

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Criminal Public Interest Litigation No. (L) 7 /2017

Yeshwanth Shenoy

.....Petitioner

Vs.

The Union of India & Others

.....Respondents

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A

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.....Respondents

SYNOPSIS & LIST OF DATES

SR.No	DATES*	EXHIBIT	EVENT
1.	18 October 2016	"A"	Safety Report of the DGM (Aviation Safety)
2.	9 Feb 2017	"B"	Copy of Newspaper Report
3.	April 1993	"C"	Copy of DGCA Summary on IC 491
4.	1 Oct 2016	"D"	Letter to Aviation Authorities
5.	2010-2017	"E"	News Report on DGCA functioning
6.	Aug 2016	"F"	RTI Application made to DGCA
7.	4 July 2016	"G"	Letter to the Governor, Maharashtra State
8.	4 July 2016	"H"	Letter to the Chief Justice, Maharashtra
9.	4 July 2016	"I"	Letter to the Chief Minister, Maharashtra
10.	4 July 2016	"J"	Letter to the District Collector
11.	7 July 2016	"K"	Letter to the NDRF
12.	4 July 2016	"L"	Letter to the Municipal Commissioner, MCGM
13.	2014-2015	"M"	Documents related to Security Threats
14.	7 July 2016	"N"	Letter to the Commissioner of Police, Mumbai
15.	Jan 2017	"O"	News Report on security scare at Mumbai
16.	14 Sept 2016	"P"	Complaint made to the CBI on Security Pass
17.	13 Feb 2017	"Q"	Copy of E-mail to the CBI
18.	6 Feb 2017	"R"	Copy of letter to the Prime Minister

*It's a set of facts that is leading to a situation that needs remedy. Therefore, there is no chronological order of dates

Points to be Urged:

1. Whether innocent people should pay penalty for the collusion and corruption of State Officials?
2. Whether the Government can take the huge financial burden of compensation if the lives and property of people is threatened by corrupt officials?

3. Whether the State is bound to honour international commitments?
4. Whether human life and aviation safety is more valuable than commercial interests of a handful of people?

Acts to be referred:

- (a) The Constitution of India
- (b) The Aircraft Act, 1934

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Public Interest Litigation No. _____/2017

In the matter of Article 21 & 226 of the
Constitution of India:

And

In the matter of the Aircraft Act, 1934

And

In the matter of Air Safety & Security

Yeshwanth Shenoy, aged 37 years,
s/o V.L.Shenoy, Advocate,
"Priyadarshini",
Veekshnam Road
Ernakulam - 682018.
Mobile No: +91-9967642195,
PAN No. BC IPS 3642 B , yshenoy@gmail.com

.....PETITIONER

Vs.

1. The Union of India,
Through the Secretary,
Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
Aurbindo Marg,
New Delhi 110 003.
2. Airport Authority of India
Through the Chairman,
Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi-110003.
3. Directorate General of Civil Aviation
Through the Director General,
Aurbindo Marg, Opp.Safdarjung Airport,
New Delhi 110 003.
4. Mumbai International Airport Limited
Through Its Managing Director,
Mumbai International Airport Pvt.Ltd.,
CSI Airport, 1st Floor, Terminal 1 B,
Santacruz (E), Mumbai - 400099.

5. Office of the Prime Minister of India,
Through the Prime Minister of India,
152, South Block, Raisina Hill,
New Delhi-110011.
6. The State of Maharashtra,
Through the Office of the Chief Minister,
Mantralaya,
Mumbai-400032.
7. Municipal Corporation of Greater Mumbai
Through the Municipal Commissioner,
Head Quarter, Opp. C.S.T
Mumbai - 400001.
8. District Collector,
Mumbai City Collectorate,
Old Custom House, Fort,
Mumbai - 400001.
9. District Collector,
Mumbai Suburban district,
10th Floor, Administrative Building,
Near Chetna College,
Government Colony, Bandra (E),
Mumbai-400 051
10. Commissioner of Police, Mumbai
Police Commissioner Office,
D.N.Road,
Mumbai - 400 001.
11. National Disaster Response Force,
Through its Director General,
B Block, 9th Floor, Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.
12. Central Industrial Security Force
Through the Director General
Block No.13-CGO Complex
Lodhi Road New Delhi-110003
13. Bureau of Civil Aviation Security,
Through its Director General
A" Wing, I st - III rd floors,
Janpath Bhawan, Janpath,
New Delhi-110001
14. The Central Bureau of Investigation,
Through its Joint Director, Zone-I,
13th Floor, Plot No. C-35A,
'G' Block, Bandra Kurla Complex (BKC),
Near MTNL Exchange,
Bandra (East),
Mumbai 400098

.....RESPONDENTS

TO,
THE HON'BLE CHIEF JUSTICE AND
OTHER PUISNE JUDGES OF THIS
HON'BLE COURT.

CRIMINAL PUBLIC INTEREST LITIGATION PETITION

1. Particulars of the Petitioner and the Respondents:-

(I) The Petitioner is an advocate enrolled in the rolls of the Bar Council of Kerala in 2001. The Petitioner has a Masters Degree in Law from University of Mumbai and Turin University (Italy). The Petitioner has also interned with the United Nations Interregional Crime and Justice Research Institute. The Petitioner has authored a few books, the last being released in June 2016 titled "Biodiversity: Law & Practice".

(II) The Petitioner is involved in the following litigations:

SL. No.	Pending Litigation	Petitioner involvement	Subject Matter
1.	Bombay High Court (PIL 86/ 2014)	Party in Person	Aviation Safety
2.	SC W.P(Criminal) No. 59/2012	Party in Person	Challenge to Constitutionality of Sec.138 of NI Act. <i>Rule Nisi</i>
3.	Kerala High Court WPC 21085/2016	Party in Person	Aviation Safety
4.	Kerala High Court WPC 21089/2016	Party in Person	On direct and indirect funding of Air India
5.	Bombay High Court PIL (L) 13/2017	Party in Person	Fraudulent sale of apartments in buildings obstructing safe aircraft movements
6.	JMFC, Mangalore P.C. No.35/2012	Complainant, 812 Foundation	Private Complaint related to Air Crash. Cognizance taken, stayed by High Court.
7.	Kar.H.C CrI.P 3696/2013 & 5696/2013	Respondent, 812 Foundation	S.482 Petition filed by accused in P.C.35/2012
8.	Bombay High Court (FA 1854/2013)	Constituted Attorney for the Deceased's Family	Represent the family of the deceased pilot of Air crash

(III) The Respondent No.1 is the Union of India represented by the Ministry of Civil Aviation. The Respondent No.2 is the Airports Authority of India which owns Juhu Airport and 26% of the CSI Airport and exclusive provider of Air Traffic Services. The Respondent No.3 is the Directorate General of Civil Aviation which is the regulator who has to ensure safety

compliances in accordance with International Regulations adopted by Domestic Laws. The Respondent No.4 is the Mumbai International Airport Limited, which is a joint venture between Respondent No.2 and M/s. GVK. The Respondent No.5 is the Office of the Prime Minister of India. The Respondent No.6 is the State of Maharashtra, represented by the office of the Chief Minister who also is the holding the Home Ministry. The Respondent No.7 is the Municipal Corporation of Greater Mumbai which has control of the Fire Force Department as well as hospitals within the city of Mumbai. The Respondent Nos. 8 & 9 are the District Collectors responsible for Mumbai City and Mumbai Suburbs and are crisis managers in the event of any crisis. The Respondent No.10 is the Commissioner of Police for Mumbai and is in charge of the police force in the City. The Respondent No.11 is the National Disaster Response Force which has a role to play in the event of any National Disaster. The Respondent No.12 is the Central Industrial Security Force which is responsible for security within the Airport Premises. The Respondent No.13 is the Bureau of Civil Aviation Security which is responsible to lay standards for security of civil flights. The Respondent No.14 is the Central Bureau of Investigation which is the Central Agency that is responsible to register and investigate crimes related to Central Authorities.

2. Declaration and understanding of the Petitioner:-

- I) That the present petition is being filed by way of Public Interest Litigation and the petitioner does not have any personal interest in the matter.
- II) That the entire litigation costs and other charges are being borne by the petitioner.
- III) That a thorough research has been conducted in the matter raised through the petition.
- IV) That to the best of the petitioner's knowledge and research, the specific issues raised was not dealt with or decided and that a similar or identical petition was not filed earlier by the Petitioner.
- V) That the Petitioner has understood that in the course of hearing of this petition the Court may require any security to be furnished towards costs or any other charges and the petitioner shall have to comply with such requirements.

3. Facts in brief, constituting the cause

- (a) The Petitioner has spent considerable time in studying Aviation Safety after he was convinced that the death of 158 people in Mangalore air crash on 22 May 2010 was a result of the 'systemic failure of the aviation machinery'

and not caused by 'pilot error' as has been made out. The Petitioner had filed PIL 86/2014 in this Hon'ble Court in addition to the several other PIL's on the subject matter in various other courts. The Aviation system in India is completely broken down by conflicts of interests, collusion and corruption. The entire hierarchy of the Respondent Nos. 1 to 3 is compromised as a result of which the Petitioner has no hopes of a 'correction in the course', but he has nevertheless raised the issue with the Respondent No.5 and he has knocked on the doors of the Judiciary, through this Petition, as his last resort.

- (b) The Petitioner respectfully submits that PIL 86/2014 was a desperate effort of the Petitioner to prevent air accidents which looks imminent from the current state of Aviation Safety in India. This Criminal PIL, therefore, seeks to work on the 'crisis management machinery' in the event of the very imminent air disasters that could be caused by the current state of affairs of the Aviation Machinery that has compromised Air Safety to levels which are not acceptable.
- (c) The Petitioner's departure from 'prevention' to 'crisis management' has been instigated by the conduct of the Respondent Nos. 1 to 4. The following conduct of the Respondent Nos. 1 to 4 sufficiently puts the light on the callousness of these Respondents in dealing with such a serious issue that has breached critical limits. The Petitioner filed PIL 86/2014 and for a full 2 years, these Respondents denied there was a 'problem'. Once this Hon'ble Court found the truth in the 'allegations' made by the Petitioner, the Respondents came with a list of about 150 structure having illegal heights. These structures were identified as obstacles in a 2010 survey and therefore it is clear that these Respondents did not take any action until this Hon'ble Court nudged them to action in September 2016. The Respondents had a list of over 1000 structures identified as obstacles in a survey conducted in 2015 or so, but did not produce that list as most of those buildings were built with full knowledge and in many cases, with permissions from the Respondent No.2. The Respondent No.2, in short, suppressed material and substantial facts before this Hon'ble Court.
- (d) The Petitioner brings the attention of this Hon'ble Court that PIL 86/2014 was not listed even once after September 2016 even when this Hon'ble Court had decided to monitor the progress of action taken on a monthly basis. The Petitioner has reason to believe that PIL 86/2014 is deliberately not being listed because of some forces acting within the Registry of this Hon'ble Court. The Petitioner has a 'language barrier' and in spite of several attempts

PIL 86/2014 has not been listed. The Petitioner had on several occasions pointed the reluctance of the Registry, and this Hon'ble Court had even passed orders to ensure that the matter always appeared on the 'supplementary board' instead of the regular Board so that the matter is heard every time it is listed.

(e) The Petitioner respectfully submits that the stand of the Petitioner in PIL 86/2014 is vindicated as the DGM (Aviation Safety) of the Respondent No.2 itself had filed a Safety Report in October 2016 which clearly points out that the illegal heights of the building is critically threatening Aviation Safety. A copy of the said Safety Report is annexed to this Petition as **EXHIBIT-A**. The Petitioner brings the attention of this Hon'ble Court to the specific noting of the Aviation Safety officer that the truth about obstacles was deliberately suppressed before this Hon'ble Court. The Petitioner further brings the attention of this Hon'ble Court to an incident in Delhi on 9 February 2017 where one engine of an aircraft caught fire and the flight made a safe emergency landing. A copy of the newspaper report is annexed to this Petition as **EXHIBIT-B**. The Petitioner states that the story may not have been the same had it been the CSI airport at Mumbai. The Petitioner states that the fear of Petitioner is not unfounded and such situations could arise anytime. The Air Regulations are made specifically to manage such situations and the restrictions on the height of buildings around the airport is to ensure minimum separations with obstacles specifically to manage situations where an aircraft could lose its altitude owing to such mechanical and technical failures. The large scale violations of the height restriction in Mumbai not just threaten the passengers and the crew but the dense ground population around the airport. The Petitioner points out that 80% of air accidents occur in the first 3 minutes or the last eight minutes of a flight and this means that the aircraft is over the city at these crucial times. The loss of lives in case of aircraft crashing on take-off or landing would be catastrophic more so because the city has a population of over 30 million.

(f) The Petitioner states that the Respondent Nos. 1 to 3 are aware that the fears of the Petitioner is not unfounded and the 1993 air accident of IC 491 should have made the Respondents more cautious. The intent of any inquiry into air accidents is always to prevent future accidents for the same reason. A copy of the DGCA summary of that air crash is annexed as **EXHIBIT - C**. The terrain profile of the airport matches that of Aurangabad with the Western Express Highway just about a hundred meters from the end of Runway.

- (g) The Petitioner further points out that during the pendency of PIL 86/2014, in 2016, the Respondent No.2 declared a list of obstacles but while doing so, it did not rework the declared distances. While the declaration of obstacles will be accounted for operational planning, since the declared distances of the runway do not correspond to the obstacles, the planning will not help prevent an accident in case of such emergencies and the action of declaration of obstacles without reducing the declared distances will cause even more dangerous threat. The Petitioner had written to the Respondent Nos. 1 to 4, a copy of which letter is annexed to this Petition as **EXHIBIT – D**, clearly reminding each one of their duty. In spite of this, none of them have taken any steps and these Respondents have acted no differently than terrorists planning dastardly acts.
- (h) In addition to the violation of Aerodrome Standards, the operational breaches add fuel to the fire. The Respondent No.3 which is the regulator evidently has closed its eyes to the several safety violations during audits and has issued licences to these airports assuring the international community that the airports meet the prescribed international standards. The Respondent Nos.1 to 3 have even not complied with the ICAO requirement of disclosing the deviations from international standards. The acts and omissions of the Respondent Nos. 1 to 4 are not just illegal *per se* but outright criminal.
- (i) The Petitioner states that the Respondent No.3 Regulator has completely failed in ensuring Air Safety. In addition to the fraudulent safety audits of airports and air carriers, the Regulator has had a history of fudging its own records to show the world that everything is well with the Indian Aviation system. If the ICAO website is checked, we will find India to be on the top in many parameters. India is on top not because of the actual compliance but 'fudged' compliance on paper. There is a root cause for the problem. It is conflict of interest and duties. The children of most of the top rung of the DGCA were working with the airlines thereby severely affecting the manner in which the DGCA regulates safety. Had the children been actually skilful and qualified, it would have been unjust on the part of the Petitioner to point out this aspect because the children did no crime just because their parent was in a top post with the Regulator. The Petitioner is pointing out this because there was one top official who was investigated after he conducted an examination just for his daughter who had failed many attempts earlier. Another official's daughter was sent back by a flying school in the US and this person managed to get a flying school opened in UP only until his

daughter got a commercial flying licence. The Petitioner has annexed as **EXHIBIT-E**, copy of some news articles that has appeared in the newspapers which will show the several scams involving the DGCA and its officials.

- (j) The Petitioner states that the Respondent No.3 is a closely guarded cupboard of skeletons. The Respondent No.3 stonewalls RTI requests and deliberately and intentionally mismanages the same. As an eg. The Petitioner had through RTI sought information on 'drunk pilots' and the conflict of interest of the top officials, but instead of giving an answer, the application was sent to all the departments so that each department which has nothing to hide replied back and the rest have not replied back. One Joint Director, Ms.Shubha Thakur is at the forefront of ensuring 'stonewalling' of RTI requests and diverting questions on safety. While this Joint Director has not much of technical knowledge, the act of this person was so irresponsible and criminal that the specific act deserved to be recorded in this Writ Petition. The Respondent No.3, by stonewalling 'safety' information from going out prevents the ability of others to 'correct' the systemic failure which could have fatal consequences. The copy of the RTI application and response is annexed to this Petition as **EXHIBIT -F**.
- (k) The Petitioner respectfully submits that his fears of an air accident involving Indian air space or carrier emanates out of the combined 'cocktail' of the safety breaches caused by the acts and omissions of the Respondent Nos.1 to 4. These safety breaches don't require too much of technical knowledge to understand the one inescapable consequence it could cause – massive damage to lives and property. The Aerodromes do not meet the minimum safety standards, yet the Respondent No.3 has licenced them sending a message to the international community that these airports meets those standards. The act of the Respondent No.3 is criminal in nature as it deliberately and wilfully licenced the airport fully knowing that the airport doesn't meet the standard. To add to the risk of substandard airports, the Respondent No.3 has by its corrupt practice put fake and drunk pilots to operate the aircrafts. The risk of incompetent crew multiplies further because of technical flaws in the aircraft again caused by loose safety audits conducted by the Respondent No.3. By the law of averages, the scope of having a defective aircraft operated by a fake / drunk pilot landing in a substandard airport is a quite a possible scenario with the inescapable consequence of an accident. The Petitioner having realised the seriousness of

the issue, wrote letters to several authorities which included many of the Respondents herein to ensure that the 'crisis management team' is ready to face a situation, should the fears of the Petitioner come true. The Petitioner has written to:

- (i) The Hon'ble Governor of the State of Maharashtra, a copy of which is annexed to this Petition as **EXHIBIT-G**.
 - (ii) The Hon'ble Chief Justice of the High Court of Maharashtra & Goa, a copy of which is annexed to this Petition as **EXHIBIT-H**.
 - (iii) The Hon'ble Chief Minister of the State of Maharashtra (with copies to the Speaker, opposition Leader etc), the Respondent No.6 herein, a copy of which is annexed to this Petition as **EXHIBIT-I**.
 - (iv) The District Collector of Mumbai City & Mumbai Suburbs, the Respondent Nos. 8 & 9 herein, a copy of which is annexed to this Petition as **EXHIBIT-J**.
 - (v) The Director General of NDRF, the Respondent No.11 herein, a copy of which is annexed to this Petition as **EXHIBIT-K**.
 - (vi) The Municipal Commissioner, MCGM, the Respondent No.7 herein, a copy of which is annexed to this Petition as **EXHIBIT-L**.
- (l) The Petitioner states that he has written to each of these Authorities because each one have powers and duty to ensure a remedy for the situation and put in place systems to ensure minimum damage should any such unfortunate events occur. The chief of the MCGM has the fire department and hospitals under his control. He has to ensure the Fire Department has the specialised equipments to deal with fire caused by Aviation Fuel and if the entire city cannot be protected, at least identify the critical approaches to the Airport. He has to ensure how quickly the medical assistance could be activated as burn injuries require 'infection free' wards to be available. The District collectors as crisis managers could direct 'contingency measures' to be in place. The Commissioner of Police, in addition to his function to maintain law and order also has to ensure how quickly his department can control the traffic to ensure free movement of emergency vehicles like the fire engines and ambulances. The NDRF which is very experienced in 'crisis' situation will have a very different scenario to manage assuming they are called in. The Chief Minister of the State has responsibility to ensure the threat identified is assessed and effective contingency measures are in place.
- (m) The Petitioner points out that in addition to the threat to the city from the large scale violation of Air regulations, the Respondent No.4 is giving a red carpet welcome to terror. Mumbai is a city that has been continuously

targeted by several terror groups over the last twenty five years causing thousands of human casualties and damage to property going into thousands of crores. Off late Airports have been targeted by several terror groups to unleash terror and while the world wakes up to protect its airports, the Respondent No.4 has not only exposed the CSI airport to terror attacks but also by refusing to take corrective steps has allowed the threat to persist / continue. The Respondent No.4 sacrificed safety at the altar of its commercial interests and improper planning, deliberate and intentional, has left too many security loopholes to be closed / covered.

- (n) The Petitioner points out the Multi Level Car Park as a 'no-brainer' act that threatens the safety of Airport itself. The BCAS guidelines say that wherever possible the distance between parking space and terminal should be atleast 100 mtrs where the space so permits. However, the Respondent No.4 planned the Multilevel parking within the Terminal building even when it had the luxury of space around it. This security lapse is brought to the notice of the Respondent No.4 by none other than Respondent No.2 who has a 26% share in the entity. It may be seen that this letter is quietly copied to the Respondent No. 10 'for information'. It is clear that the Respondent No.2 is aware of the enormity of the security lapse that it copied the letter to the Respondent No.10 so that some amount of blame could be unloaded on an otherwise overloaded police force who may not have a clue of the enormity of the threat. The acts of the Respondent No.4 clearly implies that it is more interested in its balance sheet than the lives of people and the Respondent No.2 is more interested in 'passing the buck' to any other authority while it is fully aware of the threat.
- (o) The Respondent No.4 built the ATC tower in a public place keeping the common sense in deep freezer. ATC is a vital installation that controls aircraft movements and all around the world it is always inside the airport premises. The ATC tower has public road on two sides and a parking lot on the third side. With the ever growing threat of terrorism, the security agencies have to be notch better and faster than the thinking of the terrorists. The Terrorists are getting more and more sophisticated everyday while the police force in this country is not anywhere close to deal with the ;modern technocrat terrorist'. The security agencies around the world fear the 'lone wolf attacks', as it is almost impossible to track it or identify it. The peak time at Mumbai is between 20.00 hrs to about 22.00 hrs and at any given time there is not less than 60 aircrafts waiting to land in the airport and if the

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tower is brought down at this particular time, it would be extremely difficult to manage the 60 aircrafts to nearby airports by the controllers sitting in the area control tower. The copy of the documents pointing out these security threats is annexed to this Petition as **EXHIBIT- M**.

- (p) The Petitioner had brought this to the notice of the Respondent No.10 herein, by a letter, a copy of which is annexed to this Petition as **EXHIBIT-N**. It is also brought to the attention of this Hon'ble Court that several complaints as regards Air Safety and Security has been filed at the police stations in Andheri, Vile Parle and Sahar stations and even the office of the Respondent No.10 is aware of some complaints. The fact is that the Respondent No.10 does not have the foresight to understand the enormity of the security issue and the Petitioner has reason to believe that the Respondent No.10 also might have passed on the letter issued by the Petitioner to the next possible authority of the Respondent No.12 or 13. There are several complaints against the Sahar police station which is more famously known to the public as the "GVK police station" reminding the public of Mumbai, the private armies in Bihar. The fear of the Petitioner is not out of place and a copy of a few relevant news article is annexed as **EXHIBIT - O**.
- (q) The Petitioner points out that while the poor planning itself has compromised security, the acts of the Respondent No.4 in its operations further threaten the security of the Airport on a day to day basis. The Airport requires a lot of labour force and a huge number of people work for the airport. The security vetting of these personnel is very critical and crucial for the safety of operations. The Respondent No.4 has become blind to security violations because of its larger commercial interests. The Petitioner came to know that the Respondent No.4 brought in a new ground handling agency BWFS through the back door in violation of all procedures. The issue came to the attention of the Petitioner as the 'labourers' wanted *pro bono* assistance on a 'labour issue'. The Petitioner had the occasion to meet the Managing Director and the CEO of the Respondent No.4 at the residence of Mr.Udhav Thackrey whose political outfit was heading the Trade Union. The Petitioner had no doubt that the Managing Director and the CEO of the Respondent No.4 were personally aware of the security breaches. We Indians are proud of the 'Jugaad', but this very 'Jugaad' will have the capability of bringing down this great Nation to its knees. The Respondent No.4 had cleared a vast majority of Labourers to get 'fresh daily' security pass and its action has resulted in the same persons having security passes in the name of two

different companies for entry into the airport during the same period. If this situation happened in any other part of the developed world, it would have sent a chill through the spine of the security agencies, who would have immediately shut down the airport unless the entire procedure was looked into and loopholes plugged. In India, we have perennial inertia to security issues that we respond only after the event. The hijacking of IC 814 is one of the great examples of how we let ourselves down and also bring down the image of a great Nation as to a place where you could do anything if you have some money in your pocket. One of the employees even wrote to the Respondent No.14 as well as to the police authorities. The Respondent No.14 wrote to the Respondent No.1 and 13 and again other than efforts to 'shift blame' nothing substantial was done by any agency. A copy of the complaint and the correspondence by the Respondent No.14 is annexed to this Petition as **EXHIBIT-P**.

