

AIR HEADQUARTERS
AIR STAFF INSTRUCTIONS
PART III/ATS/ 02/2006

PROCEDURE FOR ISSUE OF NOC FOR
CONSTRUCTION OF CIVIL AERODROMES /HELIDROMES
AND BUILDINGS AND OTHER STRUCTURES AROUND IAF AERODROMES

INTRODUCTION

1. Indian economy is growing at a fast pace. In the last few years infrastructure development to support this rapid growth has resulted in a boom in construction. Therefore, requests for issuance of 'No Objection Certificate' from IAF have increased considerably. The NOCs range from construction of aerodromes/helipads to high rise buildings, transmission lines, power projects, mobile network antenna towers, etc. The requests are received from various agencies such as Ministries of GOI, Depts of State Govt, PSUs, private/public sector organizations and individuals.
2. While development of civil infrastructure is inevitable, it is important to examine the details of each case is important for issue of NOC. From time to time many policy letters on the subject have been issued by various Directorates of Air HQs and Command HQs. There is a need for a comprehensive policy on the subject

AIM

3. The aim of this ASI is to formulate a comprehensive policy on the procedure for issue of NOC, stipulate time frames and responsibilities at various levels for processing the cases.

APPLICABILITY

4. The Indian 'Aircraft Act, 1934' Section 9A empowers the Central Government to restrict the construction of buildings and other structures within a radius of 20 Kms of all aerodromes. Guidelines for examining proposed constructions around aerodromes are stipulated vide Government of India, Ministry of Civil Aviation Notification No. SO-988 dated 05 Jan 1988. These guidelines are also reproduced by Airport Authority of India vide A.I.C No. 5/1989 dated 24 Mar 1989. The criteria employed in these notification are based on obstacle limitation surfaces as mentioned in IAP 3309 (Manual of Air Traffic Services) and ICAO Annex 14.

5. Gol, MoD letter No F.2 (9) /65/D (Air-II) dated 04 Jul 1966 requires Air HQ to examine constructions by GOI, State Govts, private/public sector entrepreneurs or private firms /organizations and individuals and make recommendations for issue of No Objection Certificate(NOC) by MoD. These constructions could pertain to the following:-

- (a) New Aerodromes /Helipads
- (b) High rise Buildings/Factories /Chimneys/ Industrial Complexes etc.
- (c) Transmission lines /Mobile Network Communication Towers /Microwave Link Towers etc.

6. The Gazette Notification SO 988 specifies an area of 20 Kms only around the ARP to be considered for restrictions. However, due to specific military aviation requirements, especially low level missions, it is necessary that growth of obstructions within our Local Flying Areas are known and regulated to the extent possible. Therefore, all proposals for construction beyond 20 Kms of the ARP but within LFAs are required to be notified to IAF stations in order to update maps and for information of aircrew. However, large construction projects eg oil refineries, petro-chemical factories, transmission lines, etc. need to be examined for likely affect on IAF operations. Specific recommendations /observations if any, in such cases could be taken up with MoD on case to case basis.

PROCEDURE

7. The application for NOC is to be submitted by the applicant in the specified format to the office of Air Officer Commanding /Station Commander of the nearest Air Force Station. In cases where sites are located within 300 Kms of an IAF aerodrome, the application will be examined at Command HQs. Applications received at Air HQ or at MoD shall also be forwarded to concerned AF Station/ Command HQ. All applications shall be examined and processed at stations/ Command HQs and Air HQ will recommend the issue of NOC or otherwise to MoD. During the processing of the proposal, IAF authorities may correspond with the applicant(s) if required to seek additional information or clarifications. Applications are required to be vetted and processed as follows: -

- (a) **Construction of New Aerodromes and Helipads.** The applicant shall furnish the following in quadruplicate (One original + three copies): -
 - (i) Site elevation certificate (in original) from the Municipal Corporation/Municipality of the area or from the State or Central P.W.D/M.E.S or the concerned District Authorities
 - (ii) Exact six digit latitude and longitude of the proposed site.
 - (iii) Bearing and distance from the nearest IAF aerodromes marked on a million/half million/quarter million map.

