



# AIRPORTS AUTHORITY OF INDIA

## Department of Aerodrome Safeguarding

Rajiv Gandhi Bhawan, New Delhi-110003

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

### AERODROME SAFEGUARDING CIRCULAR (ADSAC) 08 OF 2020

**Subject: Procedure for Processing of Appeal Application to the Appellate Committee**

#### **1. Introduction**

- 1.1. In accordance with Rule 11(2) of GSR751(E), an applicant aggrieved with the decision of the Designated Officer may appeal to the Appellate Committee for redressal of such grievance. Rule 11(3) of GSR 751(E) mandates that all such appeals shall be received and processed by CHQ, AAI, New Delhi, for presenting to the Appellate Committee, as appropriate.
- 1.2. Prior to the introduction of NOCAS ver.1.0 in 2011, all such Appeal cases were processed offline, on hard files. In 2011, the NOCAS ver.1.0 introduced the capability of processing all the calculations online w.r.t. AGA and CNS criteria. Further, NOCAS ver.2.0, introduced in 2015, added the capability of processing the calculations for PANS-OPS criteria as well.
- 1.3. In 2019, the facility for filing the Appeal applications online by the applicants was introduced.
- 1.4. This following procedure is applicable for filing the online Appeal application and its processing at AAI CHQ and through the Appellate Committee.

#### **2. Purpose**

- 2.1. The purpose of this Aerodrome Safeguarding Circular (ADSAC) is to promulgate the detailed procedures to be followed by the officers of Department of Aerodrome Safeguarding, FPD and CNS directorates at AAI CHQ for processing and disposing of the online/offline Appeal applications.



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**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. Filing Appeals to the Appellate Committee**

6.1 Developers / Builders / Property owners who have applied to AAI for NOC for Height clearance and are not satisfied with the decision of the Designated Officer, may file an Online Appeal to the Appellate Committee at [nocas2.aai.aero/nocas](http://nocas2.aai.aero/nocas).

6.2 Only online appeal applications shall be processed except in cases where, owing to the technical limitations of the NOCAS system such as cases of NOCAS 1, appeal for structures other than buildings i.e. PTL, Windmills etc., filing of 2<sup>nd</sup> appeal or complicated history of the said case etc., the applicant may be advised to file an offline appeal.

6.3 The requisite fees shall be remitted through online payment gateway only. No other mode of payment shall be accepted, except for the cases accepted for offline appeal.

6.4 All the correspondence with applicants shall be done from mail IDs as shown below:

- For technical help – [nocashelp@aai.aero](mailto:nocashelp@aai.aero)  
(In filing online appeal application)





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- For application status and other queries – [help4height@aai.aero](mailto:help4height@aai.aero)  
(For both online and offline appeal application)
- 6.5 If the plot size is more than 2000 (Two Thousand) Sq. metres, it is mandatory for the applicants to submit the coordinates of specific buildings. A maximum of Four buildings are covered in one appeal application.
- 6.6 The applicant shall upload the scanned copies of relevant documents online, followed by the dispatch of the original hard copies through Speed Post. The requirement of the hard copies is to establish accountability of the applicant, for correctness of the data provided, that may be necessary for any legal processes in future.
- 6.7 If the tax is deducted at source from the appeal fee and / or Aeronautical study fee, it shall be the responsibility of the applicant to deposit the tax challan to AAI, in a time bound manner.

**7. Processing of Appeal applications by DoAS CHQ**

7.1. Appeal applications are processed at two levels at CHQ, AAI i.e. at Appeal Coordinator-1 (AC-1) and Appeal Co-ordinator-2 (AC-2), each headed by an officer of DGM / Jt. GM level, reporting to GM (ATM-DoAS). All appeal applications (irrespective of the appellant's request for shielding criteria / aeronautical study etc.) are processed and resolved as below (see the Flow Chart):

7.2. AC-1, prior to processing an appeal, shall ascertain if the NOC on which the appeal is based, is a duly issued one. An NOC shall not be considered as duly issued NOC, if,

- a) The data or documents submitted by the applicant while obtaining the NOC is found to be incorrect which has affected the calculation of permitted top elevation.

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- b) Any relevant and approved AGA, CNS or PANS-OPS criteria were not considered by the Designated Officer while issuing the NOC which has affected the permitted top elevation.