(r) The CBI had registered a PE and was inquiring the case but it seems to have put an end to it abruptly when its own building in the BKC was granted extra height in violation of rules. The Petitioner had written an e-mail to the CBI bringing its attention to the issue of air safety and security and involvement of the top rung of the Respondent Nos. 1 to 4. A copy of the said e-mail is annexed to this Petition as **EXHIBIT-Q**.

(s) The Petitioner brings the attention of this Hon'ble Court to Para 10 of Aug, 10, 2016 order in PIL 862014 wherein it was observed:

"We gather an impression that MIAPL, AAI, DGCA, Collector or other authorities, are merely interested in passing on buck or creating a paper trail, so as to disclaim responsibilities, should, any unfortunate mishap take place in the meantime. Therefore, we would like to impress upon the authorities that this is a matter which cannot be taken so lightly and there is necessity to enquire into the violations and take action as permissible in law against the violators. "

The Petitioner points out that the Respondent No.1 to 4 are well aware of threat from Aviation Safety and security and have created enough paper trail to pass the buck to some other authority who may not have the expertise these Respondents have. BCAS certainly should be aware and should have played its role, but it has clearly breached its duty. The Respondent No. 10 or 14 may not have been aware of the intensity of the serious threats as they are probably buried in many more issues. However, through this petition, the Petitioner hopes that both the CBI and the Respondent No.10 become aware

of the intensity and extent of the danger and effective steps be taken to mitigate the danger looming over the city and put the people responsible for the situation behind bars so as to send the strong signal to the corrupt.

- (t) The Petitioner states that under the circumstances stated above, it is extremely necessary to fix the responsibility for the safety and security threats and therefore the Petitioner broadly identifies the areas where there has to be ownership of responsibilities among the Respondents and a member at the board level should take personal responsibility and monitor the situation on a daily basis until each of this risk is mitigated to acceptable levels:
- (i) The Multi Level Parking : MIAL / Police / CISF
 - (ii) The ATC tower: CISF / Police / MIAL
 - (iii) The Operational issues within the Airport for various services: MIAL
 - (iv) The declaration of deviations of ICAO: MOCA
 - (v) The recalculation of declared distances : DGCA / MIAL / AAI
 - (vi) The Height of Buildings: AAI / DGCA.
- (u) The Petitioner points out that very few people are aware that every departing passenger pays Rs.130/- towards security expenses in the PSF. This simply means that the Government of India is providing a service to the passenger for which he pays and therefore, if there is a breach of that service, the Passenger will also be entitled to compensation for 'deficiency in service'. Mumbai Airport is a disaster waiting to happen both from the safety and security point of view. Every authority have already prepared to shift the blame and are preparing as to how to rescue themselves from being indicted in a 'inquiry report' rather than working towards elimination of threat or prevention of an accident. The Respondent No.4 brings up security only with its commercial interests and points out to the encroachment on the airport land which they were aware even before they signed the OMDA. The intention of the Respondent No.4 is only to take over the airport land from the poor in the name of security and the Respondent No.4 have never raised any issue with the big and mighty and in fact have colluded with them (as in the eg. BWFS) to threaten Airport Security.
- (v) The Petitioner respectfully submits that if an air accident involving Indian Air space or Indian Air Carrier occurs, it is quite possible that the issue could come up before Foreign Courts as foreign Jurisdiction is well within the reach of an affected person under the Montreal Convention. The averments in PIL 86/2014 and this Petition would certainly implicate all the

Respondents and 'mitigating measures' put in place will be seriously looked into. The liability of the Government of India would be direct if the Respondent Nos. 1 to 3 are held liable. Even the liability of Respondent No.4 also will cause loss to the Government because 26% of it is owned by the Respondent No.2 and even the 76% owned by GVK will also cause financial losses as it is financed by heavy debts from the public sector banks. As an example, the Petitioner points out that a UK citizen found it proper to sue the Taj Hotels in the UK for the 26/11 Terrorist attack in Mumbai and his right to sue in the UK was upheld. Any claim for compensation in the US or UK courts could easily bankrupt Respondent No.2 & 4 and the liabilities would have a direct impact on the Government of India. Therefore, the financial burden on the Government of India either by the direct liabilities of the Respondent No.2 or the bankruptcy of the Respondent No.4 is indisputable.

(w) The Petitioner points out that the Respondent No.5 was made a party only after the entire hierarchy in the Aviation Ministry failed to take any corrective steps. The investigation made by Respondent No.14 was compromised even when every standing obstacle was a proof of a completed crime. Every authority below the Respondent No.5 has failed and documentary evidence *prima facie* shows their involvement in the illegal and criminal acts either by their acts or their omission to act. The buck has to stop somewhere and there is no higher Authority than Respondent No.5 who could take charge of the issue and provide a solution. The Petitioner wrote to the Respondent No.5, a copy of the letter is annexed to this Petition as **EXHIBIT – R**. It is even more important that the Respondent No.5 monitors the situation until full compliance is made more particularly because if any accident happens as a result of breach of Air Safety or Security pointed out in this Petition, it could not only cause severe financial damage on the State but also will affect the image of Brand India in the global stage. Unfortunately, the representation of the Petitioner was sent to the Respondent No.3 in spite of a specific request to the Respondent No.5 to monitor the situation from his office and this failure has directly resulted in the Petitioner knocking the doors of Justice through this Writ Petition in order to enforce the Right to Life guaranteed to every person under Article 21 of the Constitution of India.

4. Source of Information: - The Petitioner got aware of the instances from his own experience both in person and while acting in his professional capacity.
5. Nature and extent of injury caused/apprehended: If this Hon'ble Court does not interfere, the injury caused to the State /Nation will be irreparable and damages

cannot be estimated because of the lack of a methodology to calculate the loss. The Petitioner points out that 80% of air accidents occur in the first 3 minutes or the last 8 minutes of a flight and this would indicate that the aircraft is over the City at this crucial period becoming a clear threat to a population of over 30 million. The loss of lives in case of aircraft crashing on take-off or landing would be catastrophic. Airport complex is a crucial infrastructure. Any large scale damage / terrorist attack on the airport complex will be catastrophic with far reaching grave implications for the citizens and the economy. Unlike a railway line which is restored in 72 hours, airports are complex infrastructure which would take a few months before it could be operationalised and for a city like Mumbai, it would cripple its economy. If 10 men could cause rampage in the city, 10 men could cause havoc in the Airport, when the Airport operator itself is involved in giving a red carpet welcome to terror.

6. Any representation etc. made:- The Petitioner has written representations made to most of the Respondents herein and the ones to whom the representation has not been made have probably been forwarded the representation by some other authority who is in receipt of the representation from the Petitioner.
7. The Petitioner states that the issues raised in the Petition are with respect to the State of Maharashtra and this Hon'ble Court has the Jurisdiction to entertain the issues raised in the present petition. The Petitioner has paid the fixed court fees of Rs.250/-. The Petitioner states that there has been no delay in filing this petition.
8. Caveat: - The Petitioner states that no notice has been received of lodging a caveat by the opposite party.
9. The petitioner has not filed any petitions, applications seeking similar relief in any other court including the Hon'ble Supreme Court of India.
10. Documents relied upon: The Petitioner has submitted a list of documents which he will rely on.
11. Relief(s) prayed for :- The Petitioner humbly prays that this Hon'ble Court be pleased to:
 - (A) Direct the Respondent No. 1, 2, 3 & 4 to forthwith implement the recommendations in the report of the DGM (Aviation Safety), Western Region.
 - (B) Direct the Respondent No.1, 2 & 3 to forthwith declare the deviation from

- international standards to the ICAO as per India's obligation under International Convention.
- (C) Direct the Respondent No.7, 8, 9 and 11 to co-ordinate and have a contingency plan in place to ensure minimum deaths and damages in case an air accident / terrorist attack on the Airport occurs. These Respondents must ensure adequate medical facilities including hospital beds and the special equipments to deal with aviation fuel fire is in place.
- (D) Direct the Respondent No.14 to investigate and report to this Hon'ble Court on fortnightly basis the progress of investigation to
- (i) identify the people responsible for allowing buildings with illegal heights that obstruct free movement of aircraft and the vital communication systems of the Airport that causes serious threat to the Airport infrastructure as well as the lives and property of the residents of the City of Mumbai and its vicinity.
 - (ii) identify the people responsible for incorrect planning of the ATC Tower and MLCP which has caused loss to the Government of India and has put to serious threat the entire Airport infrastructure
 - (iii) identify the people responsible for issuing the illegal passes for entry into the airport and cause serious security risk to the entire airport infrastructure.
- (E) During the Pendency of this Petition, Direct the Respondent No.14 to produce the case diary / report and update the status of the investigation to this Hon'ble Court with a copy of the report to be handed over to the Petitioner as well.
- (F) During the Pendency of this Petition, Direct the Respondent No.2, 3 & 4 to shut down the ATC tower and make alternate arrangements until such time fool proof arrangements are made by the Respondent Nos. 10 & 12 to ensure watertight security to the tower.
- (G) During the Pendency of this Petition, Direct the Respondent No.4 to shut down the Multi Level Car Parking (MLCP) until the Respondent Nos. 10, 12 & 13 ensure fool proof security to the Terminal building for any attacks emanating from /through the MLCP and to ensure that explosives of whatever quantity can be detected before allowing the vehicles to be parked in the MLCP.

- (H) For ad-interim reliefs in terms of prayer clauses (A) (B) (C) & (E).
- (I) Direct the Respondents to reimburse to the Petitioner the costs of this Petition
- (J) For such other and further relief's as the nature and circumstances of the case may require.

Place: Mumbai

Dated: 23 February 2017

Signature of the Petitioner

Party-in-Person

VERIFICATION

I, Yeshwanth Shenoy, the Petitioner in this matter do hereby solemnly declare that what is stated in this Para 1 to 10 of this petition is true to my own knowledge, information and belief.

(Solemnly declared at Mumbai)

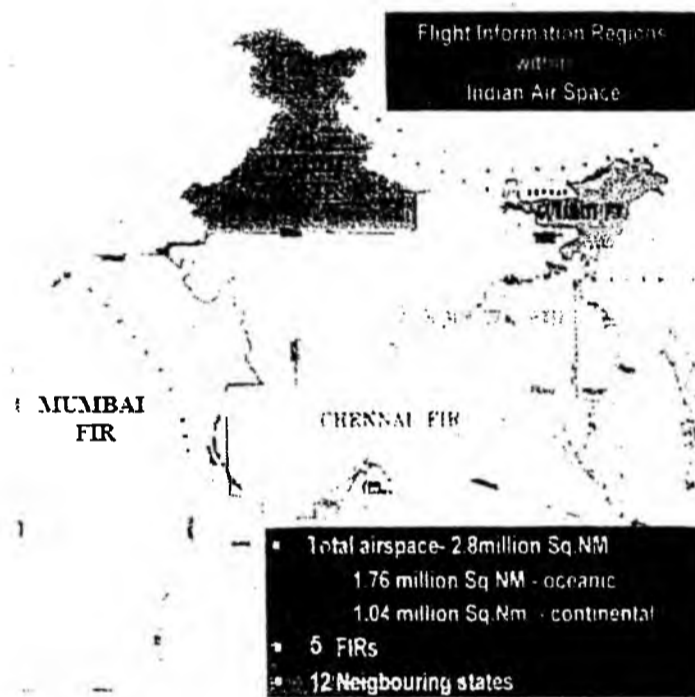
This 23rd day of February 2017

DEPONENT

Before Me

EXHIBIT - A

REPORT ON AVIATION SAFETY



WESTERN REGION, AAI

BY

S.MANGALA
DGM (AVIATION SAFETY)
WR, AAI, MUMBAI
18 OCTOBER 2016

***“Truth is incontrovertible. Panic
may resent it, ignorance may
deride it, malice may distort it,
but there it is.” - Winston
Churchill***

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I. EXECUTIVE SUMMARY

- I.1. The encroachment of airspace by the buildings around the airports is a cancer spreading across Indian airports, but it has brought aviation safety to critical limits in Mumbai, a city with ground population of more than 25 million. The unwillingness of the Authorities (MIAPL, AAI, DGCA & MOCA) to act in accordance with Air Regulations could be catastrophic in case of any eventuality because the number of ground casualties could be far more than that of Passengers and crew put together.
- I.2. In spite of my being in charge of Aviation Safety for Western Region, my letters to the higher-ups about air safety issues have not resulted in corrective action. The data on air miss/air safety incidents has not been shared with me since April 2013. I have reason to believe that the decision of keeping my office in the dark on safety issues has been taken at the highest levels. In other words, the functioning of the Aviation Safety office of the Western Region has been disabled in violation of National and International regulations. It is under these circumstances, that I am filing this report based on the documents I could get from the public domain and issues brought to my attention by third parties. The real condition of aviation safety could be far worse than what I have reported in this Safety Report. There is involvement of top officials of MIAPL, AAI, DGCA and MOCA in compromising Aviation Safety and therefore I recommend that the mitigation measures recommended in this report be undertaken under the supervision of ICAO.

LA. JUHU AIRPORT (VAJJ)

- I.A.1. Juhu Airport (VAJJ) is UNSAFE for operations because of obstacles around it and the state of its runway 16/34. **The following steps have to be taken immediately to mitigate the hazards:**
- I.A.2. The obstacle chart available for the airport is of the year 2000 and many buildings has come up in the last 15 years. A survey has to be conducted to identify obstacles and based on that data, a recalculation of TORA, TODA, and LDA of all the runways has to be done immediately.

I.A.3. The runway 16/34 of Juhu airport is unfit for any operations and an attempt was made to close down the runway based on the Negi Report. This runway requires immediate repairs, and until completion of the proper resurfacing of it, VAJJ has to be closed for operations whenever runway 14/32 of VABB is used.

I.A.4. Declaration of deviation to ICAO on the I.H.S of the higher of the overlapping surfaces being considered as the dominant one, as against the ICAO standard of the lower obstacle surface being dominant, is required.

I.B. CSIA AIRPORT (VABB)

I.B.1. CSIA Airport (VABB) is infested with obstacles both in the APPROACH SURFACE and in the I.H.S and therefore UNSAFE for operations unless the following mitigating measures are undertaken immediately:

I.B.2. Recalculation of TORA, TODA, LDA, ASDA based on the obstacles for all the four runways (14, 32, 09 & 27) has to be done until the related obstacles are demolished/reduced in height to safe levels.

I.B.3. Declaration/publishing of present deviations from ICAO standards in the AIP/ by issuing appropriate NOTAMs is required.

I.B.4. RESA 09 (which is presently a part of the TORA of Runway 27) has to have a yielding surface in accordance with the ICAO/DGCA Standards/Air Regulations to enable safe deceleration of aircraft overrunning the runway

I.B.5. Removal of the non-frangible JBS to avoid a repeat of IX 812 in Mumbai.

I.B.6. Identification of the buildings that interfere with the ILS coverage (as mentioned in the Guidelines on Allowable penetration of OLS in Aeronautical Study reports dated 26 Mar 2015, issued by MOCA) and demolishing the same on priority. For buildings in the APPROACH SURFACE, mitigatory measures of displacing thresholds/reducing TORA is available with respect to AGA criteria, but when such buildings affect the

coverage/performance of CNS facilities no mitigatory measures are available other than demolishing those obstacles.

I.C. KEEPING THE AVIATION SAFETY OFFICE IN THE DARK ABOUT AIR MISS/AIR PROX INCIDENTS

I.C.1. The Indian Government has accepted to adhere to the acceptable limits of probability of an accident specified by ICAO, by making efforts to reduce the hazards to aviation safety, including the occurrence of "air miss/air prox" incidents. For e.g., there were 10 reports of Air Miss/Air Prox incidents reports in 2012-13 in Mumbai ATC and it increased to 13 in 2013-14. However, inspite of me being in charge of Aviation Safety for Western Region, AAI, no data of airmiss/air prox incidents has been shared with me or my office since Apr 2013.

II. THE BOTTOM LINE

II.1. **There is a complete breakdown in the safety standards at VABB and VAJJ and it has rendered operations at both these airports to UNSAFE levels.** No effective action was taken by any of the stakeholders (MIAPL, AAI, DGCA & MOCA) in spite of having knowledge of the breakdown. The several checks and balances available with different authorities collectively failed because of possible collusion among various officers entrusted with the responsibility to ensure Aviation Safety.

II.2. The Airport Operator (MIAPL) of VABB and AAI (Aerodrome operator of the Juhu Airport) are well aware of the various obstacles around the airports that render the airports unsafe. The possible effect of the 'degraded performance' of aircrafts in emergencies has not been taken into consideration by AAI while conducting the aeronautical studies for approving heights more than the permissible heights for many buildings. Therefore, both VABB & VAJJ are unfit for any emergency operations/landings involving aircrafts with degraded performance. The DGCA has deliberately not raised any red flags and the MOCA is also fully aware of the dangers as it has representatives

chairing the Appellate Committee and various information from this office addressed to the highest authorities have not been acted upon.

II.3. As the designated Safety Manager of WR, AAI, I hereby recommend the temporary closure of at least Runway 09/27 of CSIA, Mumbai (VABB) until the removal of the non-frangible JBS at the end of Rwy 09, and the reduction in TORA Rwy 27 to make room for a proper RESA for Rwy 09. Both of these safety measures can be implemented quickly. Simultaneously, the TORAs/LDAs of the Rwy 14 and Rwy 32 are also to be reduced to keep the take-off paths/surfaces clear of the obstacles penetrating the present OLS until those obstacles are demolished.

II.4. As the designated Safety Manager of WR, AAI, I also hereby recommend the temporary closure of the secondary Runway 16/34 of Juhu airport (VAJJ) until it is properly raised/levelled and resurfaced.

II.5. The mitigation measures and the publication of correct airport data are extremely critical to ensure safety because the users have to be at least notified about the correct operating environment so that emergency planning could take into consideration the real situation on the ground and not the outdated data put forward by the AAI through the AIP. The outdated data on the AIP seems to be an intentional act to ensure that the airports remain operational as the real data could raise eyebrows and international operators may stop using the Airport/Airspace.

II.6. To put the actual situation in the simplest terms, the absence of accidents in the Mumbai Region is to be attributed to divine power rather than the efforts of Aviation Officers entrusted to ensure Aviation Safety. The presence of over 25 million on the ground below will convert any air accident into a catastrophe and it is for this specific reason that I recommend the temporary closure of at least one runway each of VABB & VAJJ until the mitigation measures recommended in this report are put in place. The interference of buildings with the performance/coverage of some of the CNS equipment cannot be mitigated and even after the recalculation of the declared distances

to cater to AGA criteria, it would be a risk that the airport/airline operators will have to put up with. However, if the Airport Operator decides to operate in the risky environment, it is imperative that the users be informed about the deteriorated performance/coverage of some of the CNS equipment.

1. INTRODUCTION

- 1.1. The total airspace of India encompasses the airspace over the land areas and upto 15 NM beyond the coastline into the sea. However, for the purpose of providing Air Traffic Services, the jurisdiction extends further, especially over the seas wherein the Indian Flight Information Regions meet up with the adjoining FIRs to maintain continuity in the provision of Air Traffic Services.
- 1.2. In India, AAI is the organisation/PSU under the Ministry of Civil Aviation that provides the Air Traffic Services at Civil airports, besides providing and maintaining the Communication and Navigational Aids on ground, required for safe operations of domestic and international aircraft arriving at/departing from Indian civil airports or overflying Indian airspace/Flight Information Regions.
- 1.3. The biggest Indian FIR is that of Mumbai FIR in the Western Region of AAI and its Regional Headquarters is in Mumbai in the state of Maharashtra. The Western Region of AAI includes the airspace/airports of the other Indian States, like Ahmedabad in the state of Gujarat and Bhopal in the state of Madhya Pradesh.
- 1.4. The oceanic region that comes under the jurisdiction of the Mumbai FIR extends down to 06 °S 60° E in the South-west adjoining Seychelles FIR and to 19° 48'N 60° E in the North-west adjoining Muscat FIR.
- 1.5. Mumbai is the financial capital of India with a population of 23.6 million in the MMRDA area (official figures) alone. Mumbai has two airports (Juhu & CSIA) and the third one is planned at Navi Mumbai.
- 1.6. The safety of aircraft operations at the Juhu and Mumbai airports has become a major concern due to systematic violation of the procedures for identifying, recording and removal of highly dangerous hazards to aviation safety. It has resulted in proliferation of not only buildings outside the airports that have infringed the safety buffers prescribed by ICAO, but it has also resulted in

direct violations inside the airports. It is likely that similar violations of air safety rules and procedures are occurring in the other airports of Western Region of AAI (for e.g., Rajkot Airport) and in the airports of other Regions of AAI as well.

- 1.7. It is unfortunate that the very officials who have been trained for and entrusted with the duty of ensuring compliance with the ICAO/DGCA standards are themselves misusing their powers to devise loopholes and faulty "exceptions" on specious grounds to circumvent the ICAO safety requirements and have played an active role in threatening Aviation Safety. These violations have reached alarming proportions and if they are not stopped/reversed forthwith, the law of averages is bound to catch up with the Indian Aviation sector, with disastrous consequences.

2. ENCROACHMENT OF AIRSPACE

The encroachment of Airspace did not happen overnight and it was a systematic destruction that happened over a period with the active involvement of officials of MIAPL, AAI, DGCA and the MOCA. The main conduit for this systematic destruction is the MOCA's Appellate Committee on Height Clearances. A few of such illegal NOCs/reports cleared/issued by that Appellate Committee of MOCA are detailed below.

2.1. THE CHOUHAN BUILDERS' NOCs CASE

- 2.1.1. The Chouhan Builders' NOCs case was probably the first case that blew the lid off the illegal heights given to buildings around the airport. The site is 668 mtrs from the beginning of Mumbai's Runway 09. As per the calculation sheet prepared at NOC office of AAI at Mumbai, the height that could be permitted for one of the sub-plots was 15.96 mtrs AMSL. In April 2010, the CHQ, AAI endorsed this calculation and issued authorisation for about the same height (16.32 m AMSL), but for reasons best known to the concerned officials, on 16 Dec 2010, the CHQ, AAI issued a revised

authorisation for 20.12 mtrs AMSL. There is no justification whatsoever for allowing this greater height.

- 2.1.2. It is clear that the CHQ, AAI officials had neglected to measure the distance of the site from the runway strip of Runway 27 to protect the safety buffer for the take-off climb surface of Runway 27, which would have restricted the building height to 15.96/16.32 mtrs AMSL. Instead, they took the measurement of the distance only from the displaced threshold of Runway 09, thereby getting an erroneous higher value of 20.12 mtrs AMSL.
- 2.1.3. I sent a specific letter [in my then capacity as DGM (NOC)] on 17 Feb 2011, to the Chairman of the Appellate committee, MOCA about the issue. A special meeting was held at New Delhi on 29 Apr 2011, in which it was decided that a new climb gradient would be notified and the buildings would be notified as obstacles. Till date, no such notification has been made. The Minutes of the meeting of 29 Apr 2011 clearly points out that special treatment is given for this one case and my warning on future litigation fell on deaf ears.
- 2.1.4. The buildings on those sub-plots of the Chouhan Builders NOCs cases, which are barely six seconds flying time from take-off from the main Runway 27 and touching the extended runway centreline, continue to be a threat to Aircraft movement, especially in case of emergencies to departing aircraft immediately after take-off and could easily trigger an accident as has happened with IC 491 at Aurangabad on 26 April 1993.
- 2.1.5. The list submitted by the Airport Operator (MIAPL) to the Hon'ble High Court of Bombay in PIL 86 of 2014 includes these very same buildings as 'obstacles' that have to be demolished. This list vindicates my stand and proves that my objections in 2011 were appropriate.
- 2.1.6. Some of the relevant documents regarding this issue are attached as **Annexure -A** to this Report.