- (iv) Purpose of operation of airfield i.e. private/commercial.
- (v) Ownership of land/site.
- (vi) Type of Air Traffic Services and watch hours.
- (vii) Details of communication facilities, including VHF-RT, land lines, fax, etc., planned.
- (viii) Type of aircraft likely to operate.
- (ix) Type of flight operations i.e. VFR/IFR.
- (x) Proposed navigational aids and other facilities.
- (xi) Length of runway and its surface. (Paved/unpaved)
- (xii) Proposed runway orientation with approval and landing charts.
- (xiii) Any other relevant information specific to proposed location.

(b) **Construction of Buildings/Factories etc.** The applicant shall furnish the following in quadruplicate (One original + Three copies): -

- (i) Application on prescribed format (Appendix-B).
- (ii) A location plan showing the proposed structure in relation to the nearest IAF aerodrome on a map of suitable scale issued by Survey of India, duly approved and authenticated by the local Municipal Authority/ Development Authority or any other appropriate Government Authority responsible for the developmental, planning and construction activities.
- (iii) Plan and elevation sketch of the proposed constructions indicating heights above ground level and above mean sea level with ground dimensions of the site / plot.
- (iv) Site elevation certificate (in original) from the Municipal Corporation/Municipality of the area or from the State or Central P.W.D/M.E.S or the concerned District Authorities.

(c) **Undertaking by the Applicant.** Following undertakings are required to be submitted by the applicant on stamp paper of Rs.10/- or more: -

- (i) Undertaking for not installing any additional superstructure above the proposed building in Form I A (Appendix C).

- (ii) Undertaking for not complaining/demanding compensation against aircraft noise/vibration/damage etc in Form I A (Appendix C).
- (iii) Undertaking for not causing smoke hazard in form I B (Appendix D) (Applicable only to Industrial Units & Chimneys located within 08 Kms from ARP).
- (iv) Undertaking for lighting and /or marking as stipulated at Para 20.

ROLE AND RESPONSIBILITIES

Actions at Stations

8. At stations, the Chief Operations Officer (COO) will be responsible for processing the proposal. Under the COO, Sqn Cdr (ATS) Squadron shall be the nodal agency for processing the cases for issue of NOCs except cases pertaining to Mobile Network , Communication Towers /Microwave Link Towers etc, for which SE(L) will be the nodal agency. Applications are required to be checked for completeness of information as mentioned in para 7 above. The implications consequent upon completion of the project need to be examined, by concerned agencies at the Stations. Broad guidelines and areas of responsibilities for various agencies are given in subsequent paragraphs.

9. Sqn Cdr (ATS Sqn). The operational / ATS aspect of the proposed construction will be examined / vetted as per the provisions of Obstacle Limitation Surfaces of IAP 3309 read in conjunction with ICAO Annex 14, Chapter 4 and Annexure I & II to SO 988. Proposed constructions that do not penetrate any of the stipulated surfaces would qualify for issue of NOC.

10. Stn Nav Offr. The effect of the proposed obstruction on the established Instrument Approach Procedures (IAPs) at the base be examined to ensure that MOCs are not impinged to the extent of affecting the procedure established or the future development of aerodrome infrastructure eg runway extensions etc as envisaged. Obstacle Limitation Surfaces as applicable are to be marked on a half million map, as a standard template for computation of maximum heights permissible. Availability of these maps shall be checked during inspections by DASI/CASI. Subsequent to issue of NOC and completion of construction the obstacles shall be marked on maps/ charts and notified to aircrew.

11. SFSIO & Stn Int Offr. Following Flight safety and AD aspects shall be vetted: -
- (a) Interference with local flying (low level), range flying and circuit traffic.
 - (b) Likely hazard due to the proposed construction, garbage disposal requirement etc.

- (c) Operational aspects such as defensibility in terms of air defence.
 - (d) Air intelligence aspects including the info war angle.
 - (e) Any other flight safety aspect.
12. SE(L). Aspects to be vetted are as follows: -
- (a) Any adverse affect on performance of radio navigational aids by the presence of the proposed construction.
 - (b) Radio interference and other EMC/EMI issues.
 - (c) Any other relevant technical aspects.
13. C Adm O. The proposals shall be vetted for the under mentioned aspects: -
- (a) Issues related to defence estate.
 - (b) Restrictions to be imposed around aerodromes as relevant to the role of the station (within 100 mtrs / 900 mtrs) as stipulated vide draft proposal Air HQ/36051/RESTD/W(P&C)/ dated 30 Dec 05.
 - (c) Security/counter intelligence aspects and vulnerability to sabotage of station assets.
 - (d) Environment / Health aspects affecting IAF population and equipment.
14. Having examined the proposal on the aspects mentioned above, the recommendations duly approved by the AOC/Stn Cdr are to be forwarded to Command HQs.