**7.2 Stage-wise process for processing Appeal applications**

- 7.2.1 **Stage-1:** Appeal application is processed through NOCAS to check the permissible top elevation for the whole plot as well as the individual buildings. If RTE is equal or less than the PTE, appeal is resolved at this stage with the approval of GM DoAS.
- 7.2.2 **Stage-2:** If RTE more than PTE as in step 1 and PTE is restricted by Radar, then it is to be checked that whole plot or individual buildings are making small angle at the radar or not. If small angle criteria are fulfilled, in isolation as well in cluster, then PTE so calculated may be permitted. If RTE is less or equal to the PTE thus calculated, the application is resolved at this stage, with the approval of GM(DoAS).
- 7.2.3 **Stage-3:** Application is further processed for shielding from the natural terrain as per the provisions of GSR751(E). If RTE is likely to be permissible, case is put up to the duly constituted Shielding Committee. While applying the shielding criteria, the Shuttle Radar Topography Mission (SRTM) digital elevation data/contour data of natural terrain is used with a vertical tolerance/accuracy of 16m. The Recommendations of the Shielding Committee is put up to the Appellate Committee for its perusal and suitable decision.
- 7.2.4 **Stage-4:** If the case still remains unresolved, then feasibility of Aeronautical Study is assessed. If feasible, with the approval of M (ANS), the aeronautical study may be conducted with the agreement of the appellant and receipt of aeronautical study fee and other relevant documents from the applicant. The Aeronautical study is presented to the Appellate Committee for its suitable decision.

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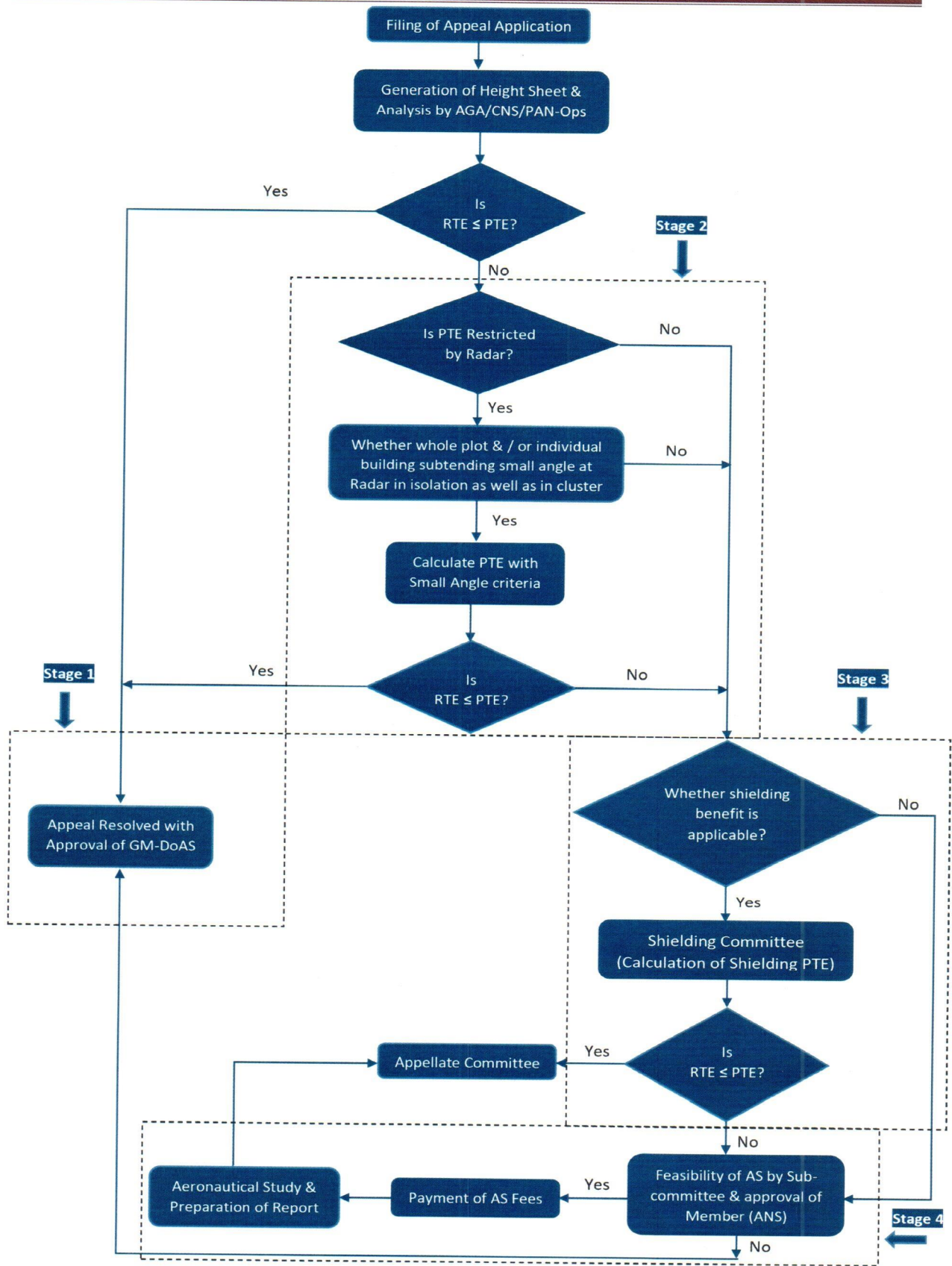