2.2. THE NEGI REPORT

2.2.1. While the issue of Chouhan Builders' NOCs case was raging, the vested interests seem to have already eyed the bigger pie in the real estate around the Juhu Airport. The areas in the overlapping IHS between Juhu and CSIA airports were the next opportunities identified by them. The resulting difference in the heights could accommodate at least two extra floors, which would mean a windfall for real estate in the area. The only hindrances to their schemes were that the Air Regulations, both the domestic (MOCA's S.O 84 (E) [now G.S.R 751 (E)] and DGCA's CAR) and international legislations (Annex 14, ICAO), clearly mandated that the lower height will be the dominant one in case of overlapping I.H.S.

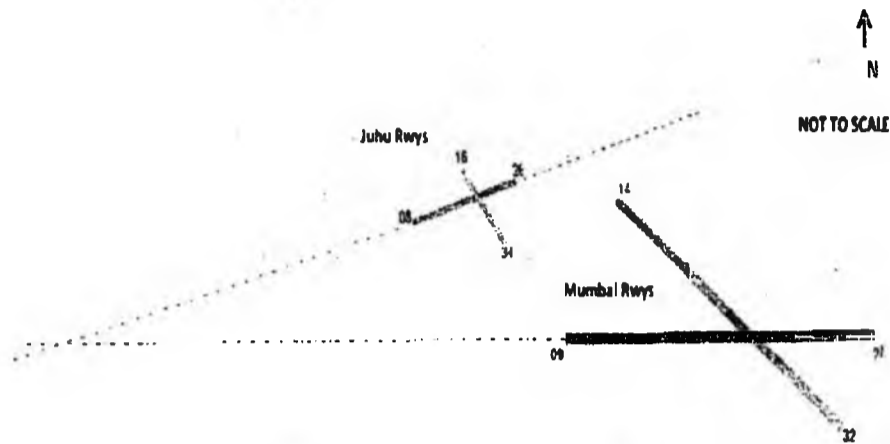
2.2.2. To circumvent this hindrance, the route used was to conduct an 'Aeronautical Study'. There is no provision in the Air Regulations to carry out Aeronautical Study of a Geographical area. AAI (in an affidavit filed before Bombay High Court in PIL 86/2014) has claimed that the authority to conduct the study was issued by MOCA vide their letter No.AV.19032/303/2009-AAI (Part I) dated 28.02.2011. The following discrepancies in that MOCA letter are worth mentioning:

- (a) The letter is addressed to M/s. Shruvan Developers Pvt Ltd with a copy to the Chairman of AAI for information without any direction to conduct any study.
- (b) The letter specifically mentions that for the areas falling in the IHS of both Santa Cruz and Juhu Airports, the maximum permissible height could be considered as 56.27 mtrs AMSL. The committee clearly records that the same would be a deviation from the provisions of S.O.84(E) of January 2010 and therefore the same needs to be put up to the 'Competent Authority'.
- (c) The study to be conducted by the AAI was to determine if the higher height of 56.27 mtrs AMSL could be allowed in the overlapping zone and the same would not create any safety hazard even for futuristic planned operations at Juhu Airport.

- (d) The letter specifically states that the other restrictions as applicable for objects lying in approach surface of CSIA and Juhu Airport would remain unchanged.
- (e) The letter specifically states that the special dispensation (of permitting 56.27 mtrs AMSL) was with respect to only the areas overlapping between IHS of both the Juhu and Santa Cruz airport as may be stated in the Study Report and excluding the areas lying within approach surfaces of both airports.

2.2.3. There is no provision in law to allow an 'Aeronautical Study' of a general nature, but the AAI taking the cover of the MOCA letter, conducted a Study through Mr.J.M.S Negi [the then ED (ATM)]. Mr. Negi was at the most an AGA "expert". Mr. Negi submitted his report on 6 May 2011 and the Appellate Committee accepted that report turning a blind eye to the glaring errors in the Negi report, some of which are:

- (a) No CNS expert was a part of this Aeronautical Study. Any study of this nature mandates the presence of a CNS expert.
- (b) The Negi Report assumed the runway 16/34 of Juhu to be non-operational and clearly stated that this runway (16/34) has not been taken into consideration for this study. This is a glaring error because there was clear communication from Juhu airport on 21 Apr 2011 that the runway 16/34 has always been operational.
- (c) The Negi Report stated that runway 16/34 of Juhu cannot be used for operation in any combination with respect to Mumbai Airport. This is wholly incorrect because the only option for Juhu Airport is to use runway 16/34 when Mumbai uses runway 14/32. This is because the final approach paths of Rwy 26 of Juhu airport and of Rwy 14 of CSIA intersect at a point very close to both airports and hence they cannot be used simultaneously, as shown in the diagram below.



2.2.4. That is why any change of runway-in-use at Mumbai airport can be effected only after complete prior coordination with Juhu airport, to ensure that there is no arrival towards Juhu airport on a collision path with any departure/arrival at Mumbai airport. Two instances wherein the lack of such coordination resulted in a last-minute avoidance of such a situation, led to the issuance of two Operational circulars of 2004 & 2005 by Mumbai ATC pointing out the requirement for proper coordination during runway change-over times at Mumbai and Juhu airports.

2.2.5. The convergence of the extended centreline of the Runway 09/27 of CSIA, Mumbai, with the extended centreline of the Runway 08/26 of Juhu airport at about 4 Nm over the sea (about a minute's flying time from both airports), and the many buildings on S.V.Road in the take-off path of Runway 08 of Juhu airport will not permit the simultaneous use of Mumbai and Juhu airports by IFR commercial airliners advocated by the much-hyped proposal of "extension of the parallel/near parallel runway-into-the-sea." In fact, any such extension into the sea will keep the extended portion under water twelve hours a day during high tide.

2.2.6. The Negi report is thus a dangerous one and its acceptance by MOCA is illegal. I sent a letter dated 23 November 2011 to the ED (Aviation Safety), CHQ, AAI, N.Delhi, warning about the dangers of the Negi report. Thereafter, many more letters/emails addressed to the top officials of

MOCA, AAI and DGCA, including a very detailed line-by-line analysis of the Negi Report were sent. In spite of all my letters/warnings, the AAI and MOCA have refused to cancel the Negi report.

- 2.2.7. What is chilling is that the Government of India did not find it necessary to make the declaration of this deviation to ICAO. The Appellate Committee of MOCA accepted the Negi Report in May 2011, which is a clear-cut deviation from the **International Regulations, which state that for overlapping obstacle surfaces, the lower one will prevail**, whereas the Negi Report stated that the higher surface is to be accepted as dominant. Till date, this deviation has not been declared to the ICAO whereas the licensing authority has issued licences to both the Airports.
- 2.2.8. The present helicopter routings from Juhu airport, especially those used towards the Southern parts of Mumbai are fraught with danger because those routings compel the helicopters to maintain 500 feet AMSL whereas many buildings into those areas have been granted NOCs by AAI for heights greater than 600 feet AMSL.
- 2.2.9. Some of the relevant documents regarding these issues are attached as **Annexure -B** to this Report.

2.3. SUPPRESSING THE TRUTH FROM THE HON'BLE HIGH COURT OF BOMBAY

- 2.3.1. MIAPL had submitted a list of obstacles to the Hon'ble High Court of Bombay in PIL 86/2014 by submitting its letter dated 24 August 2016 addressed to the DGCA. This list of obstacles is very old and is based on a survey conducted by AAI in 2010-2011. It is very clear from this that AAI, DGCA, MIAPL and MOCA did not do anything inspite of having knowledge of these obstacles. Even this list only provides a partial list of obstacles as it points out the tallest obstacle around a cluster and therefore the actual number of obstacles could be 3 - 5 times the number shown.
- 2.3.2. According to AAI Regulations, an obstacle survey has to be conducted at least every 3 years and if a survey is conducted now, the list of obstacles in

the APPROACH alone could cross 300 because many obstacles have come up between 2010 and 2016.

2.3.3. It is also very clear that the AAI/MIAPL have deliberately not shared the latest obstacle survey report with the Hon'ble High Court of Bombay.

2.3.4. Some of the relevant documents regarding this issue are attached as Annexure -C to this Report.

3. AERODROME SAFETY ISSUES

In addition to the issues that may have been pointed out in the AAI Safety Audit and the DGCA Safety Audit [I have not been given these Audit Reports of CSIA (VABB) & Juhu (VAJJ) since December 2015 or the ICAO Audit Reports] there is a serious issue related to RESA 09 and the non-frangible JBS at the CSIA Airport. The details are as given below.

3.1. THE NON-FRANGIBLE JBS AT THE END OF RWY 09 OF CSIA

3.1.1. The wounds of the Mangalore air crash are yet to heal, AAI itself has not recovered from the mistakes at Mangalore, and it would defy logic if the same causative/contributory factors were allowed to cause another accident in CSIA, Mumbai (VABB).

3.1.2. Section 3 of the Aircraft (Investigation of Accidents & Incidents) Rules 2012 (earlier the Accident Investigation Manual) is reproduced as under:

"3. Objective of the investigation of accidents and incidents. — (1) The sole objective of the investigation of an accident or incident shall be the prevention of accidents and incidents and not to apportion blame or liability".

3.1.3. The Objective of an investigation is to prevent future accidents or investigation occurring due to the same error. The non-frangible JBS at the end of Runway 09 alongwith the lack of a RESA at the end of the same Runway 09 of CSIA, Mumbai, constitutes an almost identical environment

that caused/contributed to the aircrash of IX 812 in Mangalore on 22 May 2010 that killed 158 innocent souls.

- 3.1.4. As a safety officer of AAI, WR, I had asked for the specifications of the frangible JBS that was blown off on 08/09 Jul 2012 and had thereafter refused to be a party to the installation of a non-frangible JBS in the same place.
- 3.1.5. The non-frangible JBS was approved by the DGCA on 05 Apr 2013 in violation of Air Regulations and the specific recommendations of the COI, Mangalore Air Crash. The irony of this approval is that the same DGCA office had issued a letter on 13 Mar 2013 to the Chairman of AAI directing that AAI should make an inventory of non-frangible structures within the operational areas at its airports and ensure that the provisions of DGCA CAR on the frangibility criteria are complied with within six months.
- 3.1.6. The COI report of IX 812 Crash clearly concludes that the fire first emanated because of the collision of the Aircraft with a non-frangible structure and my refusal to be a party to the installation of the non-frangible JBS at the end of Rwy 09 at CSIA was to avoid a repeat of the Mangalore air crash in Mumbai. However, the Airport Operator MIAPL and AAI have sidelined AAI's own Safety Officer and managed to obtain permission from the Regulator, the DGCA.
- 3.1.7. I firmly believe and assert that it is unwise to have a non-frangible JBS between the Localiser Antenna and the end of Runway 09. The permission granted by DGCA even defies common sense because the Localiser Antenna itself is a frangible structure and it is unwise to have a non-frangible structure between it and the near end of the runway.
- 3.1.8. Some of the relevant documents regarding this issue are attached as Annexure -D to this Report.

3.2. THE LACK OF RESA AT THE END OF RWY 09 CSIA MUMBAI

- 3.2.1. The so-called "RESA" of Runway 09 marked on the Grid map of CSIA, Mumbai, is in fact a part of the TORA of Runway 27.

3.2.2. The surface of the RESA cannot be as hard as the surface of the runway/its TORA. The objective of RESA is to facilitate the safe deceleration of an aircraft overrunning the Runway and by no stretch imagination can anyone claim that a hard surface will assist/facilitate deceleration of an aircraft overrunning the runway.

3.2.3. It is very clear that the Airport Operator is aware about the Rules relating to RESA because all the other three Runways, Rwy 27, Rwy 14 and Rwy 32 in CSIA, Mumbai (VABB) have runway strips and RESAs beyond the hard runway/TORA. Therefore, the so-called "RESA" at the end of Runway 09 is a clear violation/non-compliance with Regulations and the Airport Operator has violated this critical safety requirement having full knowledge of the relevant Regulations governing RESA.

3.2.4. What multiplies the threat of the lack of RESA is the presence of the non-frangible Jet Blast Shield (JBS). I had refused to be a party to the installation of the non-frangible JBS because of the example we had in IX 812 crash. That end of runway having the hard surface as 'RESA' and the non-frangible JBS near it is just a few meters from a densely populated area and even a minor overshoot of an Aircraft can have catastrophic effects with a few thousand human casualties.

3.2.5. Some of the relevant documents regarding this issue are attached as Annexure -E to this Report.

3.3. MALFUNCTIONING OF CNS FACILITIES AT CSIA, MUMBAI

3.3.1. The actions of AAI/MOCA have systematically interfered with the coverage/functioning of important Nav-aids/CNS facilities at CSIA, Mumbai and the officers of AAI were aware of the consequences of their action as being dangerous to the proper functioning of the CNS facilities.

3.3.2. The 'Aeronautical Study' done by J.M.S.Negi should have been rejected *ab initio* for having been done in the absence of a CNS expert. It is highly unfortunate that the Negi Report was accepted by the highest authorities in MOCA's Appellate Committee comprising of experts from AAI in addition

to an "external expert" who is none other than a former DG of the DGCA. It is even more unfortunate that these officials failed to take corrective actions as soon as deterioration of the CNS facilities was brought to their notice.

- 3.3.3. AAI realised in July 2012 through the NOC Case MUM/11/394 that the Negi report had adverse effects on the coverage i.e., the radiation/reception of signals of the crucial Raytheon ASR(S-band) radar installed at CSIA, Mumbai. Though AAI prevented that one building from having a height interfering with that ASR Radar, its later act was not just shocking but Criminal. The ATC Directorate of CHQ, AAI sent an email on 09 Aug 2012 to the IT Department with instructions to feed into the NOCAS system's software a faulty constant 56.27 m AMSL. The result of this action was that many buildings got automatic NOC ignoring the impact of the structure on the coverage of the CNS facilities.
- 3.3.4. The primary ASR radar will be very useful for tracking aircraft whose transponder is disabled during any emergency etc because the transponder on the aircraft is required for sending/receiving signals only from the secondary radar antenna. The primary radar works even if an aircraft's transponder is off because the primary radar receives its own outgoing signals being reflected back from the aircraft, whereas the secondary radar sends its signals to an aircraft's transponder, which are replied to by a different set of signals radiated from the aircraft's transponder. Therefore, if the primary ASR radar's signals from Mumbai airport are blocked by buildings of excessive heights granted on the basis of Negi's report, any aircraft whose transponder is off due to any emergency etc will drop from the radar screens of Mumbai ATC rendering ATC unable to locate aircraft with whom even radio contact is lost, especially over the sea at night time.
- 3.3.5. There are several cases approved by the MOCA's Appellate Committee after Aeronautical Studies, the Aeronautical Study reports of which are held as 'confidential'. From the documents available in the public domain, it is clear that many of those decisions are questionable. In short, between 2011 & 2015, the Appellate Committee has cleared many buildings of

heights that directly interfere with the CNS facilities. The adverse effect on the coverage of the CNS facilities by buildings of excessive heights was belatedly acknowledged by the MOCA while issuing the Guidelines on Allowable Penetration of OLS in Aeronautical Study Reports dated on 26 Mar 2015. The Guidelines also refers to a study report of the AAI, which has found deterioration in the performance of Navigational Aids and these Nav-Aids are critical for safe movement of aircrafts.

- 3.3.6. It is shocking to find that even after the AAI Study report and the Guidelines, the Aviation officials at the highest levels are acting to systematically destroy the CNS facilities as is clearly demonstrated in some NOC cases like MUM/13/NOCAS/55, MUM/10/761 and MUM/14/NOCAS/400.
- 3.3.7. Further, MOCA/AAI went ahead with an idea of installing two more radars within CSIA Mumbai, one to the South side, near the Kalina Gate, of ELDIS radar with pedestal height of 23.7 m AMSL and another to the north of the main runway with pedestal height of 17.5 m AMSL, to be used alongwith "ADS-B" coverage , ostensibly to "facilitate" the grant of greater heights to buildings which have/will obstruct the signals of the Raytheon radar with pedestal height of 19.5 m AMSL. However, the use of ADS-B equipment on ground will also depend on feed from the airborne equipment, which could fail in an emergency.
- 3.3.8. Some of the relevant documents regarding this issue are attached as **Annexure - F** to this Report.

3.4. POOR SURFACE OF RWY 16/34 OF JUHU AIRPORT

The poor surface of Runway 16/34 of Juhu airport has been an issue for over a decade and for reasons best known to AAI, the runway has been allowed to decay. The Negi Report even tried to get the runway closed by stating that the same is non-operational. The condition of Runway would normally have led VAJJ to close down when VABB uses Runway 14/32. The bad condition of the Runway has also caused incidents involving helicopters. In spite of the

DGCA directing to repair the runway, no repairs have been carried out and finances are wasted by mere pothole filling which continues to render the runway unsafe for use.

3.5. INCREASED STRESS ON ATCOs OF MUMBAI AND JUHU AIRPORTS

3.5.1. There is a serious dearth of ATCOs at Mumbai and Juhu airports and the Juhu ATC is working with half its sanctioned strength. AAI's management has put the ATCOs of Mumbai and Juhu airports in severe stress by not providing adequate accommodation and in addition asking the junior ATCOs to leave their official quarters and shift to a dilapidated/unhealthy Shobha Singh Hangar illegally converted into a set of small cabins.

3.5.2. AAI's management has also failed to understand that adequate rest is very important for the ATCOs to perform optimally at work. The mindless "extra-duty" rosters demoralising and tiring out the ATCOs of Mumbai are not only a safety hazard, but they are also unproductive misutilisation of manpower.

3.5.3. The concept of the five-day roster for the ATCOs at the metros including Mumbai was adopted only after it was recommended by a study conducted by AAI in 2013 about the stress factors of ATC duties. However, as the ICAO Safety Oversight Audit team which audited Mumbai airport in Dec 2015 made an observation/recording that there is acute shortage of ATCOs at Mumbai airport, the then DGCA had reportedly decided that the shortage is only due to "less number of working hours" of Indian ATCOs when compared with that of ATCOs in other countries. Unfortunately, instead of refuting that fallacy using data like the rosters of ATCOs in other countries, the AAI management decided to implement "extra-duty rosters" wherein the ATCOs will perform "non-active" ATC duties on their "clear-off" days, which cannot reduce the workload on the active ATC channels in any way.

3.5.4. A serious incident was reported to my office in the last week of September 2016 wherein the Airport Director, AAI of Juhu airport had directed the

ATCO on active ATC duty to 'leave the channel' and come to his office. Being the Airport Director, he is well aware of the Air Regulations. However, his demand to the ATCO on active duty to 'leave the channel' is a clear abuse of power and also a crime as per Section 3 of the SUSCA Act, 1982.

3.5.5. Some of the relevant documents regarding this issue are attached as Annexure - G to this Report.

3.6. UNDERMINING THE OFFICE OF AVIATION SAFETY

3.6.1. The Directorate of Aviation Safety at the Western Region headquarters of AAI at Mumbai comprises of an officer each from the cadres of ATC, CNS, Engineering and Fire Services. The ATC officer is the Head of the Directorate of Aviation Safety.

3.6.2. In Jul 2011, when I was transferred from the NOC office of WR, AAI, for my stand against the issue of illegal NOCs to buildings, to the Directorate of Aviation Safety, WR, AAI, there were one officer each from CNS and Engineering cadre. In Sep 2011, an officer from the Fire Services cadre was transferred to my office from Indore airport, and thereafter I could conduct safety audits of some of the Western Region Airports with my team.

3.6.3. However, the CNS and Engineering officers who retired/were transferred thereafter were never replaced and AAI has disabled the functioning of its own Aviation Safety Office in Mumbai. From the manner in which Safety information is also suppressed from the Aviation Safety Directorate office at Mumbai, it is clear that the AAI management does not want its own Safety Officer to perform her duty in a way that is mandated by law.

3.7. HARASSMENT OF SAFETY OFFICERS

3.7.1. The ways in which AAI has conducted itself vis-a-vis its own Safety Officers show that AAI is a Pathological/Conflicted organisation as shown below.

Three possible organizational cultures

	Pathological	Bureaucratic	Generative
Information	Hidden		
Messengers	Shouted		
Responsibilities	Shirked		
Reports	Discouraged		
Failures	Covered up		
New Ideas	Crushed		
Resulting organization	Conflicted organization		

ICAO Safety Management Systems (SMS) Course

- 3.7.2. The harassment of Safety Officers belonging to the Directorate of Aviation Safety at WR, AAI, Mumbai by means of suppression of important safety data from such officers, denial of even a day's leave on false pretexts, illegal invalidation of their AEP (Airport Entry Pass), undue transfers, etc has vitiated the working atmosphere to a great extent.
- 3.7.3. The loss of safety information can prove costly in terms of life and property if any untoward incident/accident occurs and the required safety measures have not been put in place due to lack of preventive action that would have been initiated if only such safety data/information had been preserved and analysed.
- 3.7.4. Hence, there is an urgent need to re-establish a full-fledged Aviation Safety Directorate at WR, AAI, Mumbai to ensure an effective check on the safety and emergency preparedness in the region and make AAI a reliable organization.

S. Mangala,
 (S.MANGALA) 18/10/2016
 DGM (Aviation Safety),
 WR, AAI, Mumbai.

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भारतीय विमानपत्तन प्राधिकरण
पश्चिमी क्षेत्र मुख्यालय



AIRPORTS AUTHORITY OF INDIA
WESTERN REGION HQRS.

REF: AVNS/WR/GEN/16/123

Dated:-18.10.2016

Report on Aviation Safety in Western Region of Airports Authority of India

To

The Honourable Prime Minister,
South Block, Raisina Hill,
New Delhi -110011.

Sub: - Report on Aviation Safety in WR. AAI

Sir,

Please see the enclosed report on Aviation Safety in WR.AAI, which is self-explanatory.

I have always stood up for truth and it has cost me heavily. However, I will not risk the lives of 30 million of my fellow citizens and I hope your office will immediately take up the implementation of my recommendations with the appropriate office.

Copies/originals of the other related documents of all the issues are available in CHQ, AAI, N.Delhi.

This is for your information and necessary action.

Thanking you,

Yours faithfully,

S. Mangala

(S.MANGALA) 18/10/2016

DGM (Aviation Safety),
WR, AAI, Mumbai.

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भारतीय विमानपत्तन प्राधिकरण
पश्चिमी क्षेत्र मुख्यालय



AIRPORTS AUTHORITY OF INDIA
WESTERN REGION HQRS.

REF: AVNS/WR/GEN/16/12.4

Dated:-18.10.2016

Report on Aviation Safety in Western Region of Airports Authority of India

To

Shri.Ashok Gajapathi Raju,
The Honourable Minister of Civil Aviation,
B-Block, Second Floor,
Rajiv Gandhi Bhawan,
Safdarjung, N.Delhi -110003.

Sub: - Report on Aviation Safety in WR. AAI

Sir,

Please see the enclosed report on Aviation Safety in WR.AAI, which is self-explanatory. Copies/originals of the other related documents of all the issues are available in CHQ, AAI, N.Delhi.

My safety report can be understood even by a layman and I hope that you read every line of it and immediately implement my recommendations to mitigate the risk to the 30 million lives in Mumbai.

In case you deem so, I am willing to personally make a PowerPoint presentation of the state of aviation safety to you and I will answer any questions you might have.

This is for your information and necessary action.

Thanking you,

Yours faithfully,

S. Mangala

(S.MANGALA) 18/10/2016

DGM (Aviation Safety),
WR, AAI, Mumbai.

क्षेत्रीय कार्यपालक निदेशक का कार्यालय, पारसीवाड़ा के सामने, सहारन रोड, विलेपार्ले (पूर्व), मुंबई - 400 099.

Office of The Regional Executive Director, Opp. Parsiwada, Sahar Road, Vile Parle (E), Mumbai - 400 099.

ए टी एस कॉम्प्लेक्स, सहारन कार्गो के पास, सुतार पकडी रोड, सहार, मुंबई - 400 099.

ATS Complex, Near Sahar Cargo, Sutar Pakadi Road, Sahar, Mumbai - 400 099.

☎ 91-22-26217400

☎ 91-22-26819300

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भारतीय विमानपत्तन प्राधिकरण
पश्चिमी क्षेत्र मुख्यालय



AIRPORTS AUTHORITY OF INDIA
WESTERN REGION HQRS.

REF : AVNS/WR/GEN/16/125

Dated:-18.10.2016

Report on Aviation Safety in Western Region of Airports Authority of India

To

Dr.Gunuprasad Mohapatra. IAS.
The Chairman of AAI,
Rajiv Gandhi Bhawan,
Safdurjung, N.Delhi -110003.

