

**AIRPORTS AUTHORITY OF INDIA****Department of Aerodrome Safeguarding****Rajiv Gandhi Bhawan, New Delhi-110003**

[File No. AAI/ATM/DoAS/72/2019-Part]

AERODROME SAFEGUARDING CIRCULAR (ADSAC) 07 OF 2020**Subject: Extension of validity of NOCs by 9 months due pandemic COVID-19****1. Background**

- 1.1. Government of India has declared the current pandemic situation due to COVID 19, as "Force Majeure".
- 1.2. In view of the above, Ministry of Housing and Urban Affairs, Govt. of India, has issued advisory No. K-14011/12/2020-AMRUT-IIA dated 28.05.2020, regarding extension of validity and time limit of all approvals, NOCs and subsequent compliances given by State and Central agencies for the real estate sector. MoHUA, after consultation with various stakeholders, has advised that considering the current situation, the validity of various permissions/ NOCs expiring on or after 25.03.2020 should be extended by 09 months.
- 1.3. Para 8 of the advisory suggests the respective Central Government Ministries to issue similar directions to NOC issuing agencies under their control. Further, para 6(13) specifies Airports Authority of India, with respect to Civil Aerodromes.
- 1.4. The Designated officer of Airports Authority of India (AAI), in accordance with Rule 5, read in conjunction with Rule 3(vii), of GSR 751(E) dated 30.09.2015, is responsible for issuing NOC for Height clearance for buildings and structures for Civil Aerodromes.
- 1.5. Hence the need for this Aerodrome Safeguarding circular.

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2. Purpose

- 2.1. The purpose of this Aerodrome Safeguarding Circular (ADSAC) is to issue guidelines to deal with the NOC cases having validity expiry on or after 25.03.2020.

3. Scope / Applicability

- 3.1. This ADSAC applies to all airports under operational and management control of AAI and the other public and private use licenced civil airports for which AAI is responsible for issuance of NOC for height clearance under GSR751(E) or any other notification issued by GOI for the purpose under the Aircraft Act 1934 Section 9A.

4. Cancellation

- 4.1. Nil

5. Effective date

- 5.1. This ADSAC will be effective from the date of its issue.

6. Salient requirements for NOC validity extension due to the pandemic period declared as Force Majeure by MoHDA, Govt. of India advisory dated 28.05.2020

In all the cases where the validity of the NOCs are expiring on or after 25.03.2020;

- a) The validity of all such NOCs shall automatically be deemed to be valid for an additional 9 months, from the date of expiry.
- b) For all official purposes, the validity of all such NOCs shall be deemed to be extended for a period of 9 months and thus all DOAS offices, the Airport Operators and the Local Bodies shall treat such NOCs as current and valid NOC.



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6.1. Processing of Applications for NOC revalidation by AAI DoAS offices

Following scenarios are envisaged in dealing with the cases in which NOC for height clearance expires on or after 25.03.2020.

- i. For cases in which the developer has obtained Occupancy Certificate (OC) from the concerned Local Body, no revalidation of NOC, issued by AAI, is required.
- ii. For cases in which developer has not obtained OC but Commencement Certificate (CC) was obtained within initial validity of five years, the NOC will be validated as follows:
 - a) Initial NOC issued for 5 years expired on or before 25.03.2020, the NOC will be revalidated for a period of 5 years (Initial Validity) + 3 years (Extended Validity) + 9 months (Force Majeure) from the date of initial issue.
 - b) Initial NOC period of 5 years expiring on or after 25.03.2020, the NOC will be revalidated for a period of 5 years (Initial Validity) + 3 years (Extended Validity) + 9 months (Force Majeure) from the date of initial issue.
 - c) The NOC period of 8 years (5 years' Initial Validity + 3 years Extended Validity) expiring on or after 25.03.2020, the NOC will be revalidated for a period of 8 years + 9 months from the date of initial issue.
- iii. For cases in which the Commencement Certificate was not obtained by the developer from the concerned Local Body in the initial validity of 5 years:
 - a) Initial NOC period of 5 years has expired on or before 25.03.2020 – NOC will not be revalidated. Developer may apply for a fresh NOC to AAI.
 - b) NOC expiring on or after 25.03.2020, Developers may obtain Commencement Certificate within the extended validity of 9 months (Force Majeure) and apply for revalidation. Such cases will be revalidated for a period of 5 years (Initial Validity) + 9 months (Force Majeure) + 3 years (Extended Validity) from the date of initial NOC issue.



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- 6 **Validity:** This ADSAC will remain valid till it is amended or withdrawn or incorporated in the Aerodrome Safeguarding manual.
- 7 **Document Control and feedback:** This ADSAC has been issued by the office of ED (ATM-DoAS) with the approval of Directorate of Operations, AAI. Any feedback, suggestion or the error in this document may be brought into the notice of GM (DoAS) at AAI CHQ at gmdoaschq@aai.aero.

(J.P. Alex)
Executive Director (ATM-DoAS)

Dated: 18th August 2020

Distribution:

1. All REDs/All APDs of AAI.
2. Chief Executive Officers of all Joint Venture Airports.
3. In-Charge of all licensed Private and State Govt. Airports including RCS Airports.
4. AAI website/nocas2.aai.aero/nocas