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**8. Rejection of Appeal:** Appeal may be rejected in following cases: -

- 8.1 In case Appeal is not based on a duly issued NOC and the reasonable efforts to correct the same have failed, the appeal may be rejected with the approval of ED (ATM-DoAS). The Designated Officer may be asked to cancel such NOC.
- 8.2 Higher height is not admissible through Appeal process including the Aeronautical Study and Shielding criteria, the Appeal may be rejected, with the approval of ED (ATM-DoAS).
- 8.3 In case where Appeal process yields lesser top elevation than the earlier top elevation permitted through the duly issued NOC, the appeal may be rejected with Approval of ED (ATM-DoAS).
- 8.4 The appeal may be rejected based on the decision of the Appellate Committee, for reasons recorded therein in the Minutes of the Meeting.

**9. Withdrawal of Appeal:** The appellant may withdraw the appeal filed by him / her at any stage of the appeal process, before the decision of the Appellate Committee in the case, subject to the following: -

- 9.1 The withdrawal request is made in writing by the appellant to the Chairman, Appellate Committee, giving the reasons.
- 9.2 Once the request for withdrawal is accepted by the Competent Authority, i.e., Executive Director(ATM-DoAS), same will be communicated to the appellant, disposing of the appeal as withdrawn.
- 9.3 The Appeal Fee and Aeronautical Study Fee, if applicable, are not reimbursable in case of withdrawal of appeal by the appellant.
- 9.4 Such appeals will not be re-activated and, if required, appellant has to file a fresh appeal including the payment of Appeal Fee, Aeronautical Study Fee and Submission of required documents, etc.

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**10. Process at Appeal Coordinator-1 (AC-1)**

10.1 The Appeal applications received shall be verified by the officials of Appeal Coordinator-1 section as per the checklist. The checklist shall be filled on-line and saved in NOCAS for record purposes. The documents uploaded by the appellant on NOCAS shall be verified as below:

S.No.	Documents	To be checked
1.	Layout plan of plot co-ordinates, building co-ordinates, Site Elevation and Site coordinate certificate of all corners of buildings.  <u>Purpose:</u> The Layout Plan indicates the geo-data, the shape & size of the plot and also that all proposed buildings are within the plot.	<ol style="list-style-type: none"><li>1. All information regarding Surveyor are filled including license number and validity as per AAI Format.</li><li>2. The plot number and site address matches with the application.</li><li>3. Site coordinates and elevation along with building details matches the application data.</li><li>4. Location plan should depict all plot and building coordinates in one map (as per the issued NOC/rejected letter) etc.</li></ol>
2.	NOC/rejection letter issued by AAI.  <u>Purpose:</u> Indicate decision of the Designated Officer at AAI.	Site coordinates, Site Elevation along with the site address matches with the application.  (only checked in offline cases)
3.	Justification Letter from Local Body/Architect.	<ol style="list-style-type: none"><li>1. Justifying the RTE as per Local Buildings bylaws.</li></ol>



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	<p><u>Purpose:</u> The Requested Top Elevation (Higher Height) is justified as per the existing Local Body Buildings' Bye Laws.</p>	<p>2. NOCAS ID along with the site address is correctly mentioned.</p> <p>3. License number and license validity details of the architect along with the name, signature and stamp.</p>
4.	<p>Undertaking Form ID.</p> <p><u>Purpose:</u> Owners certified current status of construction &amp; commitment to implement NOC conditions and safety risk mitigation measures.</p>	<p>Owner's name, site address, NOC details, construction status, constructed top elevation, name and signature of the owner/lessee and the witness signatures.</p>

10.2 Details of the case shall be forwarded by Appeal Coordinator-1 section to the concerned Airport Director /Airport Operator for the physical verification of site to ensure integrity of geographical data filed by the appellant, viz.