Sub: - Report on Aviation Safety in WR, AAI

Sir,

Please see the enclosed report on Aviation Safety in WR.AAI, which is self-explanatory. I have always stood up for rule of law irrespective of what cost I have to pay personally. As an officer in-charge of Aviation Safety, I cannot be silent on the risk to the lives of 30 million people and hence this report. Assuming that the AAI is technically stating that I have been transferred (which I have every intention to challenge), this report will still be relevant as it would be a part of my handing over documents. I only hope that you will implement my recommendations and will not be a party to put the lives of 30 million people at serious risk.

Copies/originals of the other related documents of all the issues are available in CHQ, AAI.

This is for your information and necessary action.

Thanking you,

Yours faithfully,

S. Mangala,
(S.MANGALA) 18/10/2016

DGM (Aviation Safety),
WR, AAI, Mumbai.

1

Disaster averted as locals spot GoAir aircraft engine on fire near Delhi's IGI airport

Two locals has spotted the plane's engine on fire and reported it to a PCR, who informed the CISF control room at terminal 1D.

By: Express Web Desk | New Delhi | Updated: February 9, 2017 2:11 pm

Thanks to the alertness of a group of locals, a Bengaluru-bound GoAir flight with close to 200 passengers on board escaped a tragic fate Wednesday evening. Locals spotted the aircraft's engine on fire and smoke billowing from it, and immediately alerted the PCR which, in turn, conveyed the emergency situation to Delhi ATC.

According to reports, the flight captain was alerted of the fire and was asked to return. The flight then asked for help and eventually made an emergency landing at the Indira Gandhi International Airport with all the passengers and crew members safe.

The incident came to light around 7.40 pm when the CISF Control Room at Terminal 1D received a call from the police control room that two persons had reportedly seen the engine of an aircraft on fire, which was flying over Ghoyla Dairy area near Dwarka in south-west Delhi.

"The two witnesses had informed the Delhi Police about the incident and accordingly the message was conveyed to Airport Operations Control Centre and to the Air Traffic Control. After some efforts, the flight was identified as GoAir flight – G8 557 – which had departed for Bangalore at 7.28 from the IGI Airport," a senior officer told news daily DNA.

According to the report, the pilot also told ATC that he had detected engine failure and sought clearance to land on priority. A full emergency was then declared due to one engine failure of this flight and it was provided with clearance to land.

"All the necessary precautions were taken and fire safety and ambulances were kept on standby in order to handle any untoward situation. However, G8 557 landed safely at about 7.47 pm, after being air borne for about 20 minutes. All the 193 passengers were marked safe," the officer was quoted as saying to DNA.

GoAir aircraft disaster averted after locals spot fire in flight engine at Delhi's IGI airport

The flight captain was also alerted of the fire and was asked to return to the runway. The flight was carrying nearly 200 passengers.

By Chanchal Chauhan | Updated: February 10, 2017 11:09 AM IST

New Delhi, Feb 10: A massive disaster was averted at Delhi's IGI airport when a group of locals alerted the authority of smoke that was waving out of an aircraft's engine. Locals spotted the aircraft's engine on fire and without more ado alerted the PCR which conveyed the emergency situation to Delhi ATC. The flight captain was also alerted of the fire and was asked to return to the runway. The flight was carrying nearly 200 passengers.

As per the reports, the flight captain then conveyed the emergency situation and made an emergency landing with all the passengers and crew members safe. The incident was reported at around 7:40 pm on Thursday, February 9 at Delhi's Indira Gandhi International Airport in a GoAir aircraft, G8 557.

Y'day a call informed PCR that GoAir plane flying over Najafgarh caught fire. Its engine had caught fire & emergency landing was made #Delhi

— ANI (@ANI_news) February 9, 2017

The incident came to light when the CISF Control Room at Terminal 1D received a call from the police control room. The call mentioned two locals spotting the engine of a GoAir aircraft on fire. The flight was flying over Ghoyla Dairy area near Dwarka in south-west Delhi. The pilot also informed the emergency room that he too detected engine failure and immediately called for help and sought permission to make an emergency landing. As soon as the incident was reported, a full emergency was declared providing the aircraft of an emergency landing.

"The two witnesses had informed the Delhi Police about the incident and accordingly the message was conveyed to Airport Operations Control Centre and to the Air Traffic Control.

After some efforts, the flight was identified as GoAir flight – G8 557 – which had departed for Bangalore at 7.28 from the IGI Airport," a senior officer told news daily DNA.

"All the necessary precautions were taken and fire safety and ambulances were kept on standby in order to handle any untoward situation. However, G8 557 landed safely at about 7.47 pm, after being air borne for about 20 minutes. All the 193 passengers were marked safe," the officer was quoted as saying to DNA.

In December, two disasters were averted at two different airports in a single day. A major mishap was prevented when two airplanes avoided collide at Delhi's Indira Gandhi International (IGI) airport on December 27. In the first, a Jet Airways flight 9W 2374 was made to veer off the runway in Goa. 15 passengers were injured, as reported. "Few guests have sustained minor injuries during the evacuation process and medical assistance is being coordinated by the Jet Airways team and the airport authorities," the airlines said in a statement, reports Economic Times. The flight was carrying 154 passengers and 7 crew members.

AIRLINE OPERATION - 2

1.	AIRCRAFT :			
	Type	:	Boeing 737	
	Registration	:	VT-ECQ	
2.	DATE AND TIME	:	26 th April, 1993; 13:06 Hrs	
3.	LOCATION	:	Aurangabad	
4.	TYPE OF OPERATION	:	Scheduled - Domestic	
5.	PERSONS ON BOARD	:	Crew : 6; Passengers : 112	
6.	INJURY INDEX	:	Fatal	Serious
			Minor	None
	Crew		2	1
	Pax		53	10
	Others		Nil	Nil
7.	DAMAGE TO AIRCRAFT	:	Destroyed	
8.	PILOT-IN-COMMAND	:	Licence	: ALTP
			Age	: 38 years
			Total Hrs	: 4963 Hrs.

SUMMARY

Indian Airlines Boeing 737 aircraft VT-ECQ was operating scheduled flight IC-491 from Delhi-Jaipur-Udaipur-Aurangabad-Bombay on 26.4.1993. The flight from Delhi to Aurangabad was uneventful. The aircraft took-off from Aurangabad with 118 persons on board. Aircraft lifted up almost at the end of runway and impacted heavily with a lorry carrying pressed cotton bales running from North to South on a highway at a distance of about 410 feet from the end of runway. The aircraft left main landing gear, left engine bottom cowling and thrust reverser impacted the left side of the truck at a height of nearly seven feet from the level of the road. Thereafter the aircraft hit the high tension electric wires nearly 3 kms North-East of the runway and hit the ground. In all 55 persons received fatal injuries. The aircraft was destroyed due to post impact fire.

The probable cause of accident has been attributed to :

- "(i) Pilots' error in initiating late rotation and following wrong rotation technique, and
- (ii) failure of the NAA to regulate the mobile traffic on the Beed road during the flight hours".

Factors :

1.	Pilot	-	Aircraft Handling
2.	Others	-	Other Personnel

EXHIBIT-D

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Yeshwanth Shenoy
Advocate

I/138, North Bombay Society
Juhu, Mumbai - 400 049.

+91 - 99676 42195
yshenoy@gmail.com

BY SPEED POST

1 October 2016

To,

1. Shri.Rajiv Nayan Choubey
Secretary, Ministry of Civil Aviation,
Rajiv Gandhi Bhavan,
Safdarjung Airport,
Aurbindo Marg,
New Delhi 110 003
2. Dr. Guruprasad Mohapatra,
Chairman, Airport Authority of India
Rajiv Gandhi Bhawan,
Safdarjung Airport, Aurbindo Marg,
New Delhi-110003
3. Shri.B.S.Bhullar,
Director General, DGCA
Aurbindo Marg, Opp. Safdarjung Airport,
New Delhi 110 003.
4. Shri.Sanjay Reddy
Managing Director,
Mumbai International Airport Pvt.Ltd.,
CSI Airport, 1st Floor, Terminal 1 B,
Santacruz (E), Mumbai - 400099.

Dear Sir,

Sub: Compliance with India's obligations to ICAO
Ref: PIL 86/2014 before the High Court of Bombay

1. The Mumbai International Airport Pvt Ltd (MIAPL) has submitted before the Hon'ble High Court of Bombay a list of about 112 Buildings in the Approach Path of the CSIA Airport (VABB). The Hon'ble High Court was pleased to direct all of you to act in accordance with law and demolish the obstacles in the Approach.
2. I bring your attention to the admitted fact about obstacles in the Approach path and until they are demolished, the threshold of the runways in VABB needs to be displaced in accordance with the Aviation Safety Regulations. All of you need not be made aware that the actual demolition could take a lot more time considering the judicial remedies each of the affected party has, more so, because of your own discriminatory action of giving NOC's to certain 'special' people which I squarely blame on corruption and collusion of government officials with the Builders / Developers.
3. I bring your attention that it is the duty of the Airport Operator (MIAPL) to disclose the obstacles and displace threshold and inform to the Airports Authority of India (AAI). On receipt of this information it is the duty of the Chairman, AAI to sign and make the declaration of both Obstacles and the displacement. The AAI had recently published a

partial list of obstacles but it had not taken steps to displace the threshold. For eg. The threshold of the main runway has to be displaced because of the minar. Non displacement of threshold after knowing about the obstacle will be a breach of Air regulations and also the obligation to the International Community.

4. The Directorate General of Civil Aviation (DGCA), which is the Air Regulator and the Licencing Authority has to immediately withdraw the licence to VABB in case the MIAPL and AAI fail to take action mentioned in para 3 above. The International community flies into and out of VABB assuming that all safety parameters are in place because of the licence issued by DGCA and therefore once the DGCA has knowledge of violation, it is obligated to move immediately and either order declaration of deviation / obstacles and ensure threshold is displaced in accordance with the obstacle profile. In addition, the 26 March 2016 Guidelines mentions some study conducted by the AAI which clearly states about the deteriorated functioning of communication systems. In particular, it is brought to the attention of the DGCA that the Aeronautical study conducted by AAI to give extra heights to buildings around the Airport does not take into consideration "degraded performance" of an aircraft. The deteriorated performance of ILS mentioned in the report could have serious consequences in case of bad weather. Recently, an Emirates Aircraft was allowed to fly into VABB when the ATC (under the control of AAI) gave them permission to land in VABB in spite of knowing that the aircraft was not performing normally. An aircraft going down around VABB could have very serious catastrophic consequences killing thousands of people.
5. The Secretary, MoCA is responsible to ensure that India's international obligations are complied with. Through this letter (and my previous letters as well as pleadings / affidavits filed in the High Court of Bombay), I am informing you that India has not complied with its international obligations. In addition to his obligations to comply with international conventions to which India is a signatory, you also have to take action against the AAI and DGCA as a supervisory authority. Your failure to do so will put you in the same boat as others named in this notice.
6. If any mishap occurs, the nature of the non disclosure will be criminal in nature and could call for the gravest charges for "Murder" or "Attempt to Murder". Therefore, all of you named in the letter would be responsible for the gravest of the charges in the event of your failure to perform your duty.

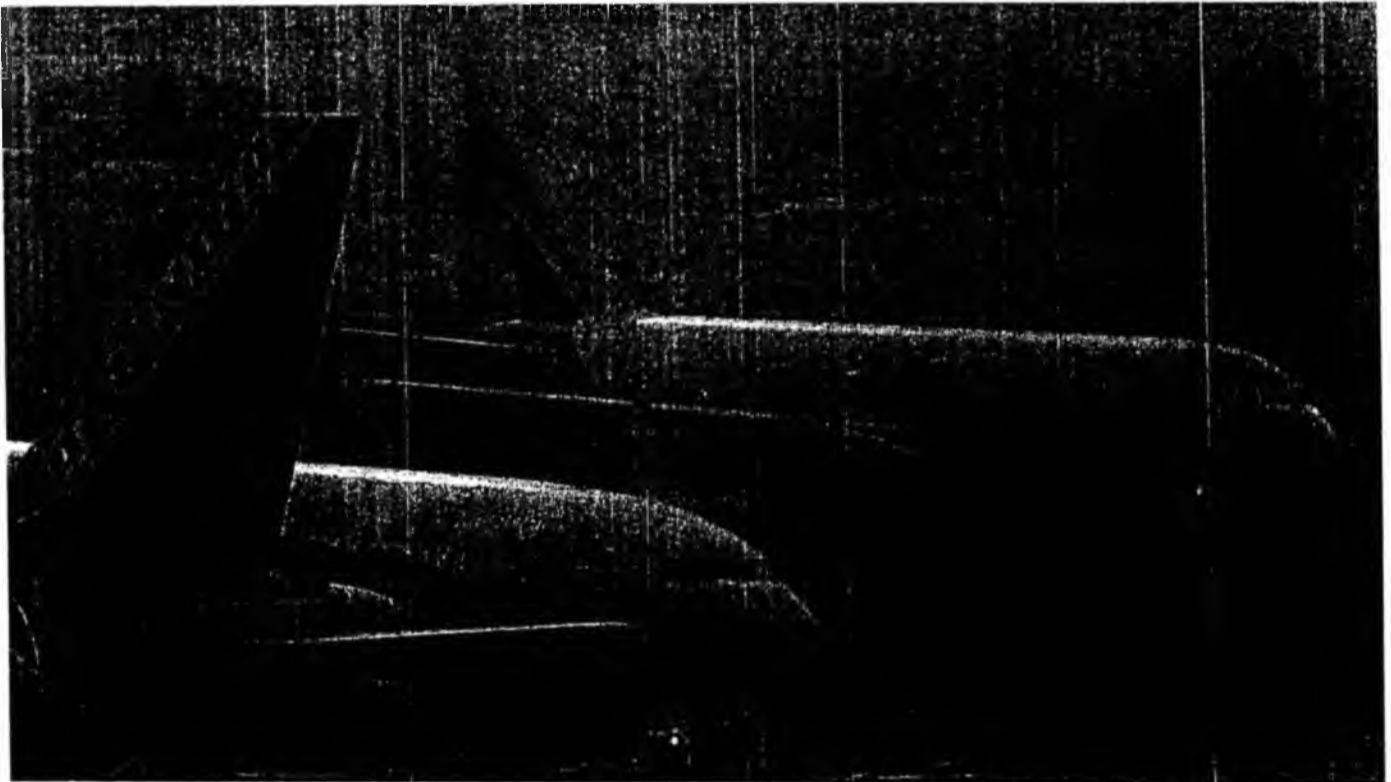
Yours Faithfully,

Yeshwanth Shenoy

COCKPIT COCKTAIL

More than 40 pilots tested positive for alcohol on duty in India last year

Manu Balachandran | May 06, 2016 | Quartz India



📷 Drink and fly? (Reuters/Vivek Prakash)

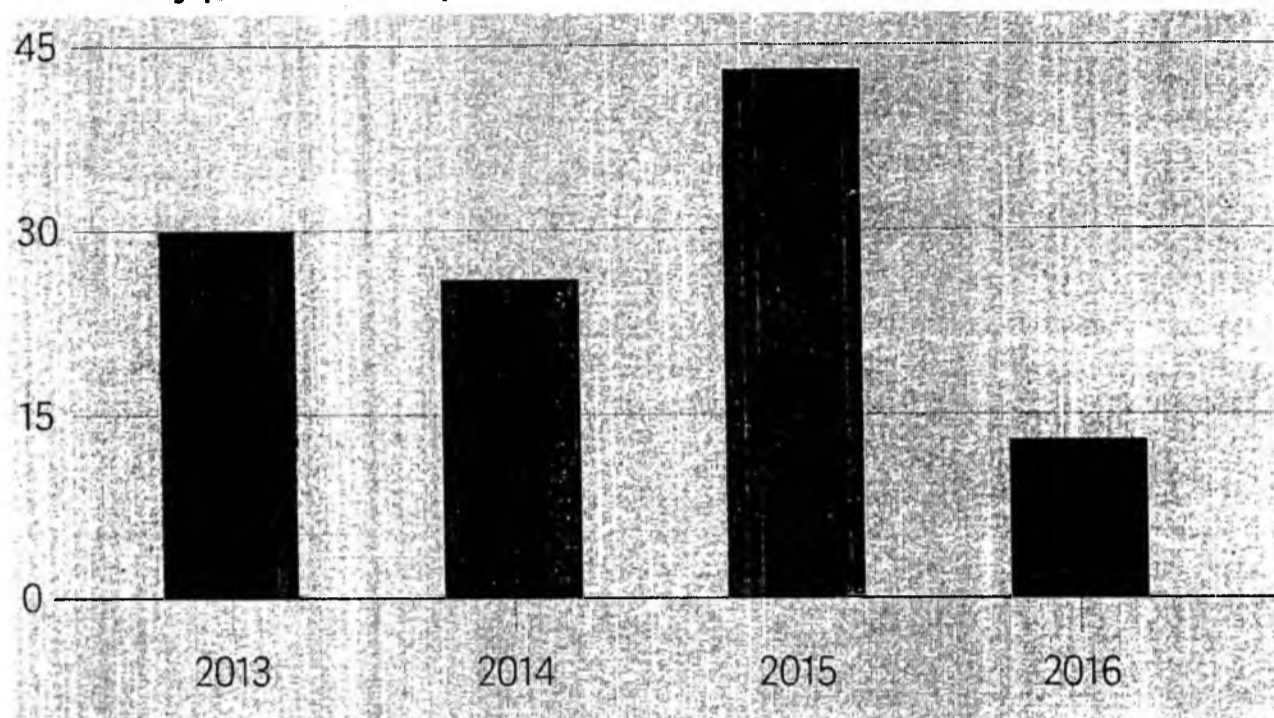
Fasten your seat belts.

Pilots in India can't stop hitting the bottle before entering the cockpit—and the most frequent offenders in recent years are from Jet Airways and IndiGo, two airlines that dominate the country's aviation market.

In 2015 alone, 43 pilots in the country tested positive for alcohol during pre-flight examinations. That's the highest number in the last three years, according to data presented by the civil aviation ministry in parliament on May 05.

This year, so far, 13 pilots have turned up drunk to work.

How many pilots tested positive for alcohol in India?

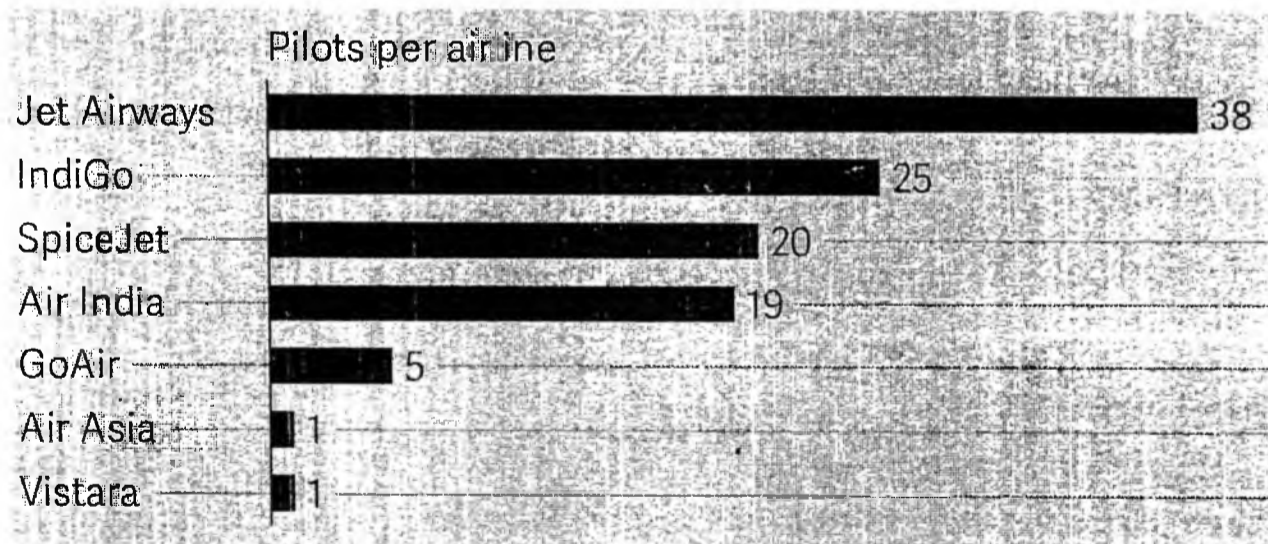


ATLAS Data: Ministry of Civil Aviation | Data for 2016 is until 28th April

Share

Jet Airways, India's second largest carrier, has had the maximum number of pilots reporting to work drunk. Since 2013, some 38 pilots at Jet Airways (including JetLite) have showed up to work under the influence. Jet was followed by IndiGo, where 25 pilots tested positive for alcohol.

Pilots testing positive for alcohol in India since 2013



ATLAS Data: Ministry of Civil Aviation | Jet Airways also includes JetLite

Share

The directorate general of civil aviation (DGCA) rules mandate (pdf) that pilots and cabin crew of all scheduled flights must be subjected to pre-flight breath-analyser examination. "For all scheduled flights originating from

destinations outside India, post-flight breath-analyser examination of each flight crew and cabin crew shall be carried out on reaching in India,” the rules add.

In case of a violation, a pilot’s licence will be suspended for three months for a first time offence. For a second violation, the pilot’s license is suspended for three years. A third time offence leads to a cancellation of the pilot’s license.

“I am at loss for words,” an aviation expert told Quartz, requesting anonymity. “This is completely unacceptable behaviour and needs to be eliminated ruthlessly.”

“No normal office goer goes to work drunk, stating physical, mental or emotional fatigue,” he added. “Here, we are talking about someone who is responsible for human lives both in the aircraft and on the ground. A tiny error of judgement can cause irreparable damage.”

Airlines respond

IndiGo, India’s largest airline by market share, explained that the company undertakes an alcohol dependency check after a pilot is suspended and, so far, has not found a single case of alcohol dependency. An IndiGo spokesperson added:

We have a education program for crew members, which highlights the issues on use of alcohol and drugs. The response to this program has been positive. Further, flight crew members before joining IndiGo undergo drug testing and during line operations the drug testing is carried out on a random basis. No crew has tested positive for any drug abuse during random checking.

A spokesperson for Jet Airways told Quartz that the airline is compliant with Indian regulations on pre-flight screening of all pilots and cabin crew.

“On the basis of this and as per internal airline policy, crew members if found BA+ (breath analyser positive) face a 3-month suspension without pay and benefits. A second offence results in termination of services,” the spokesperson said.

“The rigorous nature of the screening process for crew members before a flight, and the punitive action taken against those who do not comply with such safety standards, is in itself a deterrent,” the spokesperson added.

SpiceJet and Air India are yet to respond to an emailed questionnaire from Quartz.

Between April 2015 and January 2016, the number of international passengers flying to and from India grew by 7.6%, while domestic passenger traffic was up 20.6%.

By 2020, India is likely to become the world’s third largest aviation market after the US and China, with the country’s airports expected to carry as many as 369 million passengers compared to 190 million currently.

Hopefully, none of those passengers would have get on a flight in India with a drunk pilot in the cockpit.

Air India woman pilot, cabin crew member fail alcohol test, grounded for three months

By PTI | Published: 02nd February 2017 08:11 PM |

Last Updated: 02nd February 2017 08:14 PM | A+ A A- |



As part of the DGCA safety regulations, all pilots and cabin crew must undergo breath analyser test before and after flights. | Reuters File Photo

NEW DELHI: A woman pilot and another crew member of state owned Air India were grounded for three months after they failed a pre-flight alcohol test.

The crew members, who have been taken off from flying for failing to clear the pre-flight medical test were to operate Air India's Rajkot flight from New Delhi on January 25, sources said.

As part of the DGCA safety regulations, all pilots and cabin crew must undergo breath analyser test before and after flights.

Incidentally, airline's head of operations, himself a senior executive pilot, is under probe by a committee for allegedly skipping the mandatory test close to a month.

"The woman pilot and cabin crew along with other operating crew were rostered for Air India flight AI-9631 on January 25 for Rajkot from New Delhi. After they reported for duty, as per norms, they were told to undertake breath analyser test. However, the findings were positive," a source said.