Actions at Command HQ

15. CATCO will be nodal agency at Command HQ for processing cases for issue of NOC except cases pertaining to Mobile Network Communication Towers /Microwave Link Towers etc, for which CSO (Air) will be the nodal agency. The recommendations from stations are to be vetted by CFSIO, C Nav O, CSO (Air) and C Wks O or any other staff officer as applicable in a particular case. The recommendations of Command HQ are to be duly approved at the level of SASO. Adherence to aspects mentioned in Para 8 to 14, by stations is to be ensured while processing the proposal at Command HQ.

Action at Air HQ

16. D Op (ATS) is the nodal agency for processing proposals for issue of NOC by MoD except proposals related to communication networks like Mobile Network Communication Towers /Microwave Link Towers etc, which are handled by PD Sigs (Air). D Op (ATS) would co-ordinate the vetting of proposals by the Dte of Flight safety, Ops (AD), Ops (Off), Ops (Nav), Ops (T&H), AFW and Int(S). Approval at the level of ACAS (Ops) / ACAS Ops (Space) will be obtained before forwarding the recommendations to MoD for issuance of NOC.

17. Proposals related to communication towers (Mobile net working) are to be processed on signals channel. The nodal agency at various level would be as follows: -

- | | | | |
|-----|---------|---|---------------|
| (a) | Station | - | SE (L) |
| (b) | Command | - | CSO (Air) |
| (c) | Air HQ | - | PD Sigs (Air) |

TIME FRAME

18. Recent years have seen a phenomenal increase in the number of applications for processing of NOC. Delays in some cases have attracted queries from Gol /Questions in Parliament. Therefore, it is imperative that time frames as specified at each level / stage are strictly adhered to . These are enumerated below:-

- | | | | |
|-------|--|---|-------------|
| (a) | Station HQs | - | Three weeks |
| (b) | Command HQs | - | Three weeks |
| (c) | Air HQ | | |
| (i) | Dte of FS, AD & Int
(Three working days each) | - | Two weeks |
| (ii) | Dte of Ops (Nav) | - | One week |
| (iii) | Dte of Ops (ATS) | - | One week |
| (iv) | Issue of NOC by MoD | - | Two week |

19. As enumerated above, a proposal is required to be forwarded to MoD within 10 weeks from the date it is received duly complete in all respects. These time frames are to

be strictly adhered to. Where delays are unavoidable, the next higher level is to be apprised in writing stating the reasons for delay.

MARKINGS

20. The markings and /or lighting of obstacles are intended to reduce hazard to aircraft by indicating the presence of the obstacles. Markings shall be in accordance with IAP 3309 Chapter 17, ICAO Annexure 14 Chapter 6 and IS 5613 (Part 3 /Sec1)1989. Where obstructions are required to be lighted, suitable arrangements are to be made to ensure lighting during prolonged power failures.

ISSUANCE OF NOC

21. Based on the recommendations of Air HQ, No Objection Certificate (NOC) to the applicant (s) will be issued by the Ministry of Defence specifying conditions, if any. A copy of NOC issued will be forwarded to concerned Command HQ and station while one copy will be retained at Dte of Ops (ATS). Cases considered unsuitable for issue of NOC shall be informed accordingly by MoD stating reasons why NOC cannot be issued.

VALIDITY OF NOC

22. The NOC issued shall be valid for three years from date of issue. If the construction, for which NOC has been issued, does not commence within three years of issue or found to be in deviation from the original proposal, the NOC shall be deemed null and void. The applicant will be required to obtain fresh NOC for the proposal.

MONITORING

23. It is in the overall interest of the IAF that, subsequent to the issue of NOC by MoD, the concerned station authorities monitor to the extent possible, the progress of such construction. Deviations observed could be taken up with local civil administration for corrective action with information to Command /Air HQs. Where necessary the matter would be taken up with MoD for revoking the NOC. The aspects which could be monitored are as follows :-

- (a) The location / site is as per NOC.
- (b) The expanse and height are in conformity with the terms of NOC.