- a) Plot coordinates and site elevation
- b) Building coordinate and site elevation, if feasible
- c) Top elevation (Height) of the structure / Building constructed at the time of physical verification.
- d) Violation of issued NOC, if any.

10.3 Efforts should be made to ensure that minor variations in data are corrected while processing the appeal with the approval of GM (ATM-DoAS). However, if a large variation is observed, appellant may be asked to obtain NOC for the corrected data for further processing.

10.4 After verification of the documents, the appeal will be available on the NOCAS dashboard of AGA, CNS and PANS-OPS officers and all three officers, preferably of the rank of Senior Manager or above, shall process the case online by Agreeing (with





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optional comments) or Disagreeing (with mandatory comments specifying the reason for disagreement), to carry out an initial review of the Permissible Top Elevation.

Note:

- a) Agreeing, by the respective AGA / CNS / PANS-OPS officer, means that the officer agrees that the NOCAS calculated top elevation, in respect of AGA / CNS / PANS-OPS criteria, are correct.
- b) Disagreeing by an officer means the he/she finds some anomaly in the system calculations, which may need correction.

10.5 The online processing of the appeal cases, by AGA, CNS and PANS-OPS users shall be completed not later than 15 working days, from the date of appearing in their respective dashboards, subject to receiving corrected documents from the appellant.

10.6 Upon completion of the above, the appeal will move to the dashboard of Appeal Coordinator 1. At this stage the officials in the Appeal Coordinator-1 section shall create / update the hard file of the appeal case, with the appeal application, hard copies of the documents received from the appellant and the printout of the checklist, confirming the fee receipt, including the tax component and copy of the AGA, CNS & PANS-OPS user decision & comments, along with the height sheet.

10.7 The report of the physical site verification by the concerned Airport operator shall be checked for any violation etc. and brought to the notice of the Appeal Coordinator- 1 for suitable further action.

10.8 The purpose of creation of this physical file is to collate the original documents as received from the applicant and other relevant sheets, for use by the Appeal Coordinator-2, in further processing of the case. Also, to preserve the original documents for any future legal or other scrutiny, that may arise.

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- 10.9 Appeal Coordinator-1 (AC-1) shall summarize the finding of AGA, CNS and PANS-OPS, including the comments if any, and forward the case from his dashboard to the dashboard of Appeal Coordinator 2, for further processing.
- 10.10 It shall be the responsibility of Appeal Coordinator 1 section to coordinate the online and offline appeal fee payments received from the applicants, with the F&A section of AAI. Further, F&A section shall ensure receipts signed by the F&A official concerned is dispatched to the applicant.
- 10.11 Offline appeal cases will be dealt on file by generating the NOCAS height sheet for the plot and temporary NOCAS height sheets for the building coordinates, as and when required.

**11. Process at Appeal Coordinator-2 (AC-2)**

- 11.1 Upon receipt of the case from Appeal Co-ordinator-1, Appeal Coordinator-2 will examine the case online as well as on the file to resolve the case as per Para 7.2. If the case is resolved, authorisation letter is to be issued accordingly.
- 11.2 If the appeal qualifies for small angle in isolation, (i.e, the whole plot or all the buildings within the plot are making small angle w.r.t all the Radar antennae), the case will be forwarded to GM(CNS-NS) for examination of small angle in cluster (i.e, to check if the plot, or the buildings within the plot and other nearby buildings / or proposed approved structures, considered as a cluster), are also making a small angle w.r.t all the Radar antennae. The case may be resolved according to para 7.2.
- 11.3 The cases, which are not resolved as above, will be processed for shielding criteria from the natural terrain. If the case qualifies for shielding benefit as per the provisions of GSR751(E), it is to be put up to the Shielding Committee for

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examination. While applying the shielding criteria, the Shuttle Radar Topography Mission (SRTM) digital elevation data/contour data of natural terrain is used with a vertical tolerance/accuracy of 16m.

- 11.4 If the appeal is still not resolved and the height is restricted by AGA Criteria, the appeal case is examined for feasibility of Aeronautical study as per the provisions of GSR751(E).

## **12. Conduct of Aeronautical study**

12.1 Conduct of Aeronautical study shall not be considered under the following circumstances:

12.1.1 Aeronautical Study shall not be carried out in Approach Surface and Transition surface.

12.1.2 The appellant has violated any of the terms and conditions of the duly issued NOC, including the permitted top elevation.