The matter was reported to the DGCA and the two crew members were taken off for flying for three months, the source said.

Air India spokesperson was not available for comments.

Aircraft rules prohibit crew members from taking any alcoholic drink 12 hours prior to the commencement of a flight, and it is mandatory for the employee to undergo an alcohol test both before and after operating a flight.

Any crew member who tests positive in the pre-flight medical check or refuses to take a breath-analyser test is required to be taken off flying duty for at least four weeks and the airline is required to initiate disciplinary proceedings.

TAGS [new delhi](#) [Air India](#) [alcohol test](#) [Rajkot](#) [cabin crew](#) [woman pilot](#)

India may have 4000 'fake' pilots

India | NDTV Correspondent | Updated: March 14, 2011 13:38 IST

New Delhi: Just a few days after Parminder Kaur Gulati, a suspended pilot of Indigo airline, was arrested on charges of faking her marksheet to get a pilot licence, another arrest on the same grounds has been made. This time around, Captain J K Verma, a pilot of the national carrier Air India has been arrested.

"We have arrested Verma. Investigations are on. We have been provided more names by the Directorate General Civil Aviation (DGCA). The scanner is on two more pilots Meenakshi Sehgal of Indigo and Swaran Singh Talwar of MDLR," a senior police official said.

It all began after Parminder Kaur Gulati was grounded two months ago for violating landing norms. The matter was then reported to the aviation watchdog, the DGCA. The airline watchdog admits there was a lapse, but says 4000 pilot licences are now under fresh scrutiny.

"In the wake of the fake pilot scare, licenses of 3,000 to 4,000 pilots are being scrutinised by the DGCA," said Civil Aviation secretary Nasim Zaidi.

To get a licence, a pilot has to clear three subjects. But in Gulati's case, a probe by the DGCA showed she couldn't clear two papers, so she allegedly forged the marksheets.

'Special' exam gave DGCA honcho's daughter licence

timesofindia.indiatimes.com/India/Special-exam-gave-DGCA-honchos-daughter-licence/articleshowprint/6063699.cms

MUMBAI: The joint director general of civil aviation appears to have flouted a Directorate General of Civil Aviation (DGCA) norm on pilot licence exams to help his daughter procure a Commercial Pilot Licence (CPL). Joint director Alok Kumar Sharan, who is second only to director general Bharat Bhushan in the DGCA office, was the deputy director general (training and licensing), the department that handles issuance of pilot licences, when his daughter, Rashmi Sharan, appeared for three "special exams" to clear three CPL papers.

Rashmi took these special exams after failing in repeated attempts to clear these three CPL subjects in the regular exams. Rashmi is currently a first officer in IndiGo airline.

Yet, she cleared the same papers on her first attempt in the special exams. "When it comes to special exams, the pass percentage in these subjects mysteriously shoot up to 90-100," said an aviation source.

It was not without reason that one of the first things that the current director general did after assuming office was to scrap the practice of holding special exams.

Rashmi started giving CPL exams in April 2006 and got her licence in October 2008.

TOI scoured through the results of ten pilot licence exam regular sessions held between April 2006 and October 2008 and found that Rashmi, who appeared for five regular sessions, consistently failed in Air Navigation, Aircraft Technical and Aviation Meteorology.

The highest marks she ever scored in her regular exam attempts in Air Navigation was 58/100 (to pass, 70% is needed), in January 2007. This, despite it being one of the easiest Air Navigation papers ever to be set, with the highest score being 94/100. To clear the five CPL ground subjects, Rashmi had 17 regular attempts over a period of two years and cleared only two papers. The minimum marks to clear CPL subjects is 70/100. DGCA records show that Rashmi cleared these three subjects in special exams, in which, the pass percentages improve dramatically.

According to the DGCA's special exam policy, a candidate can appear for special exams in only one subject. During Rashmi's time, in 2007-08, two subjects were allowed. Also, there were numerous conditions. A special exam could be given only if the candidate could not afford to wait for the once-in-three-months regular exams.

That means Rashmi could not have appeared for three special exams without giving a fraudulent undertaking.

Why did the DGCA officials overlook it and clear her to sit for three special exams in June 2007, May 2008 and September 2008? When she appeared for her first special exam in June 2007, she had neither cleared the remaining four subjects nor had completed her flying hours. In fact, she did not appear for three regular attempts after that, choosing to sit only for special exams.

The practice of holding special exams for a select few candidates is a scam that is much bigger than the fake pilot licence racket. They are held in the DGCA headquarters where a handful of candidates appear for their respective papers and are informed about their results in a few days. "With a couple of conniving DGCA officers, a candidate can sit even with an open book and no one would know," said an airline pilot.

CVC seeks tough action against 8 DGCA officials

Josy Joseph TNN

New Delhi: By any yardstick, this is scary. The regulatory mechanism to ensure safety in Indian skies seems to have broken down — almost completely.

Over the past few weeks, the Central Vigilance Commission has approved serious action, including possible dismissal from government, against eight senior officials of the Directorate General of Civil Aviation for illegal activities such as getting their children or spouses appointed in private airlines without clearance and using their position to unduly influence these airlines.

"It is a complete breakdown of the regulatory mechanism," a senior official involved in the decision told TOI over the weekend. TOI had, in a series of reports, pointed out the mess within the regulator.

'REGULATORY BREAKDOWN'

M K Kaushal (Asst director) | Son with private airline James George (Asst director) | Wife Mini James with GoAir R S Passi (Director, air safety) | Rules bent to give daughter Garima pilot's licence V P Massey (Director, air worthiness) | Son with SpiceJet, daughter with Air Deccan Capt B S Mehra (Junior pilot) | Influenced private company to appoint son Karan Rajiv Gaur (Asst director) | Son appointed trainee engineer with a private airline R K Yadav (Asst director, air worthiness) | Both son and daughter joined private airlines without permission Charan Das (Jt director general) | Daughter Shalini joined SpiceJet without clearance T K Gopinath (PS, air safety) | Falsely declared his wife to be an air safety officer to claim free ticket
SUPERVISION IS AN exception at DGCA

New Delhi: With the CVC recommending a slew of action, DGCA looks like a complete mess, where honest regulatory supervision seems an exception rather than the norm, and favours for senior officials from private airlines that they are supposed to monitor almost the order of the day. The development comes even as Bharat Bhushan was shunted out as DGCA chief after he cracked down on a series of illegal activities by airlines and non-scheduled operators, and sent a warning notice to Kingfisher Airlines threatening to shut it down.

On May 7, 2011, TOI had reported how the then DG Bharat Bhushan had warned top airline bosses against hiring officials' children irregularly.

The same month, TOI reported how R S Passi, director air safety, was relieved of his duties following a DGCA investigation which found that his daughter Garima Passi, despite being poor in practical flying, was hired by SpiceJet under "extraordinary circumstances". On March 14, 2011, TOI carried a report 'DGCA officials involved in fake licence scam' that pointed out the poor verification of marksheets submitted by unqualified pilot aspirants.

Now, consider the DGCA status after the latest CVC recommendations: All three joint director generals (JDGs), the senior-most officials after the DG, are now facing possible dismissal from service, and one of them is already under suspension.

Three of the six DDGs, next to JDGs in seniority, are also facing major penalty. Major penalty in official parlance means disciplinary action including possible dismissal from government, removal from service or cumulative stoppage of salary increments. Besides the JDGs and DDGs, several other key officials responsible for ensuring safety in Indian skies are also facing serious actions for favouritism, malpractices or outright corruption. "It was not an aberration but a practice in DGCA to appoint children and spouses with private airlines," a senior official told TOI.

The CVC approved major penalty against eight DGCA officials in the past few weeks, after the civil aviation ministry sent the findings of a preliminary inquiry by the chief vigilance officer of DGCA, recommending major penalty against all of them.

Strangely, the ministry sat for over a year on the recommendations for action against the erring officials given by DGCA under Bhushan.

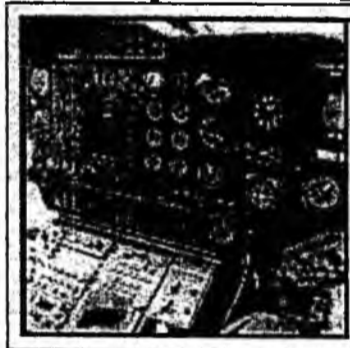


EXHIBIT - F

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Online RTI Request Form Details

RTI Request Details :-

RTI Request Registration number	DGOCA/R/2016/50282/2
Public Authority	Director General of Civil Aviation

Personal Details of RTI Applicant:-

Name	yeshwanth shenoy
Gender	Male
Address	priyadarshini , veekshnam road, ernakulam
Pincode	682018
Country	India
State	Kerala
Status	Urban
Educational Status	Literate
	Above Graduate
Phone Number	Details not provided
Mobile Number	+91-9967642195
Email-ID	yshenoy[at]entetelegale[dot]com

Request Details :-

Citizenship	Indian
Is the Requester Below Poverty Line ?	No

(Description of Information sought (upto 500 characters))

Description of Information Sought	
<p>1) All communication received from GVK / MIAL related to obstacles for the calendar year 2010, 2011, 2012, 2013, 2014, 2015 and up to 31 July 2016</p> <p>2) All communication between AAI and DGCA as regards the renewal of JUHU airport licence in the year 2016 including the entire file related to renewal.</p> <p>3) the number of FDTL violation by different commercial air carriers for the year 2010, 2011, 2012, 2013, 2014, 2015 and till July 31, 2016 along with details of action taken by DGCA</p> <p>4) the Number of pilots caught drunk (pre flight and post flight) for the year 2010, 2011, 2012, 2013, 2014, 2015 and till 31 July 2016 with a air carrier break up for each year and the details of action taken by DGCA</p> <p>5) the law related to drunk flying by pilots from the year 2010 and any amendments to the same till 31 July 2016. The punishment prescribed by the law and the actual punishment handed over by the DGCA to each case of drunk flying (both pre flight and post flight) from the year 2010 to 31 July 2016</p> <p>6) the declaration given by DGCA employees of their children and related kin working with air carriers</p> <p>7) copy of all DGCA safety audit reports on air carriers since 2010 to 31 July 2016</p> <p>8) copy of all DGCA safety audit reports on CSIA and Juhu airport since 2010</p> <p>9) copy of the ICAO safety audit reports on India given by ICAO from the year 2010 to 31 July 2016</p> <p>10) copy of the FAA safety audit reports on India given by FAA from the year 2010 to 31 July 2016</p>	
Concerned CPID	D C Sharma
Supporting document (only pdf upto 1 MB)	Supporting document not provided

Print

Close

URGENT/RTI CASE
BY SPEED POST



File.No.F-12013/20/2016/E-I
Government of India
O/o The Director General of Civil Aviation
Opposite Safdarjung Airport, New Delhi-110003

Dated :-31.08.2016

To,

Sh. Yeshwanth Shenoy,
Priyadarshini, veekshnam road,
Ernakulam,
Pin- 682018

Subject- Request for information under RTI Act, 2005 – Sh. Yeshwanth Shenoy

Sir,

Please refer to your RTI request received on line vide registration No DGCA/R/2016/50282/1 dated 17.8.2016. So far as information relating to Sl.No.6 of your RTI request with regard to employees of Aircraft Engineering Directorate of DGCA is concerned, declaration received from existing employees regarding working of their children and related kin with air carriers indicate that none of their kins works with air carriers.

2. If you are not satisfied with the above reply, you may file an appeal with Smt. Shubha Thakur, Joint Director General, 1st Appellate Authority, O/o DGCA, Technical Centre, Opposite Safdarjung Airport, New Delhi-110003 within 30 days of reply of CPIO.

Yours faithfully,

(B. Sengupta)

Dy. Director of Administration & CPIO

Copy to :

1. RTI Cell, DGCA for information

59A 123

F-12013/07/2016-E-III
Government of India
Ministry of Civil Aviation
Directorate General of Civil Aviation

Opp. Safdarjung Airport,
Aurobindo Marg, New Delhi-110003
Dated : September , 2016

To
Yeshwanth Shenoy,
Priyadarshini, veekshnam road,
Ernakulam - 682018

Subject: Online request for information under the Right to Information Act, 2005- Yeshwanth Shenoy, New Delhi.

Sir,

I am to refer to your online application received on 19.08.2016 on the subject mentioned above and to say that the information available with the undersigned CPIO in respect of point 6 is as under:

Question	Reply
6. The declaration given by DGCA employees of their children and related kin working with air carriers	The information sought relates to the disclosure of personal information and therefore as per clause 8 1(j) of RTI ACT is denied.

Mrs. Shubha Thakur, Joint Director General, Ist Appellate Authority, O/o DGCA, Technical Centre, Opposite Safdarjung Airport, New Delhi-110 003.

Yours faithfully


(Pavan Malviya)

Deputy Director of Administration & CPIO

Copy to:

I. RTI Cell, DGCA, New Delhi with reference to their Registration No. DGOCA/R/2016/50282/4 dated 17.08.2016.

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EXHIBIT - G

Yeshwanth Shenoy
Advocate

"Priyadarshini"
Veekshnam Road,
Ernakulam - 682018

+91 - 99676 42195
yshenoy@gmail.com

BY SPEED POST

4 July 2016

To,

Shri. C.Vidyasagar Rao
Hon'ble Governor of Maharashtra,
Raj Bhavan,
Walkeshwar Road, Malabar Hill,
Mumbai 400 035

Dear Sir,

Sub: Threat to the lives of the residents of Mumbai and Aviation Safety

I am an advocate who happened to take the Mangalore Air Crash seriously and researched more on the subject of Air Safety. From whatever research I have done, I believe that Mumbai is the city that carries the maximum risk both in terms of Air Safety and Air Security. I have already written to the Municipal Commissioner of MCGM, the District Collectors and the NDRF to have a contingency plan ready for Mumbai. I have also brought the attention to the subject matter by writing letters to the Chief Justice, Chief Minister, Commissioner of Police and many others. Please do not be under a belief that I am overreacting, as my fears are based on a thorough analysis of the data on the subject matter.

I filed PIL 86 / 2014 way back in 2014 and though the Court is doing its work, I believe that the Executive should take action when action is necessary and not wait for a nudge from the Court. The Hon'ble High Court of Bombay had by its order dated 30 October 2015 appointed a committee to survey 20 km radius of the Airport. In short, there are too many obstacles in the Air Space over Mumbai caused by corruption and collusion between AAI, DGCA, MCGM, SRA etc. While you would have heard about all sorts of encroachments in Mumbai, I am informing you about this Encroachment in Air Space which threatens Air Safety. The monsoons and the winter seasons simply multiply the threat because of climatic conditions and poor visibility. What is worse is that the Airport Authority or the DGCA has not even informed the 'pilots' through AIP's about the obstacles and the obstacle map published is outdated which adds further to the already serious situation. While informing the Commissioner of Police, I even tried to explain this in a language known to them which is nothing but 'time bombs in the sky without a timer being set'. It could explode anytime. An Aircrash into a city like Mumbai will cause a far higher number of ground casualties owing to the density of population around the airport. If my fears come true, Bhopal and Chernobyl will look like dots in the history of accidents.

In the 20 km radius of the Airport, I am absolutely sure that there would not be less than 3000 obstacles atleast. I bring your attention to the Indian Airlines flight 491 crash on 26 April 1993 near Aurangabad Airport after it impacted a truck which was passing by and here I am speaking

of buildings much taller than trucks. If an aircraft impacts any of these obstacles (buildings), please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each seat would act as a catalyst and therefore the consequences would be catastrophic for the city of Mumbai and the damages will be far more than what was caused by all the bomb blasts and riots the city has seen put together.

In addition to this issue of Air Safety, Mumbai should worry about security for we have had more blasts in our city than any other place in the world with the exception of Pakistan (Afganistan and Iraq being war zones is not counted). The Parking lot of the Airport is not even approved by BCAS and with Brussels and Istanbul, it should ring a bell in our Security set up and we need to take Airport security a lot more seriously. God only knows how the ATC tower came to be built in a 'Public place'. An autorickshaw with small quantity of explosives is good enough to get that tower down. Mumbai during peak hours will have about 40 aircrafts circling it and there will not be a Plan B. Airports always have a Plan B if the tower catches fire and such eventualities, but with the tower down you will not have people to do it and all flights in air will be left to fetch for themselves.

My experience in Air safety was only after I started studying it after the Mangalore Air crash in 2010, but as to my experience in Security, I interned with United Nations Interregional Crime and Justice Research Institute, Italy which is in charge of 'Security during Major events'.

As stated earlier, I have written to everybody who matters. I hope your office calls for the records and actions taken by all these departments and make a report to the Central Government. The issue is very serious and directly threatens the lives and property of the People of Mumbai.

I truly hope that my fears don't come true, but in case it does, it would be catastrophic and disastrous for the City of Mumbai. I would be more than happy to spare my time to make a presentation for you in case you want to understand it better and feel free to make a call if necessary.

Thanking you,

Yours Faithfully,

Yeshwanth Shenoy

- TRUE COPY -
yeshwanth

Exhibit - H

62

Yeshwanth Shenoy
Advocate

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yshenoy@gmail.com

BY HAND

4 July 2016

To,

The Hon'ble Chief Justice,
High Court of Bombay,
Mumbai.

Dear Sir,

Sub: Threat to the lives of the residents of Mumbai and Aviation Safety

I am writing this letter to you as a part of my letter to the Constitutional Authorities of the State to the serious issue of Aviation Safety that threatens the lives of people and in particular the residents of the city of Mumbai. I got exposed to Aviation Safety after I researched on the subject matter after the Mangalore Air Crash of 2010.

From whatever research I have done, I believe that Mumbai is the city that carries the maximum risk both in terms of Air Safety and Air Security. I have already written to all concerned like the Governor, Chief Minister, Speaker, Opposition Leader, Home Ministry, Municipal Commissioner, Collector, Commissioner of Police and the NDRF. I have also set in motion the process of law through the Magistrate.

I had filed a PIL 86 / 2014 way back in 2014 and the Hon'ble High Court of Bombay had by its order dated 30 October 2015 appointed a committee to be headed by a Retired High Court Judge to look into several issues. Unfortunately, till date this Committee has not even started working because the Central Government has not complied with the Directions of this Hon'ble Court. I am in the process of filing Perjury and Contempt Petitions for effective action. There are many matters on this issue pending before the Hon'ble High Court of Bombay and I have requested for consolidation of all matters before any Bench. However, I must bring your attention that there are so many loopholes that is taken advantage of. For eg. When this matter was placed before Justice Oka, one of the Respondents mentioned about the appearance of a particular counsel because of which Justice Oka recused from the matter. That Counsel had appeared once in the beginning stages and thereafter never ever appeared in the matter. Moreover, this matter being a bit technical, with every assignment, a new Bench has to hear the matter. All this puts immense pressure on the Judges as well, as it is very difficult to grasp the matter in a short time and the Judges are aware that the matter concerns the life of people.

In short, the issue relates to the too many obstacles in the Air Space over Mumbai caused by corruption and collusion between AAI, DGCA, MCGM, SRA etc. While you would have heard about all sorts of encroachments in Mumbai, this is an Encroachment in Air Space which threatens Air Safety by making movement of Aircraft dangerous over Mumbai skyline. The Monsoons and the Winter simply multiplies this threat because of climatic conditions and poor visibility. What is worse is that the Airport Authority or the DGCA has not even informed the

'pilots' through AIP's about the obstacles and the obstacle map published is outdated which adds further to the already serious situation. While informing the Commissioner of Police, I even tried to explain this in a language known to the police as 'time bombs in the sky without a timer being set'. It could explode anytime. An Aircrash into a city like Mumbai will cause a far higher number of ground casualties owing to the density of population around the airport. If my fears come true, Bhopal and Chernobyl will look like dots in the history of accidents.

In the 20 km radius of the Airport, I am absolutely sure that there would not be less than 3000 obstacles atleast. I would like to point out that on 26 April 1993, Indian Airlines flight 491 crashed near Aurangabad Airport after it impacted a truck which was passing by and here I am speaking of buildings much taller than trucks. If an aircraft impacts any of these obstacles (buildings), please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each seat would act as a catalyst and it will be extremely difficult to fight the fire. In a city like Mumbai, such a scenario will be catastrophic.

In addition to this issue of Air Safety, Mumbai should worry about security for we have had more blasts in our city than any other place in the world with the exception of Pakistan (Afganistan and Iraq being war zones is not counted). The Parking lot of the Airport is not even approved by BCAS and with Brussels and Istanbul, it should ring a bell in our Security set up and we need to take Airport security a lot more seriously. I believe that there was a matter related to this where the Magistrate had taken cognizance and this Hon'ble Court had granted a stay. God only knows how the ATC tower came to be built in a 'Public place'. An autorickshaw with small quantity of explosives is good enough to get that tower down. Mumbai during peak hours will have about 40 aircrafts circling it and there will not be a Plan B. Airports always have a Plan B if the tower catches fire and such eventualities, but with the tower down you will not have people to do it and all flights in air will be left to fetch for themselves.

My experience in Air safety was only after I started studying it after the Mangalore Air crash in 2010, but as to my experience in Security, I interned with United Nations Interregional Crime and Justice Research Institute in Italy, which is in charge of 'Security during Major events'.

The reason why I am writing to you is also because under the Montreal Convention, the residence of Passenger also gets the Jurisdiction and in the event of any aircrash that kills a foreign citizen, a foreign Court may also be seized of the matter. The Indian Judiciary cannot be seen to be ineffective in a world stage and whether the executive acts on the orders of this Hon'ble Court or not, I believe that this Hon'ble Court should atleast compel the executive to act on its orders.

I truly hope that my fears don't come true, but in case it does, it would be catastrophic and disastrous for the City of Mumbai. I hope your Lordship will take note of this and take whatever appropriate action that can be taken within the powers at your disposal.

Thanking you,

Yours Faithfully,

Yeshwanth Shenoy

-TRUE COPY -
Yeshwanth Shenoy

Exhibit - II

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BY SPEED POST

4 July 2016

To,

Shri. Devendra Fadnavis
Chief Minister of Maharashtra,
Mantralaya, Mumbai.

Dear Shri.Fadnavis,

Sub: Threat to the lives of the residents of Mumbai and Aviation Safety

I am an advocate who happened to take the Mangalore Air Crash seriously and researched more on the subject of Air Safety. From whatever research I have done, I believe that Mumbai is the city that carries the maximum risk both in terms of Air Safety and Air Security. I have already written to the Municipal Commissioner, MCGM and the NDRF to have a contingency plan ready for Mumbai. Please do not be under a belief that I am overreacting, but I am saying so on the basis of my thorough analysis on the subject matter.

I filed PIL 86 / 2014 in the Hon'ble High Court of Bombay way back in 2014 and though the Hon'ble Court is doing its work, the Executive have not implemented the orders. The Hon'ble High Court of Bombay had by its order dated 30 October 2015 appointed a committee headed by a Retired High Court Judge to look into to the issues.

In short, there are too many obstacles in the Air Space over Mumbai caused by corruption and collusion between AAI, DGCA, MCGM, SRA and real estate developers. While you would have heard about all sorts of encroachments in Mumbai, I am informing you about this 'Encroachment in Air Space' which threatens Air Safety. The monsoons and the winter simply multiplies the threat because of climatic conditions and poor visibility. What is worse is that the Airport Authority or the DGCA has not even informed the 'pilots' through AIP's (Airport Information Publications) about the obstacles and the obstacle map published is outdated which adds further to the already serious situation as the pilots flying into or out of Mumbai are unaware of the Obstacles and cannot plan a proper ascent or decent. While informing the Commissioner of Police, I explained it in a language known to the Police as

~~Public place~~ - 35

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'time bombs in the sky without a timer being set'. It could explode anytime. An Aircrash into a city like Mumbai will cause a far higher number of ground casualties owing to the density of population around the airport. If my fears come true, Bhopal and Chernobyl will look like small dots in the history of accidents.

In the 20 km radius of the Airport, I am absolutely sure that there would not be less than 3000 obstacles atleast. I would like to point out to you that on 26 April 1993, Indian Airlines flight 491 crashed near Aurangabad Airport after it impacted a truck which was passing by and here I am speaking of buildings much taller than trucks. Unlike Aurangabad, Mumbai has no fields around the airport for the pilots to crash land. If an aircraft impacts any of these obstacles (buildings), please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each seat would act as a catalyst and it will be extremely difficult to fight the fire. In a city like Mumbai, such a scenario will be catastrophic.

