
- ✓ **Minimum use of thrust reversal (CAR, Section 10-A-1)**
- ✓ **Restricted use of APU at airport (CAR, Section 10-A-1)**
- ✓ **Runway Use Plan for noise abatement (AIP, AD2 - VIDP-1)**
- ✓ **Noise infringements and grievance response by all stakeholders**
- ✓ **Restriction on operation of Chapter – 2 aircraft from 2200-0600 Hrs. IST (AIP, AD2 - VIDP-1)**
- ✓ **Continuous Aircraft Noise Monitoring (CAR, Section 10-A-1)**

We request all the stakeholders to follow the best practices on noise mitigation measures and adopt latest new fleets, technologies and procedures to make aircraft operations are quieter while ensuring a safe and efficient operational environment.

For further intimations/queries, please feel free to contact DIAL Environment Head - USenthil.Nathan@gmrgroup.in



Videh Kumar jaipuria
Chief Executive Officer



Delhi International Airport Limited
(Formerly known as Delhi International Airport (P) Limited)

Registered Office:
New Udaan Bhawan, Opp. Terminal 3
Indira Gandhi International Airport
New Delhi – 110 037
CIN U63033DL2006PLC146936
T +91 11 4719 7000 F +91 11 4719 7181
W www.newdelhiairport.in
E DIAL-CS@gmrgroup.in

20th March, 2025

ENVIRONMENT CIRCULAR ON AIRCRAFT NOISE: TO ALL AIRLINES OPERATING AT IGI AIRPORT & ATC PALAM

In continuation to the previous Environment Circulars on Aircraft Noise Management, we wish to bring your attention on the **Aviation Environment Circular 01 of 2024** issued by **Directorate General of Civil Aviation, Aeronautical Information Publication (AIP)** issued by **Airports Authority of India and GSR 568(E)** issued by **MoEF&CC** on various aircraft noise abatement measures required to be adhered at IGI Airport. Managing aircraft noise is one of the important aspects of our airport operation. At IGI Airport, various measures have been taken by DIAL, DGCA and ATC to mitigate aircraft noise in the vicinity of the Airport.

The maximum permissible noise levels (as unit Lmax) at Noise Monitoring Terminals for aircraft operation is **105 dB (A) for Day time – from 0600 hrs. to 2200 hrs. and 95 dB (A) for Night time – from 2200 hrs. to 0600 hrs.** Further, Ambient Air Quality Standards with respect to Noise in Airport Noise Zone for busy airport in unit Leq is **70 dB (A) in day time and 65 dB (A) in night time.** The following are the active noise mitigation measures jointly implemented at IGI Airport by all associated stakeholders and to be followed by Airlines operating at IGI Airport and Air Traffic Control (ATC), Palam in their day-to-day operations:

- ✓ **Adoption of Continuous Descent Approach (CDA). (VIDP AD 2.21, Section 1)**
- ✓ **SID/STAR published for Delhi Airport as per AIP Supplement 53/2017**
- ✓ **Reducing the use of APUs (AEC 02 of 2024, Section 5, part II)**
- ✓ **Aircraft operators to carry out all engine run-up at locations earmarked (AEC 01 of 2024, Section 3.2.3)**
- ✓ **Continuous Aircraft Noise Monitoring (AEC 01 of 2024, Annex II, part c)**
- ✓ **Minimum use of thrust reversal (AEC 01 of 2024, Section 3.2.2)**
- ✓ **Runway Use Plan for noise abatement (AIP, AD2.21 - VIDP-92, Section II)**
- ✓ **Restriction on operation of Chapter 2 aircraft from 2200-0600 Hrs. IST(AIP, AD2 VIDP-94, part3)**
- ✓ **Noise infringements and grievance response by all stakeholders**

Delhi International Airport is committed to minimize aircraft noise impact while ensuring safe and efficient operations. Runway use plan is one of the key noise mitigation measures that is designed to distribute aircraft noise across flight paths to reduce localized disturbances, with specific noise abatement measures in place during nighttime hours. Further, it is also imperative for Airlines to continue adopting latest noise certified aircraft and support in reducing the noise footprint of Delhi Airport

All stakeholders are expected to comply with prescribed noise mitigation measures to ensure a sustainable and aircraft noise conscious airport environment. Adherence to these guidelines is essential for regulatory compliance and maintaining a safe and sustainable airport operations.