- (c) No additions/alterations, violating the terms of the NOC, are made, to projects executed.
 - (d) Completed projects have been marked / lighted as required.
24. The monitoring on ground may be done by the following:-
- (a) Visits to location/sites, where feasible.
 - (b) By use of bird recce aircraft for inputs.
 - (c) By effective liaison between APM, Stn Wks Offr and SFSIO.
 - (d) Discrepancies, if any, may be taken up at available civil/military forums, by the C Adm O/SFSIO, under intimation to Commands and Air HQ.

CONCLUSION

25. The number of requests for issue of NOCs is on the increase and the trend will continue. It is imperative that the proposals are examined critically to ensure a safe environment for our operations. However, delays in processing of proposals have to be avoided as these invite unwarranted queries and embarrassment. Care needs to be taken to ensure that the restrictions recommended by IAF are in accordance with the laid down provisions of law so that any scrutiny under the RTI Act - 2005 does not lead to legal complications.

26. This ASI supercedes all previous instructions on the subject.

- Sd-
(DC Kumaria)
AVM
ACAS Ops (Space)

File : Air HQ/S 17711/ATS
Date : 01 Aug 06

Appendix B

(Refers to Para 7 Sub Para (b-i) of
Air HQ/S 17711/ATS dated 01 Aug 06)

**PROFORMA FOR DETAILS OF CONSTRUCTION OF
BUILDING/STRUCTURES AROUND IAF AERODROMES/INSTALLATIONS**

1.	Name of IAF Aerodrome	
2.	Name of owner(s) applying for permission along with complete address and Tele/Fax Nos	
3.	Type of structure(brief description of the structure indicating the maximum present/proposed height of the topmost point of the building and any future vertical expansion envisaged. 4 copies of the section plans of the structure showing height applied for to be attached	
4.	Co-ordinates the site / building (Preferably in Six digit figures of Latitude and longitude)	
5.	Distance from the relevant Aerodrome Reference Point (ARP)measured horizontally of the proposed building/structure of installations (Bearing and Distance)	
6.	4 copies of land plan with scale of 660' or 330' to 1" or any other suitable showing position of the site marked in RED described as "Proposed Site" in relation to the Runway to be supplied. The site marked should be signed by the Architect and authenticated by the municipal authority/relevant Govt agency.	
7.	Elevation of the site (AMSL) where the building structure is proposed duly authenticated by the municipal authority/relevant Govt Agency.	
8.	Elevation of the highest point of the construction proposed.	
9.	If the structure proposed is a factory/power house, type of fuel proposed to be used in the furnace is to be given.	
10.	Garbage waste disposal (if the proposed construction is in the close vicinity of the aerodrome and/or the site of the completed construction is likely to attract bird activity due to garbage or is likely to adversely affect the aviation activities).	

Certified that the information given above is correct to the best of my knowledge.

Signature

Date:
Place

Note: All the certificates, maps (with respect to nearest Air Force Station / unit), sketches and relevant undertaking if any, including this application is to be submitted in four copies.

Appendix C
(Refers to Para 7 Sub Para (c-i) of
Air HQ/S 17711/ATS dated 01 Aug 06)

FORM IA

UNDERTAKING

I/We _____ the applicant(s) for the proposed construction at
_____ do hereby undertake.

(a) Not to complaint/claim compensation against aircraft noise, vibrations, damages etc to me/us or to the occupants of the proposed construction due to aircraft operations at or in the vicinity of the airport.

(b) That no radio/television aerial, mast lightning, arresters, vent pipes, overhead water tanks and attachments of any description will project on super structure, which are not indicated in the submitted drawings.

Signature of the Applicant with date

Signature, Name and address of witness:

(1)

(2)

Date :

Appendix D

(Refers to Para 7 Sub Para (c-iii) of Air
HQ/S 17711/ATS dated 01 Aug 06)

FORM-IB

UNDERTAKING

I/We _____ do hereby undertake that I will use oil fired,
electric furnace or any other type of fuel in my factory/industrial unit that will not cause
smoke hazard (Applicable to Industrial Units & Chimneys located within 8 kms of airport).