I am sure, the 'intellegentia' of the AAI will be showing you designs of the Juhu runway extended to the sea to make it a San Fransisco, but please do not fall into it because it happens only when there are parallel runways and the alignment of Juhu and CSIA runways aren't parallel. Technically, it is an impossibility and the only thing that is achieved by the AAI is to waste the Government money with Consultants. Then comes the dream project of Navi Mumbai Airport and I must tell you, that the situation there is even worse. There the buildings will be on 'approach' paths. This reflects our poor planning. However, as of now what concerns me is safety and that is why I am writing to you as well as other constitutional heads of the State. I have moved every authority like the Police, Magistrate and even the collector, that could take preventive steps but all of us are either sitting over the information or probably making a note and sending it down the system.

In addition to this issue of Air Safety, Mumbai should worry about security for we have had more blasts in our city than any other place in the world with the exception of Pakistan (Afganistan and Iraq being war zones is not counted). The Parking lot of the Airport is not even approved by BCAS (Bureau of Civil Aviation Security) and with Brussels and Istanbul, it should ring a bell in our Security set up and we need to take Airport security a lot more seriously.

God only knows how the ATC tower came to be built in a 'Public place'. An autorickshaw with small quantity of explosives is good enough to get that tower down. Mumbai during peak hours will have about 40 aircrafts circling it and there will not be a Plan B. Airports

always have a Plan B if the tower catches fire and such eventualities, but if the tower is blown down you will not have people to do it and all flights in air will be left to fetch for themselves.

My experience in Air safety was only after I started studying it after the Mangalore Air crash in 2010, but as to my experience in Security, I interned with United Nations Interregional Crime and Justice Research Institute in Italy, which is in charge of 'Security during Major events'.

Please note that this letter is addressed to all those officials named below and it is to bring the attention of people, who could make a difference, to tackle the issues. This is also to save time on unnecessary file noting and to avoid the pushing of the file down for the next junior officer to take responsibility of the issue. This requires tough decisions from your office and I hope you take those decisions in the interest of the Residents of Mumbai.

I truly hope that my fears don't come true, but in case it does, it would be catastrophic and disastrous for the City of Mumbai. I would be more than happy to spare my time to make a presentation for you and others, in case you want to understand it better. Please feel free to make a call, if necessary.

Thanking you,

Yours Faithfully,

Yeshwanth Shenoy

Copy to:

- 1) The Chairman, Maharashtra Vidhan Parishad
- 2) The Opposition Leader, Maharashtra Vidhan Parishad
- 3) The Speaker, Maharashtra Vidhan Sabha
- 4) The Opposition Leader, Maharashtra Vidhan Sabha
- 5) The Home Minister, Maharashtra (No separate letter written as the CM holds the portfolio)

→ TRUE COPY -
yeshwanth

Exhibit - J

28 67

Yeshwanth Shenoy
Advocate

"Priyadarshini"
Veekshnam Road,
Ernakulam - 682018

+91 - 99676 42195
yshenoy@gmail.com

BY SPEED POST

4 July 2016

To,

1. Dr. Aswini Joshi,
District Collector,
Mumbai City Collectorate,
Old Custom House,
Fort, Mumbai - 400001.
2. Shri Deependra Singh Kushwah
District Collector, Mumbai Suburban district,
10th Floor, Administrative Building,
Near Chetna College, Government Colony,
Bandra (E), Mumbai-400 051

Dear Dr. Joshi / Shri. Kushwah,

Sub: Threat to the lives of the residents of Mumbai and Aviation Safety and exercise of power under Cr.P.C to remove 'Public Nuisance'.

I am an advocate who happened to take the Mangalore Air Crash seriously and researched extensively on the subject of Air Safety. From whatever research I have done, I believe that Mumbai is the city that carries the maximum risk both in terms of Air Safety and Air Security. I have already written to the Municipal Commissioner (MCGM) and the NDRF to have a contingency plan ready for Mumbai. I have also brought the attention to the subject matter by writing letters to the Governor, Chief Justice, Chief Minister, Commissioner of Police and many others. Please do not be under a belief that I am overreacting, as my fears are based on a thorough analysis of the data on the subject matter.

In short, the problem is the 'encroachment of Air space'. When Air Space is encroached, the most natural consequence is the threat of an aircraft impacting a building. The height of buildings around an airport is highly regulated and there are strict international standards adopted by Domestic Laws. In the 20 km radius of the Airport, I am absolutely sure that there would not be less than 3000 obstacles at least. The monsoons and the winter seasons simply multiplies the threat because of climatic conditions and poor visibility. While informing the Commissioner of Police, I even tried to explain this in a language known to them which is nothing but 'time bombs in the sky without a timer being set'. It could explode anytime. An Aircrash into a city like Mumbai will cause a far higher number of ground casualties owing to the density of population around the airport. If my fears come true, Bhopal and Chernobyl will look like dots in the history of accidents.

I bring your attention to the Indian Airlines flight 491 crash on 26 April 1993 near Aurangabad Airport after it impacted a truck which was passing by and here I am speaking of buildings much taller than trucks. If an aircraft impacts any of these obstacles (buildings), please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each

seat would act as a catalyst and therefore the consequences would be catastrophic for the city of Mumbai and the damages will be far more than what was caused by all the bomb blasts and riots the city has seen put together.

These Encroachments are a 'Public Nuisance' and I hope you will use your powers under Chapter X of the Criminal Procedure Code and ensure these obstacles are removed. The correct information on the encroachers is available with the Mumbai International Airport Limited (the Aerodrome operator) and notice may be issued to MIAL seeking information so that appropriate action against encroachers can be taken.

In addition to this, since the Collectors will also be in charge of overall relief work in case of disasters, I would request you to check with the Municipal commissioner on the availability of 'burns wards in the municipal hospitals' and also the ability of the Fire Services to deal with the specialised requirement of fighting fire caused by Aviation Fuel. A contingency plan prepared at your level will also go a great distance in mitigating and managing the disasters that I am warning about.

I truly hope that my fears don't come true, but in case it does, it would be catastrophic and disastrous for the City of Mumbai and a contingency plan prepared to face such eventualities would make the difference to the scale of disaster. However, I hope that your timely action under Chapter X of the Cr.P.C would be faster and efficient in not just mitigating but in prevention of such dangerous scenarios.

Thanking you,

Yours Faithfully,

← TRUE COPY -
Yeshwanth

Yeshwanth Shenoy

Exhibit - K

69

Yeshwanth Shenoy
Advocate

"Priyadarshini"
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BY SPEED POST

7 July 2016

To,

Shri.O.P.Singh,
Director General,
Directorate General, NDRF
B Block, 9th Floor, Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

Dear Shri.Singh,

Sub: Threat to the lives of the residents of Mumbai due to lax Aviation Safety & Security

I am an advocate who happened to take the Mangalore Air Crash seriously and researched more on the subject of Air Safety. From whatever research I have done, I believe that Mumbai is the city that carries the maximum risk both in terms of Air Safety and Air Security. I have already written to the Municipal Commissioner of MCGM and the District Collectors to have a contingency plan ready for Mumbai. I have also brought the attention to the subject matter by writing letters to the Governor, Chief Justice, Chief Minister and many others. Please do not be under a belief that I am overreacting, as my fears are based on a thorough analysis of the data on the subject matter.

NDRF has done a stellar job and for this I know that what is required is precise planning. NDRF is used to flood relief and Natural disasters but the reason I am writing to you on this is because the 'problem' you would face in this likely scenario is not something that NDRF would plan for in normal circumstances and this type of disaster requires highly specialised skills and therefore a thorough and proper planning with precise execution would be needed.

I had earlier sent an e-mail dated 23 Dec 2015 but that was written in a hurry. In short, the problem is the 'encroachment of Air space'. When Air Space is encroached, the most natural consequence is the threat of an aircraft impacting a building. The height of buildings around an airport is highly regulated and there are strict international standards adopted by Domestic Laws. Unfortunately, corruption and collusion between Aviation Authorities and Real Estate developers have converted the Mumbai airspace into a 'minefield'. In the 20 km radius of the Airport, I am absolutely sure that there would not be less than 3000 obstacles atleast. I would like to bring your attention to the Indian Airlines flight 491 that crashed you on 26 April 1993, near Aurangabad Airport after it impacted a truck which was passing by and here I am speaking of buildings much taller than trucks. If an aircraft impacts any of these obstacles (buildings), please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each seat would act as a catalyst and therefore the consequences would be catastrophic for the city of Mumbai and the damages will be far more than what was caused by all the bomb blasts and riots the city has seen put together.

From the newspaper reports I gather that Mumbai has not enough 'burns wards' to accommodate patients that need care for 'burns'. In the event of an accident that I am warning about, what is needed is the ability to care for burn victims and the need for such specialised wards. It also needs specialised fire fighting skills (but I guess NDRF cannot be scrambled that quick and the fire force alone will have to do that job). The population around the airport is dense and therefore the scale of an accident cannot be predicted. However, even if a Mangalore type overrun happens in Mumbai, the Ground casualties would be easily a few hundreds and if it is like a 9/11 type impact (not pointing to a terrorist attack but a normal impact by an aircraft) the scale could be a few thousands and it depends on how much fuel the aircraft is carrying and the height of building involved. The Airport security threat has nothing to do with NDRF and therefore, I am not writing on that subject matter.

My experience in Air safety was only after I started studying it after the Mangalore Air crash in 2010, but as to my experience in Security & disaster planning, I interned with United Nations Interregional Crime and Justice Research Institute, Italy which is in charge of 'Security during Major events'.

I truly hope that my fears don't come true, but in case it does, it would be catastrophic and disastrous for the City of Mumbai. What could make the difference in the scale of disaster or the number of victims would be a proper contingency plan made by NDRF.

Thanking you,

Yours Faithfully,

Yeshwanth Shenoy

Copy To: The Commandant, 5th Bn NDRF, Sudumbare Taluka, Dist-Maval, Pune 410507

- TRUE COPY -
Yeshwanth Shenoy

EXHIBIT L

271

Yeshwanth Shenoy
Advocate

"Priyadarshini"
Veekshnam Road,
Ernakulam - 682018

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yshenoy@gmail.com

BY SPEED POST

4 July 2016

To,
The Municipal Commissioner,
Municipal Corporation of Greater Mumbai,
Municipal Head Office, Mahapalika Marg,
Mumbai- 400001.

Dear Mr.Ajoy Mehta,

Sub: Threat to the lives of the residents of Mumbai and Aviation Safety

I believe that you are aware of my PIL 86 / 2014 in which MCGM is a party and by order dated 30 October 2015 of the Hon'ble High Court, your representative (not below the rank of Jt.Commissioner) would be a part of the Committee as and when it is formed.

However, the reason I am writing to you now, is to inform you of the gravity of the situation, so that you can have a contingency plan ready in case my fears come true. There are too many buildings which are an obstruction to Air Safety (which in a language you understand would mean "Encroachment of Air Space"). The worse is that the Airport Authorities or the Air Regulator have not taken appropriate steps to inform the pilots because of which the situation aggravates and the threat of an aircraft impacting such obstruction is realistic. Assuming that happens, please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each seat would act as a catalyst and it will be extremely difficult to fight the fire. In a city like Mumbai, such a scenario will be catastrophic.

I am also writing to the NDRF so that they also prepare a contingency plan but since you will be in overall control of civic hospitals and fire department, I am requesting you to take appropriate steps.

Please note that MCGM has written letters for many developers 'justifying heights' for the purpose of AAI clearance and in many cases also tampered with Site Elevation reports. If you so please, you may constitute a team to inquire into who is responsible for the same. I would like to inform you that 'air accidents' allows the passengers to invoke the Jurisdiction of his

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residency and therefore please be aware that in case any foreign citizen is injured or dies, even your name could be dragged into criminal proceedings in a foreign country.

Other than Air Safety issues, there is also Security issues created by the parking lot at the CSIA airport and also the ATC tower for which I am writing a separate letter to the Home Department. After the Brussels and Istanbul attacks, Mumbai is a sitting duck and your contingency plans could be of great help even in case of such attacks.

My experience in Air safety was only after I started studying it after the Mangalore Air crash in 2010, but as to my experience in Security, I interned with United Nations Interregional Crime and Justice Research Institute, Italy which is in charge of 'Security during Major events'.

I truly hope that my fears don't come true, but in case it does, mitigation of the consequences will squarely depend on the contingency plans.

Thanking you,

Yours Faithfully,

Yeshwanth Shenoy

→ TRU ← COPY -
yeshwanth

EXHIBIT - M

73

भारतीय विमानपत्तन प्राधिकरण
पश्चिमी क्षेत्र मुख्यालय

52002/ARI/SEC(Insp-Reg 1)/14(M)/407

To
The C.O.O.,
MUMBAI INTERNATIONAL AIRPORT LTD.
Mumbai - 400 099.



Sub:- Security arrangements at new ATC Tower.

Sir,

An inspection of new ATC Tower was carried out on 10/10/2014 and following observations were made.

- (i) ATC Complex is separated by boundary wall from Car Park with safe distance of only 10-15 mtrs from all around.
 - (ii) On three sides vehicles are parked next to the boundary wall.
 - (iii) At the entry gate, too many two wheelers are parked.
2. As per BCAS norms, "Parking area should be 100m away from terminal building wherever airport outlay so allows."
 3. ATC Tower is a vital installation providing Air Traffic Services to CS: Airport. Therefore, the security and safety of ATC Tower is of prime concern. In the present surcharged scenario in and around country, aviation sector in particular, there is need to further strengthen the security arrangements at airports and their vital installations. Hence, the Govt. directives on security matters of airports needs to be followed in letter and spirit.
 4. In the present conditions the new ATC tower located in the car park area of Domestic terminal can be easily targeted by planting explosives in vehicles parked in the car park by subversive forces.
 5. In view of above, MIAL is requested to provide minimum distance from Car Park to new ATC tower as per BCAS norms to avoid any security related eventuality.



Your faithfully,

[Signature]

(Capt.S.K.Malik)

General Manager(Security)

Regional Chief Security Officer:(WR)

c.c.to:

Sr.RDCOS, BCAS,Mumbai, Mumbai-99, for information and necessary action, please

Commissioner of Police, Police Hqrs., Fort, Mumbai-400 001, for information please.

REG(WR) for information please.

True copy



18 November 2014

Ref No: MIAL/SC/REC/829

**Capt. S.K. Malik
Jt. General Manager (Security)
ATS complex
Near Sahar Cargo
Sutar Pakadi Road
Sahar, Mumbai-400 099**

Dear Sir,

Subject: Security arrangements at new ATC tower

Please refer your letter No. 52002/ARI/SEC(Insp-REP)/14(M)/407/238-40 dated 03 November 2014 on above cited subject.

Point wise reply for security arrangement at new ATC tower is mentioned below;

1(i) ATC complex is separated by boundary wall from car park with safe distance of only 10-15 mtrs from all around.

The master plan of CSI airport, Mumbai includes new ATC tower wherein car park around ATC tower will be relocated in due course.

1(ii) On three sides vehicles are parked next to the boundary wall.

The master plan of CSI airport, Mumbai includes new ATC tower wherein car park around ATC tower will be relocated in due course.

1(iii) At the entry gate, too many two wheelers are parked.

MIAL has not allotted any two wheeler parking in front of ATC tower.

2. As per BCAS norms, 'Parking area should be 100 mtrs away from terminal building wherever airport outlay so allows.'

Terminal buildings at CSI airport, Mumbai are 100 mtrs away from car park wherever airport outlay so allows.

3. ATC tower is a vital installation providing Air Traffic Services to CSI airport. Therefore, the security and safety of ATC Tower is of prime concern. In the present surcharged scenario in and around country, aviation sector in particular, there is need to further strengthen the security arrangement at airports and their vital installations. Hence, the Govt. directives on security matters of airports need to be followed in letter and spirit.

All the government directives on security matters of airport are being followed at CSI airport, Mumbai.

Mumbai International Airport Pvt Ltd
Chhatrapati Shivaji International Airport
1st Floor, Terminal 1B, Santacruz (E), Mumbai 400 095, India
T +91 22 6685 0900 / 6686 0901 F +91 22 6685 2039
www.csia.in
CIN : U45200MH2006PTC160164



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4. In the present conditions the new ATC tower located in the car park area of domestic terminal can be easily targeted by planting explosives in vehicles parked in the car park by subversive forces.

All the cars coming towards car park has to pass through CISF check post. While entering into the car park, the vehicles are randomly checked by private security guard. CTCP of CSI airport, Mumbai also covers the deployment of CISF for surveillance and vigilance in and around car park and approach area of the airport.

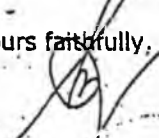
In addition to this, bomb blast effect mitigation plan was prepared by a technical team for new ATC tower. As per mitigation plan, unique reinforced cement concrete (RCC) compound wall (blast mitigation) with height of 3400 mm from 0.00 mm level & thickness of 350 mm has been constructed to cater car bomb blast from outside boundary of ATC tower.

5. In the view of above, MIAL is requested to provide minimum distance from car park to new ATC tower as per BCAS norms to avoid any security related eventuality.

The master plan of CSI airport, Mumbai includes new ATC tower wherein car park around ATC tower will be relocated in due course. However, it is requested to share the BCAS norms.

Thanking you,

Yours faithfully,


Zon Edamuttath
 ICAO - AVSEC PM
 General Manager & Head Security

Copy To:

1. Sr. RDCOS, BCAS, WR
2. Commissioner of Police, Police HQ, Fort
3. RED (WR)



Mumbai International Airport Pvt Ltd
 Chhatrapati Shivaji International Airport
 1st Floor, Terminal 1B, Santacruz (E), Mumbai 400 099, India

T +91 22 6685 0900 / 6686 0901 F +91 22 6685 2000
 www.csia.in

CIN : U45200MH2006PTC160164

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 KSK

भारतीय विमानपत्तन प्राधिकरण
पश्चिमी क्षेत्र मुख्यालय



AIRPORTS AUTHORITY OF INDIA
WESTERN REGION HQRS.

No. S2002/ARI/SEC (Insp-REP)/14(M)/407 436

27.11.2014

The COO
M/s MIAL
CSI Airport
Mumbai

Sub.: Security arrangements at new ATC tower at CSI Airport, Mumbai

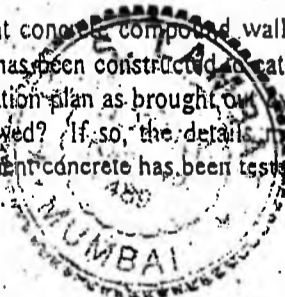
Sir,

Please refer to your office letter No. MIAL/SC/REC/829 dated 18.11.2014 on the above noted subject.

2. The reply furnished by you seems to be casual and not satisfactory. As you are aware that civil aviation operations are to be carried out in a secure and safe environment without any adhoc arrangements as being done in the present case i.e. ATC Complex is separated by boundary wall from car park with safe distance of only 10-15 mtrs from all around. Till the time, car park is relocated proper security arrangements are to be put in place by Airport Operator and it cannot wait for master plan to get complete and implemented on ground.

3. As per BCAS norms, parking area should be 100 mtrs away from terminal building wherever airport outlay so allows. The same principle applies for vital installations as well. ATC being a vital installation cannot be left ignored for want of proper security arrangements. The provisions brought out in your letter does not speak anything about explosive detection system deployed at the car park surrounding ATC tower from three sides and by a approach road on one side. The CISF check post is not provided with any kind of explosive detection system at car parking of domestic terminal at CSI airport. Therefore, leaving new ATC tower vulnerable to the vehicles parked in the car park of domestic terminal. Further, the management of entire car park including the entrance and surroundings of new ATC tower is the responsibility of M/s MIAL and it cannot be dissolved by just making a statement that MIAL has not allotted any two wheeler parking in front of ATC tower.

4. It has been brought out that a unique reinforced cement concrete compound wall with height of 3400 mm from 0 mm level and thickness of 350 mm has been constructed to cater car bomb blast from outside boundary of ATC tower. In the mitigation plan as brought out by you, has any standards to reduce the bomb blast effect been followed? If so, the details may be furnished. Also confirm whether the said unique reinforced cement concrete has been tested and certified by any Govt. agency? If so the details may be furnished.



क्षेत्रीय कार्यवाहक निदेशक का कार्यालय, पारसीबाड़ा के सामने, सहार रोड, विलेपार्ले (पूर्व), मुंबई - 400 099.
Office of the Regional Executive Director, Opp Parsiwada Sahar Road, Vile Parel (E), Mumbai - 400 099.

T 91-22-29717400

द.टी.एस. कॉम्प्लेक्स, सहार बागों के पास, सुतार पखाडी रोड, सहार, मुंबई - 400 099.
ATS Complex, Near Sahar Cargo, Sutar Pakhadi Road, Sahar, Mumbai - 400 099.

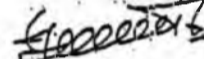
T 91-22 26619300

True Copy
[Signature]

5. Keeping in view of above and the surcharged security scenario in and around the country particularly Mumbai which has history of terrorist attacks, you are once requested to comply with the security measures required for vital installations particularly new ATC tower at CSI airport Mumbai.

A line of confirmation in this regard may be sent at the earliest.

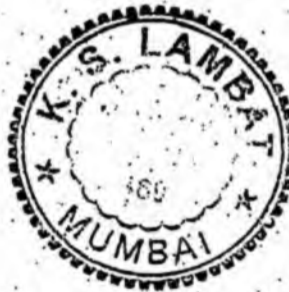
Yours faithfully,



(Capt. S.K. Malik)
Jt. General Manager (Security)
Regional Chief Security Officer, WR

Copy for information and necessary action to :

1. Sr. RDCOS, BCAS, WR
2. Commissioner of Police, Police Hqs. Fort, Mumbai.
3. Member (ANS), AAI, RG Bhawan, New Delhi
4. Director (Security), AAI Hqs. RG Bhawan, New Delhi
5. RED, WR, AAI, Mumbai



Trans copy
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RESTRICTED

To
The Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, I-III Floor,
Janpath Bhavan,
Janpath, New Delhi - 01

Subject: Security Clearance for New Integrated Terminal (T-2) at CSI Airport Mumbai - Multilevel Car Park.

Sir,

Vide BCAS letter dated 12.06.2012 and 18.02.2013 regarding security vetting of Terminal-2 CSI airport, Mumbai, it was conveyed to MIAL that the distance/space between new integrated terminal building arrival exit and car park should not be covered and the distance of open space of 100 mtrs to be maintained between terminal building and car park.

2. Thereafter, BCAS has accorded security clearance vide letter dated 24/12/2013 to the New Terminal Building subject to the compliance of certain observations. However, MLCP was not accorded approval due to certain shortcomings.

3. The Committee under the Chairmanship of Shri R.N. Dhoke, Addl. Commissioner of Security was constituted vide O.M dated 20/01/2014 to carry out the security vetting of MLCP and In-line Hold Baggage Screening System.

4. The terms of reference of the Committee were:

- i) The Committee will examine whether any explosion in the car park can affect the terminal building and passengers and visitors both in the enclosed space and also under the roof overhang which is not covered (Arrival Plaza) and whether there is any possibility that there would be damage to the roof overhang which can cause harm to persons under it and also examine MIAL's averment that such eventualities have been taken care of. MIAL needs to give an undertaking that there will be no temporary or permanent construction or commercial activity in the Arrival Plaza.
- ii) The Committee will also examine the In-line Baggage System compliance.

5. The following Committee Members visited NITB (T2) of CSI Airport on 31 January 2014:-

S. No.	Name	Designation	Agency
1	Shri R.N. Dhoke	Addl. COS(CA)	BCAS-HQ
2	Shri B.S. Tiwary	Sr. RDCOS(CA)	BCAS-WR
3	Shri Sharath Srinivas	RDCOS(CA)	BCAS-Chennai
4	Shri Sudhir Kumar	Dy. Comdt.	CISF
5	Ms. Maya Chakravartty	Asst. Director	IB, MHA



6	Shri Balasaheb Jadhav	Police Inspector	State Police
7	Shri Zon Edamuttath	AGM-Security	MIAL

5.1 During the presentation before the Committee, MIAL stated that MLCP had been constructed at T-2 having 09 floors with the capacity of 5000 parking bays. In the Phase-I, up to 05 years, MIAL will be utilizing 05 levels of car parking (level 4, 5, 6, 8 & 9) by utilizing 2156 parking bays; and in phase-II, additional capacity utilization with 2844 parking bays will be made available at level 1, 2, 3 & 7, if demand persists.