For further intimations/queries, please feel free to contact DIAL Environment Head - USenthil.Nathan@gmrgroup.in



Videh Kumar Jaipuria
Chief Executive Officer



Delhi International Airport Limited
(Formerly known as Delhi International Airport (P) Limited)

Registered Office:
New Udaan Bhawan, Opp. Terminal 3
Indira Gandhi International Airport
New Delhi – 110 037
CIN U63033DL2006PLC146936
T +91 11 4719 7000 F +91 11 4719 7181
W www.newdelhiairport.in

3rd December 2025,

**ENVIRONMENT CIRCULAR ON AIRCRAFT NOISE: TO ALL AIRLINES OPERATING AT IGI AIRPORT & ATC
PALAM**

In continuation to the previous Environment Circulars on Aircraft Noise Management, we wish to bring your attention on the **Aviation Environment Circular 01 of 2024** issued by **Directorate General of Civil Aviation, Aeronautical Information Publication (AIP)** issued by **Airports Authority of India and GSR 568(E) issued by MoEF&CC** on various aircraft noise abatement measures required to be adhered at IGI Airport. Managing aircraft noise is one of the important aspects of our airport operation. At IGI Airport, various measures have been taken by DIAL, DGCA and ATC to mitigate aircraft noise in the vicinity of the Airport.

The maximum permissible noise levels (as unit Lmax) at Noise Monitoring Terminals for aircraft operation is 105 dB (A) for **Day time – from 0600 hrs. to 2200 hrs. and 95 dB (A) for Night time – from 2200 hrs. to 0600 hrs.** Further, Ambient Air Quality Standards with respect to Noise in Airport Noise Zone for busy airport in unit Leq is **70 dB (A) in day time and 65 dB (A) in night time.** The following are the active noise mitigation measures jointly implemented at IGI Airport by all associated stakeholders and to be followed by Airlines operating at IGI Airport and Air Traffic Control (ATC), Palam in their day-to-day operations:

- ✓ **Adoption of Continuous Descent Approach (CDA). (AD2 VIDP-91-AD 2.21, Section 1)**
- ✓ **Minimum Climb gradient for SIDs as per AIP supplement 192/2025**
- ✓ **SIDs & STARs published for Delhi Airport as per AIP Supplement 192/2025**
- ✓ **Reducing the use of APUs (AEC 02 of 2024, Section 5, part II)**
- ✓ **Aircraft operators to carry out all engine run-up at locations earmarked (AD 2 VIDP -90- Section 5, AEC 01 of 2024-Section 3.2.3,)**
- ✓ **Continuous Aircraft Noise Monitoring (AEC 01 of 2024, Annex II, part c)**
- ✓ **Minimum use of thrust reversal (AEC 01 of 2024- Section 3.2.2, AD 2 VIDP-93- Section II pt 6)**
- ✓ **Mix Mode operation & Runway Use Plan for noise abatement (AD 2 VIDP-92-Section II)**
- ✓ **Noise infringements and grievance response by all stakeholders**
- ✓ **Chapter 2 aircraft (Annex 16, Vol. 1) are prohibited at IGI Airport between 2200–0600Hrs (AD 2 VIDP -93, Section III)**

Delhi International Airport is committed to minimizing aircraft noise impact while ensuring safe and efficient operations. A comprehensive runway use plan, along with specific nighttime noise abatement measures, is implemented to distribute flight paths and reduce localized disturbances. Airlines are strongly encouraged to operate the latest ICAO noise-certified aircraft and adopt best practices to further reduce the airport's noise footprint. All stakeholders, including airlines, ATC, and ground operators, must comply with prescribed noise mitigation measures to maintain regulatory compliance and support a sustainable, noise-conscious environment. Continuous collaboration and adherence to these guidelines are essential for achieving long-term environmental goals and enhancing community well-being."

For further intimations/queries, please feel free to contact DIAL Environment Head - USenthil.Nathan@gmrgroup.in

Videh

Videh Kumar Jaipuria
Chief Executive Officer





AAI/DP/ATM-66/25

भारतीय विमानपत्तन प्राधिकरण AIRPORTS AUTHORITY OF INDIA

Date: 24-01-2025

To,

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

Sub: Information under Right to Information Act, 2005

Sir,

Reference may please be made to your RTI application bearing registration number AAIDL/R/E/24/00345. The information pertaining to IGI Airport is as follows:

Information Sought	Reply
Please provide runway wise, month wise landing and take off of flights at Runways number 27-09, 28-10 and 29-11 of IGI Delhi for the years 17-18, 18-19, 19-20, 20-21, 21-22, 22-23, 23-24	The Arrival/Departure movement data of IGI Airport for the years 2017-18, 2018-19, 2019-20, 2020-21, 2021-22, 2022-23, 2023-24 is not maintained runway wise in this office. However, the Arrival/Departure movement data for Runway(s) 27/09, 28/10, 29L/11R and 29R/11L for the period July 2024 to December 2024 is attached herewith as Annexure-1.