12.1.3 The NOC was not duly issued, i.e., the data provided by the appellant for the issuance of NOC was incorrect.

12.1.4 The appellant has not applied for issuance of NOC to the Designated officer concerned, of AAI.

12.1.5 Building or structure has already been constructed above the permissible top elevation or the same has already been identified as an obstacle by the Airport Operator.

12.1.6 Any other circumstance not considered appropriate by Member (ANS), AAI or the Chairperson of the Appellate Committee.

12.2 Prepare the cases to put up to the Sub Committee - comprising of GM (ATM-DoAS), GM (CNS - OM) and GM (ATM-FPD), or in their absence suitable nominated representatives - to evaluate the suitability for Aeronautical Study or otherwise.

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The help of the beta version of Aeronautical Study module may be taken as appropriate.

12.3 The cases found eligible for the conduct of Aeronautical Study by the Sub Committee will be recommended by ED (ATM-DoAS) for approval to M(ANS). Such appeal cases, duly approved by M (ANS), shall be processed for the Aeronautical Study only after the required documents and Aeronautical Study fee are deposited by the Appellant.

12.4 The cases, not found eligible for the conduct of Aeronautical Study by the Sub Committee, may be disposed of suitably after the concurrence of Member (ANS).

12.5 The cases where conduct of Aeronautical Study has been approved shall be sequenced for site visit as per the date of the receipt of Aeronautical Study fee, by AAI.

12.6 Aeronautical Study visits are planned as per the sequence, in coordination with GM(ATM-FPD) and GM(CNS-OM). Prior to the site visit, the proforma is prepared and necessary coordination with the appellant, concerned DoAS, RHQ, Station level DoAS office and with the Airport Operator is achieved.

12.7 Aeronautical Study reports are prepared as per the Aeronautical Study Guidelines of ADSAC 05 of 2020, based on inputs received from AGA, CNS and FPD technical experts of AAI.

### **13. Presenting the Appeal Cases to the Appellate Committee**

13.1 Appeal Coordinator-2 shall present all the appeal cases, processed through Shielding and Aeronautical study to the Appellate Committee.

13.2 Appeal Coordinator-2 makes necessary preparations for Appellate Committee meeting i.e. compilation of brief & power point presentations, coordination with

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various Airport Operator(s), etc. The Airport Director or his representative, of the concerned airport, is required to participate in the Appellate Committee meeting, either in person or through video conferencing, as necessary.

13.3 Aeronautical Study reports prepared as per ADSAC 05 of 2020 are put up to the Appellate Committee for its decision, in a timely and co-ordinated manner. Minutes of Meeting are to be issued within 15 working days of the AC meeting after the due approval and signatures. The Minutes of Meeting of the Appellate Committee shall be uploaded in the NOCAS portal in a timely manner, for information to the Appellant, etc.

13.4 Based on the decision of the Appellate Committee, the authorization letters will be issued to the respective Designated Officers for issuance of NOC for the revised height. This shall be subject to the receipt of Form 16A / TDS challan form the appellant, in case the appellant has deducted the tax at source.

#### **14. Miscellaneous guidelines**

14.1 An aeronautical study module to automate the process of Appeal co-ordinator-2, is under development.

14.2 A MIS of all appeal cases, to indicate at a glance, the status of the case and its progress through various stages, shall be maintained.

14.3 The airport wise obstacle data of structures granted higher heights through Aeronautical Study and Shielding criteria, is prepared every quarter and sent to the respective Airport Operator for their information and necessary follow up.

14.4 Respective Airport Operators should provide the obstacle data, including the obstacles created through the Aeronautical Study process, to the Airlines Operators for designing the contingency aircraft operating procedures.

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- 14.5 Copy of the Aeronautical Study Reports should be provided to appellant or his authorized representative through e-mail, upon request.
15. **Validity:** This ADSAC will remain valid till it is amended or withdrawn or incorporated in the proposed Aerodrome Safeguarding Manual.
16. **Document Control and feedback:** This ADSAC has been issued by the office of ED (ATM-DoAS) with the concurrence of Directorate of ASM and Directorate of CNS -OM, AAI. Any feedback, suggestion or the error in this document may be brought into the notice of GM (ATM-DoAS) at AAI CHQ at [gmdoaschq@aai.aero](mailto:gmdoaschq@aai.aero).

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

Date: October 1, 2020

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