5.2 MIAL further stated that the distance from entry gates at departure level of T-2 to MLCP is 128 mtr; and entry gates to arrival hall upto MLCP is 102 mts. Next to the arrival hall there is Meeters' Greeters' area that constitute about 6430 sq mtr air-conditioned space with the length of 52 mtr. It is fully roofed and entry will be restricted through tickets along with security measures as per AVSEC Order No. 18/2011. Next to it there is arrival plaza which is roofed but open from three sides and entry of public will not be restricted to this area.

5.3 MIAL undertakes that there will be no temporary or permanent construction nor commercial activities in the meet and greet area and arrival plaza except most essential services/facility.

6. In addition to the above presentation by MIAL, a presentation was also made by Col Deepankar of the Mahindra SSG before the Committee regarding the Blast Safety Study carried out for the MLCP by them and the scope of the study was to study and analyze the Vehicle Borne Improvised Explosive Devices (VBIEDs) blast effects in and around the MLCP and its impact on the Terminal -2. Though Mahindra SSG had shared their findings in the meeting but their final report is not yet ready.

6.1 Major Findings by Mahindra SSG of the VBIED Blast Analysis

- (a) MLCP is NOT an enclosed area as it has adequate vents for release of blast overpressures and gas so generated.
- (b) Entry of VBIED or explosives is possible through the Multi-level car park if adequate controls are not in place.
- (c) Thus likely weight of explosive in a single vehicle would be in the range of 60-250 Kgs, as greater weights are likely to be detected by security agencies. Lesser weight for small car and larger for SUVs etc.
- (d) The max damage to the nearest components ie floor RCC components is limited to major damage and puncturing and localized failure (deflection, scabbing and shattering of concrete) for explosives up to 60 Kgs.
- (e) For Glass, at 50 m away from the blast (even if the VBIED detonates even at the start of the MLCP), it is safe for explosive upto 300 Kgs, ie, it may shatter and remain in the frame.
- (f) Below this distance, the glass will shatter and fly depending upon the quantity of the explosive and the stand-off (distance).
- (g) Above 60 Kgs, Drag and Gas overpressures will be adding to the overpressures. In such cases, there will be extensive damage to all the services, ie HVAC ducts,



other suspended fittings inside the internal arrival lobby. The glass wall will also break at this overpressure.

- (h) The predominant damaging pressure in case of any VBIED in the arrival area will be the blast reflected overpressures for the quantity of explosives discussed earlier.
- (i) Drag and Gas overpressures will be very less due to the large volume of space and sufficient openings available for explosives upto 300 Kg in the MLCP.
- (j) Due to various structural components and parked vehicles, there is likely to be significant screening of the blast overpressures.
- (k) Due to the screening, for the VBIED blast in the MLCP, there is not damage expected in the roof overhang over the departure bay.
- (l) The damage to the humans are as discussed in the paras elsewhere.

6.2 Conclusion drawn by Mahindra SSG

Arrival area and MLCP has sufficient vents to handle explosives blasts by VBIED up to 300 Kgs. Beyond this quantity, it will have devastating effects due serious damage to the floor and roof slab, arrival area glass wall and complete interiors in the lobby, services and guests of the T2. The arrival area is comparatively safe for explosive up to 250 Kgs, beyond which there is likely damage to the soft targets by flying objects. The glass wall can handle pressures from VBIEDs of 600 Kgs explosive. However in all VBIED cases, there will be extensive damage to the ground-zero and to all the parked vehicles around due to the massive over-pressures in a radius of around 20-25m. There will be localized fire due to presence of petrol and diesel in the vehicles. Adequate control measures need to be put in place in terms of baggage and vehicle boot checking by various means. There is a need to ensure that VBIEDs are prevented from reaching within 3-4m from critical structural components of the MLCP or the Departure Area. This is to prevent progressive failure of the structure which will have proportionally very high casualties as compared to a normal VBIED placed in non-critical area.

7. Security measures planned at MLCP by MIAL:

- i) CISF Morcha for protection and surveillance at the entrance.
- ii) O8 under vehicle scanners at centralized pay stations.
- iii) In case of specific threats/ alerts physical check of vehicles will be conducted.
- iv) Cameras capturing the flow of specific vehicle entering the MLCP through particular lane.
- v) Boom barriers at all entry/ exit lanes.

8. Additional security measures recommended by Committee:

- vi) Explosive vapour detection check on random basis at entry point.
- vii) The capture of photograph of driver and number plate of each vehicle with camera and CCTV coverage upto 100 mtr from the entry point.



- viii) Vehicle permit for car park for the airport staff.
- ix) Random use of dog squad by CISF.
- x) Patrol in the car park area by private security agency under the supervision of CISF.
- xi) Regular input to be obtained from local police regarding threat perception.
- xii) The entry gate to the MLCP by passengers using auto-rickshaw, buses etc. to be covered with the deployment of CISF Naka.

9. Recommendations by the Committee for securing the Meeters' and Greeters' area at arrival level:

- 9.1 CCTV coverage of the whole area;
- 9.2 No commercial activity will be carried out in this area;
- 9.3 Restricted access with Id proof; and
- 9.4 No hand carried items, except ladies purse, to be allowed;

10. Recommendation for security of arrival plaza :

- 10.1 CCTV coverage of the whole area;
- 10.2 No commercial activity will be carried out in this area; and
- 10.3 Manual surveillance by CISF/ASG.

11. Observations of Shri Sharath Srinivas, RDCOS, Chennai as Subject Matter Expert:

After going through the presentation given by MIAL and Mahindra SSG to the committee on the subject and physical examination of the terminal building and MLCP, the SME's observations are as follows:

- a) Whereas earlier ICAO guidelines laid down the minimum distance of Car Parking as 50m from the terminal building, latest BCAS guidelines on the subject specify the distance as minimum 100m. The latest ICAO guidelines given in Doc 8973 do not specify any distance but say the car parking should be as far away from the terminal building as possible. To that extent, the MLCP at MIAL satisfies the conditions as it is not possible to construct the same at a further distance due to space constraints.
- b) The study conducted by Mahindra SSG on blast threat and mitigation seems to be focussed on the concept of only up to 250-300 Kg of plastic explosives being used in a VBIED and the blast effects of the same thereof. The possibility of a larger quantity and higher quality of explosives strategically placed and packaged to cause more extensive damage to life and property cannot be ruled out. The blast pressure effect would be considerably lower in the open area covered by canopy but the fragmentation effect would be devastating. The possibility of the entire structure of the MLCP being brought down can also not be ruled out in addition to the secondary effects like fire and panic.



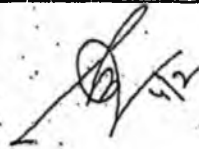
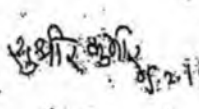

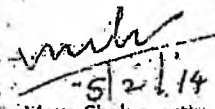
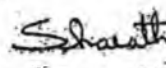
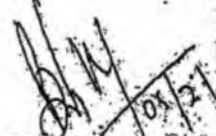
- c) The above is also applicable to any type of explosive threat inside the terminal building also. In addition to the preventive measures suggested by the Committee, it is essential to ensure that the Bomb Threat Drill for the new terminal is prepared meticulously to cater to the command and control problem posed by the large spaces and restricted openings and exits. Entire staff has to be well-trained in the procedures and regular patrolling of public areas should be carried out in addition to constant monitoring of the CCTV coverage of vulnerable areas like toilets and commercial establishments including the museum, restaurants and lounges.
- d) It is recommended that the MLCP at MIAL may be accorded security clearance subject to compliance of the observations of the committee.

12. Recommendations by the Committee:

12.1 It is recommended that MLCP may be made operational after compliance of observations/recommendations of the Committee and the opinion given by subject matter expert.


12.2 As regards In-line Hold Baggage Screening System, the CTX machine has been placed in standalone mode. Hence, approval for In-line operation may be considered.

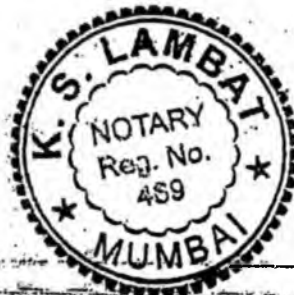
Signature of Committee Members

 Shri Zon Edamuttath, AGM-Security, MIAL	 Shri Sudhir Kumar, Dy. Comdt., CISF	 Shri Balasaheb Jadhav, Police Inspector, State Police, Mumbai
 Ms. Maya Chakravartty, Asst. Director, IB, MHA	 Shri Sivarath Srinivas, RDCOS(CA), BCAS- Chennai	 Shri B.S. Tiwary, Sr. DCOS RDCOS(CA), BCAS-WR

Shri R.N. Dhoke,
Addl. Commissioner of Security(CA),
BCAS-HQ, New Delhi.

TRUE COPY


 Partner
 Chandy & Co.
 Advocates & Notaries
 No. 123, Mahatma Gandhi Road,
 Fort, Mumbai - 400 023.



RESTRICTED

To
The Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, I-III Floor,
Janpath Bhavan,
Janpath, New Delhi - 01

Ref: CAS(M)-2014-New T2/ 5634, dated 11.07.2014

Sub: **Security Clearance for New Integrated Terminal (T-2) at CSI Airport Mumbai -
Multilevel Car Park**

Sir,

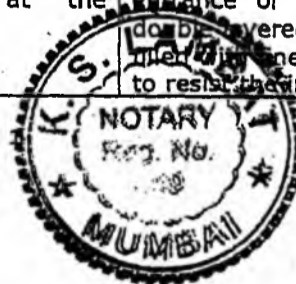
1. The committee under the Chairmanship of Shri. R N Dhoke, IPS, ACOS (CA) was constituted vide letter no. CAS-6 (18) /2009/Div. I, dated 08/07/2014 to verify the compliance check of MLCP.
2. The terms of reference of the committee was to verify the compliance of recommendations/ observations of the previous committee Chaired by Shri R N Dhoke, IPS, ACOS (CA) on 31 January 2014, including additional security measures mentioned in the committee report and to furnish the verification report with specific views/ comments for further necessary action.
3. The following committee members attended the meeting at Joint Control Centre conference room at New Terminal 2 of CSI Airport, Mumbai on 11 July 2014 at 1100 hrs:-

S No	Name	Designation	Agency
1	Shri R.N. Dhoke	Addl. COS(CA)	BCAS-HQ
2	Shri B.S. Tiwary	Sr. RDCOS(CA)	BCAS-WR
3	Dr. Prataprao Dighavkar	DCP - Traffic	Mumbai Police
4	Shri Anup Kumar	Dy. Commandant	CISF
5	Smt. Maya Chakravartty	AD/BOI	IB, MHA
6	Shri Ram V Pote	PI - Sahar	Mumbai Police
7	Shri Zon Edamuttath	AGM-Security	MIAL

4. **Compliance status on previous committee observations/ recommendations:-**

The committee visited level 2 meeters greeters area and arrival plaza, auto/ bus drop off point, all levels of MLCP and security operational control centre.

Previous Committee recommendation para	Observation	Status
7	Security measures planned at MLCP by MIAL	
(i)	CISF Morcha for protection and surveillance at the entrance	Two morchas are installed at the entrance of MLCP. It is built with double covered 08 mm steel structure filled with fine sand which is sufficient to resist the impact of bullet. 01 CISF



		<p>constable is deployed round the clock with AK 47 rifle and supervised by duty Inspector.</p> <p>CISF should ensure that the manpower deployed here should be fully equipped with bullet proof jacket, BP helmet, communication equipment, etc.</p> <p>It has been complied with.</p>
(ii)	08 under-vehicle scanners at centralized pay stations	<p>08 under-vehicle scanners are installed and made operational and are being monitored by private security agency M/s Secure One engaged by MIAL.</p> <p>The agency is registered with Commissioner of Police Navi Mumbai in the name Mr. Vaibhav More vide letter no. 151/2012, dated 13.06.2012 valid up to 12.06.2017.</p> <p>Staff details - 04 Area Managers, 08 Supervisors and 64 Guards.</p> <p>It is suggested that the staff deployed by the security agency should be police verified.</p> <p>It has been complied with.</p>
(iii)	In case of specific threats/alerts physical search of vehicles will be conducted	<p>Physical search of vehicles is carried out on random basis by security agency M/s Secure One. The average number of physical checks carried out was found to be 130 vehicles per day out of 2300 no. of vehicles approaching MLCP.</p> <p>It has been complied with.</p>
(iv)	Camera capturing the flow of specific vehicle entering the MLCP through particular lane	<p>02 dedicated fixed CCTV cameras are installed as per BCAS specifications for recording vehicle registration number and driver's face at the entrance of MLCP and CCTV recording is stored for 30 days.</p> <p>It has been complied with.</p>
(v)	Boom barriers at all entry/exit gates	<p>08 nos. of boom barriers are installed at entry/ exit gates and the same are integrated with pay stations.</p> <p>It has been complied with.</p>
(v)a	CCTV Details	<p>MLCP - 299 cameras.</p> <p>Online as on 11.07.2014 - 291 cameras</p> <p>L1 - 45, L2-38, L3-36, L4-27, L5-23, L6-39, L7-22, L8-24, L9-29, Roof-16.</p> <p>The committee observed that the cameras are providing feed in the vehicle passage area only and there is need to readjust/ relocate the cameras for adequate coverage.</p> <p>It is suggested additional cameras may</p>



		also be installed after survey by the local committee. It has been partially complied.
8	Additional security measures recommended by the committee	
(vi)	Explosive vapour detection check on random basis at entry points	02 nos. of explosive vapour detector deployed and checks are carried out on random basis by security agency M/s. Secure One. It has been complied with.
(vii)	The capture of photograph of driver and number plate of each vehicle with camera and CCTV coverage up to 100 m from the entry point.	There are 08 lanes (07 lanes for four wheelers and 01 lane for two wheelers) of entry towards MLCP with dedicated CCTV cameras for number plate recording and photograph of driver for four wheelers and two wheelers. The entry into MLCP is from 02 dedicated roads i.e. elevated and atgrade road which have 24 nos. of cameras covering up to 500 m. Enclosed photographs for reference as Annexure 'A'. It has been complied with.
(viii)	Vehicle permit for car park for the airport staff	Dedicated RFID permit system for airport staff is implemented. It has been complied with.
(ix)	Random use of dog squad by CISF.	Random use of dog squad is being carried out by CISF. There are 14 dogs with CISF wherein 06 are dedicated for BDDS and rest 08 are deployed for anti-sabotage including MLCP as per the flight schedule and peak hour operations. It has been complied with.
(x)	Patrol in the car park area by private security agency under the supervision of CISF.	M/s Secure One private security agency is carrying out patrolling under the supervision of CISF. MLCP is consisting of 09 floors from P1 to P9 out of which 05 floors are presently operational wherein each floor has 02 security staff deployed for surveillance along with CISF round the clock. It has been complied with.
(xi)	Regular input to be obtained from local police regarding threat perception.	It is being obtained regularly. However, the committee suggested to have coordination meeting once in two months, chaired by RDCOS BCAS along with representative of Mumbai Police Special Branch - I, ATS, IB, CISF and MIAL to review the risk assessment. It has been complied with.



	(xii) The entry gate to the MLCP by passenger using auto-rickshaw, buses etc. to be covered with the deployment of CISF Naka.	One unarmed CISF constable and one private security have been deployed at this point round the clock. The committee observed that deployment of CISF manpower is inadequate. It is suggested to deploy total of two armed CISF constables and one morcha to be placed at this location.
9.	Recommendations by the committee for securing the Meeters and Greeters area at arrival level:-	
9.1	CCTV coverage of the whole area	22 nos. (18 fixed & 04 PTZ) CCTV cameras are installed. The committee has physically verified the coverage of this area in SOCC. It has been complied with.
9.2	No commercial activity will be carried out in this area	MIAL has planned to provide essential passenger service like Foreign exchange, ATM, fleet taxi and F&B (details are mentioned in Annexure 'B'). Though access to this area with the help of ID has not been started, the space allocation and outlets are already laid out in this area. It is the violation of committee's recommendation.
9.3	Restricted access with id proof	MIAL has confirmed that the access will be restricted with id proof only.
9.4	No hand carried items, except ladies purse; to be allowed	MIAL has confirmed that AVSEC Order 18/2011 point no. v will be strictly followed and complied.
10	Recommendation for security of arrival plaza:-	
10.1	CCTV coverage of the whole area	13 nos. CCTV cameras installed. The coverage of this area was verified in SOCC. It has been complied with.
10.2	No commercial activity will be carried out in this area	MIAL has opened up F&B and STD/ISD facility (Details are mentioned in Annexure 'B'). It is the violation of committee's recommendation.
10.3	Manual surveillance by CISF/ASG	02 CISF constables have been deployed for surveillance. It has been complied with.



- 5. The representative of MIAL stated that the most essential services like foreign exchange, taxi service, ATM, some F&B outlets are required to meet bare minimum needs of arriving passengers and also to comply with various ASQ requirements to achieve certain service level mandated under OMDA. Those facilities as mentioned in appendix 'B' in the meeters greeters area and arrival plaza are essential requirements of passengers and not a commercial activity.
- 6. From the perusal of above observations it is seen that the compliance has not been done in case of commercial activities at meeters and greeters area, and at arrival plaza. Therefore it is suggested that MIAL should comply with all the observations of the committee before according the security clearance for MLCP.

[Handwritten Signature]
11/17

Shri. Zon Edamuttath
AGM Security, MIAL

[Handwritten Signature]
11.17

Shri. Anup Kumar
Dy. Commandant, CISF

[Handwritten Signature]
11/02/14

Shri. R V Pote, PI
State Police, Mumbai

[Handwritten Signature]
11/21/14

Smt. Maya Chakravartty
Asst Director, BOI

[Handwritten Signature]

Shri. B S Tiwary
Sr. RDCOS (CA), BCAS - WR

[Handwritten Signature]
11.07.14

Shri R N. Dhoke,
Addl. Commissioner of Security (CA),
BCAS-HQ, New Delhi





Ref No: MIAL/Sec/Rec/689

05 September 2014

Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, I to III floor
Janpath Bhavan, Janpath
New Delhi - 110 001

Subject: Security clearance for New Integrated Terminal (T-2) at CSIA, Mumbai - Multi Level Car Parking.

Sir,

With reference to BCAS letter no. CAS-6(18)/2009/Div-I (MIAL Vetting), dated 18 July 2014, the compliance report to observations/recommendations of the committee is as follows:

1) Security measures at MLCP by MIAL

MLCP has 299 cameras. Online as on 11/07/2014 - 291 cameras L1-45, L2-38, L3-36, L4-27, L5-23, L6-39, L7-22, L8-24, L9-29, Roof-16. The Committee observed that the cameras are providing feed in the vehicle passage area of MLCP only and there is need to readjust/ relocate the cameras for adequate coverage. If needed additional cameras may also be installed after survey by the local committee.

Complied. The required cameras of all levels are readjusted with conjunction of CISF. The necessary committee report is enclosed for reference as Annexure 'A'.

2) Additional security measures recommended by the Committee

The entry gate to the MLCP by passenger using auto-rickshaw, buses, etc. to be covered with the deployment of CISF NAKA. One unarmed CISF constable and one private security have been deployed at this point round the clock. The Committee observed that deployment of CISF manpower is inadequate at entry gate to MLCP. It is suggested to deploy total of two armed CISF personnel and one morcha to be placed at this location

Complied. Morcha is placed and CISF to be deployed from 05 SEP 2014. Photograph is enclosed for reference as Annexure 'B'.



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Chhatrapati Shivaji International Airport
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www.csta.in
CIN: L45200MH2006PTC160104

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3) Meeters and Greeters area at arrival level

a. No commercial activity will be carried out in this area. MIAL has planned 11 counters for commercial services like subway, street food of India, etc/ It is violation of Committee's recommendation which are required to be complied with.

The 11 counters are essential services like foreign exchange, taxi services, ATM, and F&B outlets required to meet bare minimum needs of arriving passenger and also to comply with various ASQ requirements to achieve certain service level mandated under OMDA.

Committee member of MIAL clarified about the requirements and specified that they are not a commercial activity in the committee report dated 11 JUL 2014.

These facilities do not entail any extra number of persons to assemble in meeters and greeters area. Hence there is no increased security/safety threat due to those essential facilities.

b. Restricted access with ID proof. MIAL has confirmed that the access will be restricted with ID proof only; and

Complied. Meeters & Greeters are accessing with ID proof only.

c. No hand carried items, except ladies purse, to be allowed. MIAL has confirmed that AVSEC Order 18/2011 point no. v will be strictly followed and complied.

Complied. X-BIS is placed for screening as per AVSEC Order 18/2011.

4) Recommendation for security of arrival plaza

No commercial activity will be carried out in this area. MIAL has opened 8 counters for commercial services like The Chocolate Room, Saptagiri, etc. It is violation of Committee's recommendation which are required to be complied with.

The 08 counters are essential services like STD/PCO counter, Meeters & greeters counter and F&B outlets required to meet bare minimum needs of arriving passenger and also to comply with various ASQ requirements to achieve certain service level mandated under OMDA.

Committee member of MIAL clarified about the requirements and specified that they are not a commercial activity in the committee report dated 11 JUL 2014.



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These facilities do not entail any extra number of persons to assemble in arrival plaza. Hence there is no increased security/safety threat due to those essential facilities.

MIAL has complied with all observations/ recommendations given by the Committee. In this given circumstances approval for MLCP shall be accorded.

Thanking you,

Yours faithfully,

**Zon Edamuttath
ICAO – AVSEC PM
General Manager & Head Security**

Copy to:

- 1. Chief Executive Officer, MIAL.



Mumbai International Airport Pvt Ltd
Chhatrapati Shivaji International Airport
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CIN : U45200MH2006PTC160164



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Committee Report for adequate CCTV coverage of parked vehicle in MLCP at CSI Airport, Mumbai

Dated 02 September 2014

1. This is with reference to BCAS letter no. CAS-6(18)/2009/Div-I (MIAL Vetting), dated - 18 July 2014 regarding security clearance for New Integrated Terminal (T2) at CSI Airport Mumbai - Multi Level Car Parking (copy attached).


2. Point no. 2(i) refer:

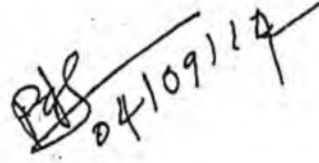
Security measures at MLCP by MIAL

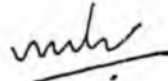
"MLCP has 299 cameras. Online as on 11/07/2014 - 291 cameras L1-45, L2-38, L3-36, L4-27, L5-23, L6-39, L7-22, L8-24, L9-29, Roof-16. The Committee observed that the cameras are providing feed in the vehicle passage area of MLCP only and there is need to readjust/ relocate the cameras for adequate coverage. If needed additional cameras may also be installed after survey by the local committee".

The required number of 108 CCTV cameras of all levels has been readjusted with conjunction of CISF team. Photographs enclosed for reference.


3. The committee has verified the same and satisfied with the compliance.


Shri. Zon Edamuttath
GM & Head Security, MIAL


Shri. Ram V Pote
PI- Sahar, Mumbai Police


Smt. Maya Chakravartty
AD - BOI, IB - MHA


Shri. Kishore Kumar
Asst. Commandant, CISF


Shri. B S Tiwary
Sr RDCOS (CA), BCAS - WR





TRUE COPY

Partner
Vedra Ghanty & Co.
Advocates, Solicitors & Notaries
N. No. 74/1, Reg.
123, Mahatma G. Road
Fort, Mumbai - 400 023.



F.No.CAS-5(18)/2009/Div.I(MIAL)
Bureau of Civil Aviation Security
Ministry of Civil Aviation
Government of India

'A' Wing, 1st Floor,
Janpath Bhawan, Janpath
New Delhi-110 001

Dated: November 18, 2014

To

Shri R K Jain,
Chief Executive Officer
Mumbai International Airport Ltd.
Mumbai

Sub: Security clearance for New Integrated Terminal (T-2) at CSLA, Mumbai -
Multi Level Car Parking

Your letter No.MEAL/CEO/120 dated 14 November, 2014 may please be referred.