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
24/01/25

Manoj Kumar Lohumi
GM(ATM)/CPIO
Airports Authority of India
IGI Airport

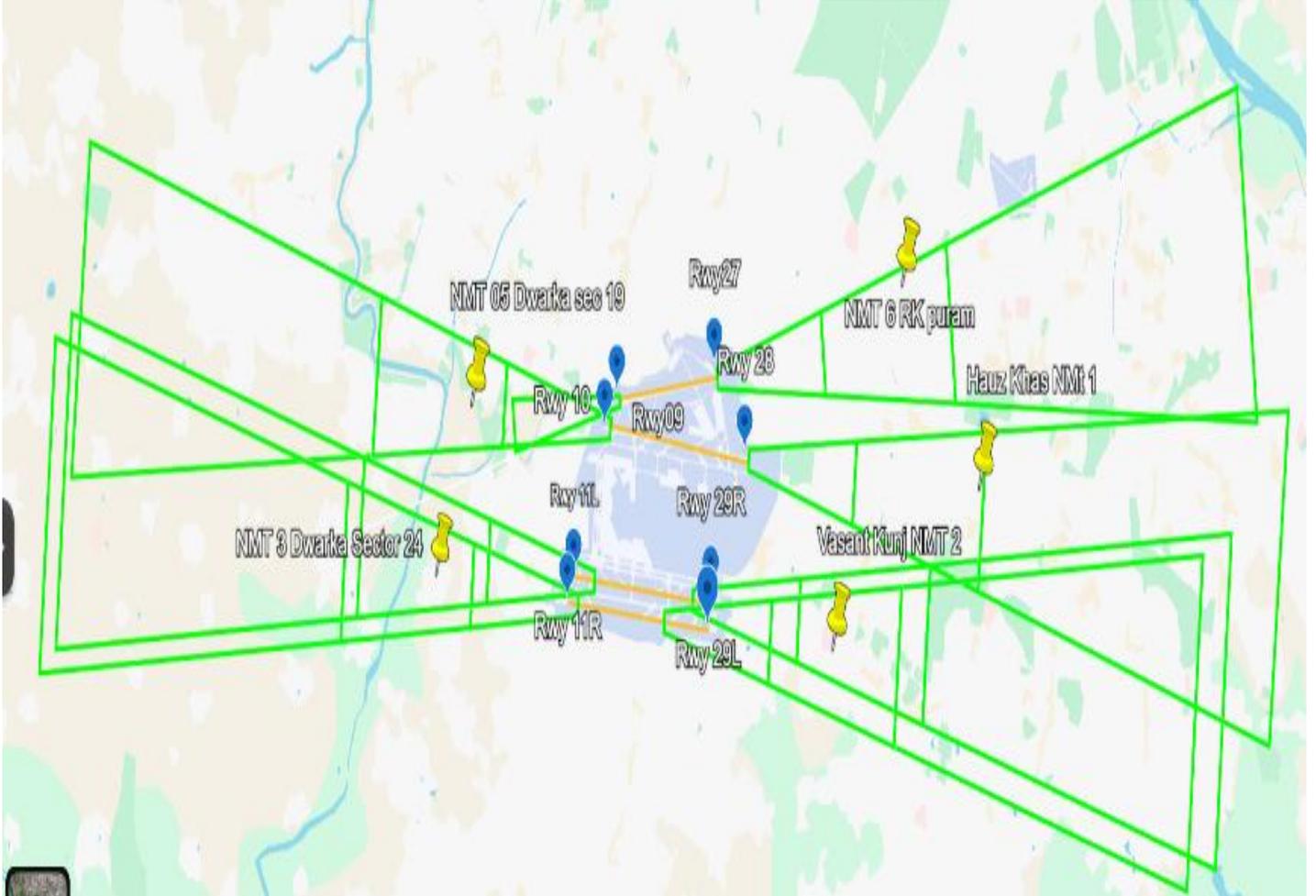
Annexure-1

Arrival:

Month/Runway	RWY09	RWY27	RWY10	RWY28	RWY11R	RWY29L	RWY11L(NEW)	RWY29R(NEW)
Jul-24	Nil	2040	6957	365	7600	3208	195	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
Nov-24	Nil	5564	2243	1958	2178	7746	89	489
Dec-24	Nil	6102	2000	2243	1703	8974	11	77

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
Nov-24	1288	4	607	7370	26	360	2622	7979
Dec-24	1113	NIL	491	8278	112	440	1979	8698



1135 ANNEXURE R-21

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%	