Signature of the applicant with date

Signature, Name and address of witness:

(1)

(2)

Date :

Appendix E

(Refers to para 24(d) of

Air HQ/S 17711/ATS dated 01 Aug 06)

PROCEDURE FOR DEALING WITH VIOLATIONS OF SO 988

1. 'The Aircraft Act 1934 ' Section 9A , Subsection(1) empowers Central Govt to prohibit or regulate construction of buildings, structures or trees etc within specified area stipulated vide Gazette Notification SO-988 . The section also provides for demolition of these constructions if they do not conform to the provisions in the aforesaid Gazette Notification.
2. The details of procedure and amplification of various terms are contained in 'The Aircraft (Demolition of obstructions caused by buildings and trees etc) Rules, 1994.
3. Actions to be taken with regard to violations, discrepancies or irregularities in constructions around IAF aerodromes in accordance with law are mentioned below-
 - (a) When AOC/Stn Cdr has reasons to believe that any building or tree exists in violation of the provision of the aforesaid Notification (SO-988), the issue will be taken up with the Director General of Civil Aviation (DGCA) or any other officer of the civil aviation department authorized by DGCA, seeking orders for the owner to furnish details of the obstruction in question.
 - (b) The Director General of Civil Aviation or any other officer of the civil aviation department authorized by him would issue such orders to the owner of the building, tree etc and forward the same to AOC/Stn Cdr.
 - (c) AOC/Stn Cdr shall serve the DGCA's order to the owner along with a copy of the notification (SO 988) by:-
 - (i) Delivering or tendering it to such owner or person or,
 - (ii) If it cannot be delivered or tendered, by delivering or tendering it to any officer of such owner or person or any adult member of the family of such owner or person or by affixing a copy thereof on the outer door or on some conspicuous part of the premises in which such owner or person is known to have last resided or carried on business or personally worked for gain ; or failing service by these means,
 - (iii) By post.
 - (d) After receiving the details from the owner, AOC/Stn Cdr shall forward the same to the DGCA with comments. Following is required to be ensured:-

- (i) Before forwarding details to the DGCA, AOC/Stn Cdr shall satisfy himself about the correctness of the details. For this purpose he or on his behalf a suitable representative duly authorized is empowered under Rule 5 of The Aircraft (Demolition of obstructions caused by buildings and trees etc) Rules, 1994 to enter the premises in question and carry out physical verification of the dimensions of the building, tree etc as the case may be.
 - (ii) The verification shall be done during daylight hours.
 - (iii) A reasonable prior notice to the owner shall be given, who is duty bound to extend full cooperation for such physical verification.
 - (iv) In case the owner fails to cooperate, AOC/Stn Cdr shall be free to forward details to the DGCA with comments based on whatever verification is possible.
- (e) After examination of the details forwarded by the AOC/Stn Cdr, the DGCA/Joint DGCA/DDGCA shall:-
- (i) Satisfy himself by giving the owner an opportunity of being heard, that the building, trees etc. in question does violate the provisions of SO-988.
 - (ii) Pass a final order directing the owner to:-
 - (aa) Demolish the building or cut tree or
 - (ab) Reduce the height of the building /structure or that of tree as the case may be, which is required for compliance with the provision of notification within a specified period.
 - (iii) In case of reduction of height of the in question structure or tree, the height shall be specified in the orders.
- Note : Cases where the owner has failed to furnish details in response to the order issued by the DGCA , Joint Director General or a Deputy Director-General of Civil Aviation shall be empowered to pass a final order based on information made available to him by the AOC/Stn Cdr.***
- (f) The final order of Joint Director or a Deputy Director-General of Civil Aviation shall be served to the owner through AOC/Stn Cdr of the IAF station. The procedure to serve the order shall be same as that for serving the initial notice. The owner shall comply with the directions contained in the final order within the time limit specified therein.
 - (g) If any person is aggrieved by the final order passed he may prefer an appeal to Director General of Civil Aviation within sixty days of the date of the order and

the Director General shall after hearing the concerned parties, desirous of being heard, either confirm or modify or reject the final order.

(h) Non compliance of final orders issued, shall be reported to the District Collector by the AOC/Stn Cdr if the owner fails to carry out the directions contained in the final order passed by DGCA within the specified time limit. A brief narrative on facts of the case and a copy of the final order shall be intimated along with the report.

(j) On receiving the report from AOC/Stn Cdr, the District Collector shall carry out forthwith the demolition of building or cutting of the tree, or reduction in height of the building, as the case may be. The manner and procedure which is to be followed will be same as being followed in cases of demolition of any unauthorized construction in the district.

4. While the above provisions are as laid down under rules, the station administration is expected to make all possible efforts to use the influence of the local civil administration to facilitate the desired actions under the rules. Cases experiencing delay at DGCA may be brought to the notice of Command HQ & this HQs.