2. It has been directed to verify the compliance of recommendations/observations of the Committee under the chairmanship of Shri R N Dhoke, Additional Commissioner of Security (CA), BCAS, which submitted its report on 06.02.2014. A Committee again verified the compliance of the recommendations of the earlier Committee on the ground and vide its report dated 14.07.2014, noted that some of the observations have not been complied with. Vide our letter of even no. dated 18.07.2014 these observations were communicated.

3. Communications have been received from MIAL dated 05.09.2014 and 14.11.2014 indicating part compliance.

4. It is requested to submit full compliance report before further action can be taken in this regard.

Yours sincerely,

(Signature)
(M T Baig)
Dy.COSCA

Copy to: Shri S V Ramana, Under Secretary, Ministry of Civil Aviation

18/11/14 5:40PM
ISSUED/C. R. UNIT

TRUE COPY



Co. Notaries
153, ... Road
For: Mumbai, 400 072

GVK

15th December, 2014

MIAL/CEO/136

Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, I to III floor
Janpath Bhavan, Janpath
New Delhi – 110 001

Sir,

Subject: Security clearance for New Integrated Terminal (T-2) at CSIA, Mumbai – Multi Level Car Parking.

Ref: BCAS letter No. CAS-6(18)/2009Div. I(MIAL) dated 18th November, 2014

We acknowledge receipt of your above letter and wish to Inform you that we are making all out efforts to ensure that only bare minimum passengers facilities are located in arrival plaza.

We intend to send a revised proposal for this area for review by the committee.

Thanking you,

Yours sincerely
For Mumbai International Airport Pvt. Ltd.



(R.K. Jain)
Chief Executive Officer

TRUE COPY

Partner
K. S. Lambat & Co.
Advocate & Notaries
123, Malabar Hill Road
Fort, Mumbai - 400 023.



Mumbai International Airport Pvt Ltd
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23rd January, 2015

MIAL/CEO/161

Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, 1st and 3rd floor
Janpath Bhavan, Janpath
New Delhi – 110 001

Sir,

Subject: Security clearance for New Integrated Terminal (T-2) at CSIA, Mumbai – Multi Level Car Parking.

Ref: 1) BCAS letter No. CAS-6(18)/2009Div.I(MIAL) dated 18th November, 2014
2) MIAL Letter No. MIAL/CEO/136 dated 15th December, 2014

In continuation to our letter referred above, we wish to inform you that all recommendations of security vetting committee for MLCP have been complied with. As far as Point No. 2(iii) "Meeters and Greeters area at arrival level - No commercial activity will be carried out in this area. MIAL has planned 11 counters for commercial services like subway, street food of India, etc. It is violation of Committee's recommendation which are required to be complied with" and Point No. 2(iv) "Recommendation for security of arrival plaza - No commercial activity will be carried out in this area. MIAL has opened 6 counters for commercial services like The Chocolate Room, Saptagiri, etc. It is violation of the Committee's recommendation which are required to be complied with" are concerned, in continuation to our letters No. MIAL/CEO/120 dated 14th November, 2014 and MIAL/CEO/136 dated 15th December, 2014, we wish to inform you that we have made all out efforts to substantially reduce outlets which otherwise also are not commercial activity in true sense but are essential passenger facilities required at any airport and such outlets do not cause any increase in number of persons in the area.

Please find below details of outlets for essential services which have been reduced both in Meeters and Greeters Area and Arrival Plaza.



Mumbai International Airport Pvt Ltd
Chhatranati Shivaji International Airport

8



Cont..2

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Meeters and Greeters Area

Sl. No.	Outlet	Area (sq. mtrs.)	Remark
1	Zambar Express	20	To be closed
2	Subway	20	To be closed
3	Baker Street	20	To be relocated
4	Street Foods of India	20	To be relocated
5	Prepaid Taxi	04	Remains, It is a must requirement for passengers and does not add any person.
6	Car Rental (02)	08	Remains, It is a must requirement for passengers and does not add any person.
7	Fleet Taxi	04	Remains

Arrival Plaza

Sl. No.	Outlet	Area (sq. mtrs.)	Remark
1	Balaji	25	To be closed
2	Chocolate Room	25	To be closed
3	Saptagiri	25	To be closed
4	Shivsagar – East side	25	Remains
5	Café coffee day- West Side	25	Remains

Out of twelve outlets seven will be closed/ relocated.

We reiterate that above outlets cannot be construed as commercial activity being bare minimum passenger facilities and do not increase security threat in any way.

We request you to kindly consider the above for your doing the needful.

Thanking you,

Yours sincerely
For Mumbai International Airport Pvt Ltd.

(R. K. Jain)
Chief Executive Officer

- CC: 1) G Ashok Kumar, JS, Ministry of Civil Aviation.
2) Sr. RDCOS, BCAS, Mumbai



Mumbai International Airport Pvt Ltd

TRUE COPY

Partner
S. S. Ghoshal & Co.
Advocates, Chartered Accountants & Notaries
125, Marine Drive Road
Fort, Mumbai - 400 023.



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CAS-6(18)/2015/Div-I (MIAL-Vetting)
भारत सरकार / Government of India
(नागर विमानन मंत्रालय) / (Ministry of Civil Aviation)
नागर विमानन सुरक्षा ब्यूरो / Bureau of Civil Aviation Security
'अ' खंड, प्रथम तल, जनपथ भवन, जनपथ / 'A' Wing - I, II, III, Floor, Janpath Bhawan, Janpath,
नई दिल्ली-110001 / New Delhi-110.001
Dated: 03/02/2015

To . . .

The CEO,
MIAL CSI Airport,
1st Floor, Terminal 1B,
Santacruz (E), Mumbai-400099

Subject: Security clearance for New Integrated Terminal (T-2) at CSI Airport Mumbai
- Multi Level Car Parking.

Sir,

Please refer to your letter no. - MIAL/CEO/161 dated 23/01/2015 on the subject cited above.

2. I am directed to request you to send complete compliance report before further action can be taken in this regards.

Yours faithfully,

(M.T. Baig)

Dy. Commissioner of Security (CA)

Ph. no.: (011) 23731721; Fax no.: (011) 23355167

4/2/2015
ISSUED/C. R. UNIT

Copy to:

RDCOS (CA) BCAS, Mumbai: Along with a copy of MIAL letter under reference for follow up action please.

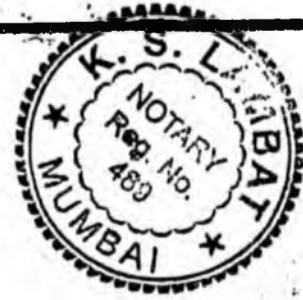
Copy for information:

MCA (Shri G. Asok Kumar, Jt. Secretary), Rajiv Gandhi Bhawan, New Delhi

[GE 1/1 * RCVD AT 2/4/2015 1:36:31 PM [India Standard Time] * SVR:MUMRIGHTFAX01/0 * DNS:1524 * CSID: * DURATION (mm-ss):00-51

TRUE COPY

Partner
W. S. Chaudhary & Co.
Advocates & Notaries
N. C. Chaudhary Building,
123, Mahatma Gandhi Road
Fort, Mumbai - 400 023.



39



MIAL/CEO/169

9 February, 2015

Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, 1st and 3rd floor
Janpath Bhavan, Janpath
New Delhi - 110001

Sir,

Subject: Security clearance for new integrated terminal (T-2) at CISA, Mumbai - Multi Level Car Parking.

Ref: 1) MIAL letter No. MIAL/CEO/161 dated 23rd January, 2015
2) BCAS letter No. CAS-6(18)/2015/Div.-I (MIAL Vetting), dated 03rd February, 2015

In continuation to our letter referred above, closure of the essential services in Meeters and Greeters area and Arrival Plaza will be as per details below:

Meeters and Greeters Area

S No	Outlet	Area (sq. Mtrs.)	Closure Date
1	Zambar Express	20	16.02.2015
2	Subway	20	16.02.2015
3	Bakers Street	20	15.03.2015
4	Street Foods of India	20	15.03.2015

Arrival Plaza

S No	Outlet	Area (sq. Mtrs.)	Closure Date
1	Balaji	25	16.02.2015
2	Chocolate Room	25	16.02.2015
3	Saptagiri	25	16.02.2015

We request you to kindly consider the above for your doing the needful.

Yours sincerely,
For Mumbai International Airport Pvt Ltd

Chief Executive Officer



Mumbai International Airport Pvt Ltd
Chhatrapati Shivaji International Airport
1st Floor, Terminal 7B, Santacruz (E), Mumbai - 400 099, India.
T: +91 22 6685 1900 / 6685 7901 F: +91 22 6685 2059
www.csia.in
CIN: U12100MH2005PTC160164

ENERGY
RESOURCES
INFRASTRUCTURE
TRANSPORTATION
REALTY
HOSPITALITY
LIFE SCIENCES

TRUE COPY

Wadia & Co
Advocates, Solicitors & Notaries
N. M. Jeejeebhoy Building,
123, Mahatma Gandhi Road
Fort, Mumbai-400 022

MIAL-0119

CAS-6(18)/2015/Div.-I (MIAL-Vetting)
 भारत सरकार / Government of India
 (नागर विमानन मंत्रालय) / (Ministry of Civil Aviation)
 नागर विमानन सुरक्षा ब्यूरो / Bureau of Civil Aviation Security
 'अ' खंड, प्रथम तल, जनपथ भवन, जनपथ / 'A' Wing -I, II, III, Floor, Janpath Bhawan, Janpath,
 नई दिल्ली-110001 / New Delhi-110 001
 Dated: 12/03/2015

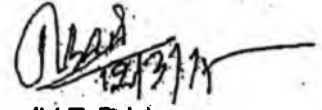
To,

The CEO, MIAL
 CSI Airport Mumbai

Subject: Security clearance for Multi-Level Car Parking at CSI Airport Mumbai

Reference is invited to MIAL letter dated 27/02/2015 on the subject cited above.

2. I am directed to inform that Shri R. N. Dhoke, IPS, ACOS (CA) will visit CSI Airport Mumbai to verify the compliance on ground on 13/03/2015 at 1000 hrs. .



(M.T. Baig)
 Dy. Commissioner of Security (CA)
 Ph. no.: (011) 23731721; Fax no.: (011) 23355167


Copy to:-

Shri B.S. Tiwary, Sr. DCOS (CA), RDCOS, BCAS, Mumbai for necessary coordination please.

Internal: PS to JCOS (CA), PS to ACOS (S) and PS to ACOS (R)

PAGE 1/1 * RCVD AT 3/12/2015 12:44:42 PM [India Standard Time] * SVR:MUMRIGHTFAX01/0 * DNIS:1524 * CSID: * DURATION(mm-ss):00-57

TRUE COPY


 K. S. Lame & Co.
 Advocates, Solicitors & Notaries
 123, Mahatma Gandhi Road
 Fort, Mumbai - 400 023.





Ref No: MIAL/SC/REC/517

17 April 2015

Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, 1st and 3rd floor
Janpath Bhavan, Janpath
New Delhi - 110001

Dear Sir,

Sub: Security Clearance for Multi-Level Car Parking at CSI Airport, Mumbai.

- Ref: 1. MIAL letter no. MIAL/SC/148 dated 09 April 2015.
 2. BCAS letter no. CAS-6(18)/2015/Div-I (MIAL- Vetting) dated 12 March 2015.

This is to undertake that no commercial activity will be carried out in the locations from where existing outlets have been removed.

It is requested that passenger essential services like Forex, Taxi counter, ATM, Car rentals and some refreshments be permitted at a location acceptable to BCAS.

Thanking You

Yours faithfully

Zon Edamuttath
ICAO-AVSEC PM
GM & Head Security

Copy to: Chief Executive Office, MIAL

TRUE COPY

Partner
H. Ghandi & Co.
Advocates, Solicitors & Notaries
123, Mahatma Gandhi Road
Fort, Mumbai - 400 023.



Mumbai International Airport Pvt Ltd
Chhatrapati Shivaji International Airport
1st Floor, Terminal 1B, Santacruz (E), Mumbai 400 099, India
T +91 22 6685 0900 / 6685 0901 F +91 22 6685 2059
www.csia.in
CIN: U45200MH2006PTC160164



ENERGY
RESOURCES
AIRPORTS
TRANSPORTATION
REALTY
HOSPITALITY
LIFE SCIENCES

Office of Sr. Regional Dy. Commissioner of Security(CA)
Bureau of Civil Aviation Security,
MIAL Project Office, Block , Near New terminal T2,
Next to Hyatt Hotel, Sahar Road, Sahar,
Andheri (East), Mumbai-400 099

Ref: CAS(M)-2014/ Div-II/

Dated: 05 May 2015

Commissioner of Security (CA)
Bureau of Civil Aviation Security
'A' Wing, 1st and 3rd floor
Janpath Bhavan, Janpath
New Delhi - 110001

Dear Sir,

Sub: Security Clearance for New Integrated Terminal (T-2) at CSI Airport, Mumbai - Multi-Level Car Parking.

Ref: BCAS HQ letter no. CAS-6(18)/2015/Div-I (MIAL - Vetting) dated 03 Feb 2015

The committee visited Meeters Greeters and Arrival Plaza of Terminal 2 on 05 May 2015 at 1800 hrs to verify the compliance of observation regarding closure and removal of following outlets .

Meters & Greeters Area:

S No	Counters Name	Area in Sq Mtrs	Remarks
1	Subway	20	Closed & Removed
2	Street Foods of India	20	Closed & Removed
3	Zambar Express	20	Closed & Removed
4	Baker Street	20	Closed & Removed
5	Prepaid Taxi	04	Closed & Removed
6	Fleet Taxi	04	Closed & Removed
7	Forex (02)	08	Closed & Removed
8	Car Rentals (02)	08	Closed & Removed

Arrival Plaza:

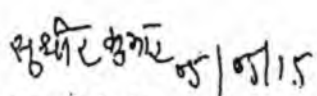
S No	Counters Name	Area in Sq Mtrs	Remarks
1	Chocolate Room	25	Closed & Removed
2	Saptaqiri	25	Closed & Removed
3	Balaji	25	Closed & Removed
4	Cafe Coffee Day	25	Closed & Removed
5	Shiv Sagat	25	Closed & Removed



We hereby certify that 08 outlets in Meeters and Greeter Area and 05 outlets in Arrival Plaza have been closed and removed from the said locations (photo's enclosed).

It is further certified that as on date there are no concessionaires/ commercial establishments in the Arrival Plaza and Meeters Greeters area. As desired, vide BCAS letter no. CAS-6(18)/2015/Div-I (MIAL-Vetting) dated 03 Feb 2015.


Shri Zon Edamuttath
GM & Head Security


Shri Sudhir Kumar
Deputy Commandant, CISF



B S Tiwary
Sr. RDCOS (WR), BCAS
105 MAY 15



Exhibit - N

103

Yeshwanth Shenoy
Advocate

"Priyadarshini"
Veekshnam Road,
Ernakulam - 682018

+91 - 99676 42195
yshenoy@gmail.com

BY SPEED POST

7 July 2016

To,

Shri. Datta Padsalgikar,
Commissioner of Police,
Police Commissioner Office,
D.N.Road, Mumbai - 400 001.

Dear Shri.Padsalgikar,

Sub: Threat to the lives of the residents of Mumbai due to lax Aviation Safety & Security

I am an advocate who happened to take the Mangalore Air Crash seriously and researched more on the subject of Air Safety. From whatever research I have done, I believe that Mumbai is the city that carries the maximum risk both in terms of Air Safety and Air Security. I have already written to the Municipal Commissioner, MCGM and the NDRF to have a contingency plan ready for Mumbai. I have also brought the attention to the subject matter by writing letters to the Governor, Chief Justice, Chief Minister and many others. Please do not be under a belief that I am overreacting, as my fears are based on a thorough analysis of the data on the subject matter.

I must at the outset say that I appreciate Mumbai police and believe they could be one of the finest police force in the world. Can it do better? Certainly, yes. Our mindset is defined by our cultures and that is something the police ought to look and improve upon. IF I say a bomb is placed on the city centre, the entire machinery is activated. However, if I say there is a building on the path of aircraft, nobody is bothered even when the effect is as good as 'placing a bomb in the city centre' and the consequences far more disastrous than a bomb explosion.

I bring your attention to the 'information' I gave in writing to the Sahar Police Station and an e-mail dated 15 April 2016 sent to you and other top officers on your official e-mail ID's. I received a reply from the Jt.CP and then the Sahar Police Station that they will not investigate. I have taken the matter to the Magistrate to complete the procedural aspect, but the risk continues to be there and accountability will also rest with the police force.

In the 20 km radius of the Airport, I am absolutely sure that there would not be less than 3000 obstacles atleast. I would like to bring your attention to the crash of Indian Airlines flight 491 on 26 April 1993 near Aurangabad Airport after it impacted a truck which was passing by and here I am speaking of buildings much taller than trucks. If an aircraft impacts any of these obstacles (buildings), please understand that the aircraft has fuel that is highly combustible and the presence of oxygen canisters above each seat would act as a catalyst and therefore the consequences would be catastrophic for the city of Mumbai and the damages will be far more than what was caused by all the bomb blasts and riots the city has seen put together.

In addition to this issue of Air Safety, Mumbai should worry about security for we have had more blasts in our city than any other place in the world with the exception of Pakistan (Afganistan

and Iraq being war zones is not counted). The Parking lot of the Airport is not even approved by BCAS and with Brussels and Istanbul, it should ring a bell in our Security set up and we need to take Airport security a lot more seriously. God only knows how the ATC tower came to be built in a 'Public place'. An autorickshaw with small quantity of explosives is good enough to get that tower down. Mumbai during peak hours will have about 40 aircrafts circling it and there will not be a Plan B. Airports always have a Plan B if the tower catches fire and such eventualities, but with the tower down you will not have people to do it and all flights in air will be left to fetch for themselves. I know airport security is with the CISF, but that is inside the Airport and the threats I have specifically mentioned here are very much outside the CISF jurisdiction and both are public places for which Mumbai Police would be responsible.

My experience in Air safety was only after I started studying it after the Mangalore Air crash in 2010, but as to my experience in Security, I interned with United Nations Interregional Crime and Justice Research Institute which is in charge of 'Security during Major events'. To see the Security apparatus working during the Athens Olympics (2004) and to see the Security preparations of the Winter Olympics (2006) and Beijing Olympics (2008) was one of my greatest experience that I cherish till date. It is with this experience, I said that I have no doubts about the Mumbai Police being one of the finest in the world.

We all know that Mumbai is the preferred target for terrorist strikes. There would be atleast a few (if not many) sleeper cells. Always remember, terrorists are getting smarter and more sophisticated every day. For the IS, Airports is turning out to be the best targets. CSIA airport is a 'sitting duck'. If I can see this with my little experience, imagine what professionals could see and plan. I know the responsibility on your shoulders and if as a police chief, you cannot pull the CSIA or the Aviation authorities for their foolish planning, the accountability for any disaster will be on you. Remember, ours is a country where we live like that old saying, "Success has many others fathers, Failures none".

Give me 10 men from your commando force and I will demonstrate to you how easy, it is to strike the Airport and the Western Naval Command. Security is a serious business and I know that you know it better than me. I know you have to manage it within the resources at your disposal, but start writing to the 'powers that be' about the situation and let them also share the burden of your responsibility.

I truly hope that my fears don't come true, but in case it does, it would be catastrophic and disastrous for the City of Mumbai. I would be more than happy to spare my time to make a presentation for you and your team in case you want to understand what can be done better and feel free to make a call if necessary.

Thanking you,

Yours Faithfully,

-TRUE COPY -
yeshwanth

Yeshwanth Shenoy

Mumbai airport on edge after Interpol alert, bomb call

TNN | Jan 11, 2017, 08.43 AM IST

MUMBAI: Mumbai airport was put on high alert on Monday night following an Interpol input about a bomb on board a flight to Kuala Lumpur. Security agencies combed three aircraft for suspicious objects even as more than 400 passengers and 500 pieces of check-in bags were put through a thorough security check. Given the rising instances of terror attacks on airports worldwide, the call—this year's first — had the CISF security personnel, Mumbai police and the airport operator on edge even as departures of two Malaysia Airlines flight and one Malindo Air flight were delayed by four to five hours.

"The CBI had an intelligence input through Interpol about a bomb on board a flight bound for Kuala Lumpur," said O P Singh, director-general, CISF. "I ordered a proper drill, a thorough security check of all flights bound for Kuala Lumpur," Singh said. "We monitored all the three flights till the time they landed safely at their scheduled destination," he added. A general security alert on account of the January 26 Republic Day was also in force.

After the CBI input, there was another alert from a different source. A Sahar police officer said that around 9.50pm, the airport control room manned by MIAL (Mumbai International Airport Pvt Ltd) received an anonymous call. The caller, too, spoke about a bomb onboard a flight to Kuala Lumpur. It was a VoIP (voice over internet protocol) call and the caller disconnected soon after giving the message. The police official said that VoIP calls are difficult to trace as the search area extends across the globe.

The security agencies zoomed in on all three KL bound flights—the 11.15pm Malindo Air flight OD-216 with 140 passengers on board; the 11.25pm Malaysia Airline flight MH-195 with 158 passengers and the 2am MH-187 with 145 passengers.

A police official said, "The passengers who had boarded the aircraft were informed about the bomb call and asked to deplane to undergo a security check again. Not a single passenger complained or created a fuss. Instead, they came forward and asked us to frisk them all, they didn't want any untoward incident mid-air."

Three Boeing 737-800 jets along with a total of 443 flyers and 511 check-in bags were put through rigorous security by the CISF, the bomb detection and disposal squad and sniffer dogs. Taking a serious note of the call, top police officials such as the additional commissioner of police (western region) Chhering Dorje, deputy commissioner of police (Zone VIII) Virendra Mishra, too, rushed to the spot and stayed put till the flights took off on Tuesday morning.

The security search began at around 10pm on Monday and went till 6.23am on Tuesday when the last of the three flights departed. "During the nine hours of search, handbags, check-in bags, cargo compartments, passenger cabins, food galleys, liquor bottles onboard, everything was inspected. We then concluded that it was a hoax call," said a source.

The Sahar police has made a dairy entry of the entire incident. "An FIR is not registered because the caller did not threaten to blow or any terror strike. Instead the caller alerted about an explosive on board," said the officer. A Malaysia Airline spokesperson said the matter was given "the utmost importance and security arrangement in place was 100%".

The recent cases of terrorist bombings at airports—Brussels airport and Istanbul airport in 2015—has put the security agencies on high alert. In 2014, 298 people were killed after a Malaysia Airlines Boeing 777 flying from Amsterdam to Kuala Lumpur was bombed over Ukraine. Earlier that year, another Malaysia Airlines B777 with 240 passengers onboard went missing on a flight from Kuala Lumpur to Beijing

Terror alert: CISF wants to bring sensitive airports under its security cover

TNN | Feb 18, 2017, 02.13 AM IST

NEW DELHI: The Central Industrial Security Force (CISF) has asked for the implementation of the counter-terrorism contingency plan (CTCP) at the earliest at sensitive airports across the country in view of intelligence agencies warning of possible attempts to carry out terror strikes or hijackings by the Islamic State jihadi group, al-Qaida or Pakistan-based militant outfits like Lashkar-e-Taiba and Jaish-e-Mohammad.

Under the CTCP, CISF personnel guard the approach roads of airports to screen visitors before they arrive at the departure or arrival terminals. As of now, CTCP is in place only at Delhi and Mumbai airports.

Sources said the CISF has prepared a CTCP for each hyper-sensitive airport and is awaiting the government's nod. According to the latest intelligence inputs, international terrorist groups and even Khalistani terrorists are making plans to target Indian airports.

While asking for strengthening of security at airports, the agencies have cited the attacks at airports in Europe in the recent past.

A parliamentary standing committee on transport, tourism and culture had pointed out last year after the attack on Pathankot airbase that 20 hyper-sensitive and international airports lacked contingency plans and called the situation "quite scary".

There are 98 operational airports in India, out of which 26 are categorised 'hyper-sensitive'. Only 18 of these hypersensitive airports are covered by CISF while others are managed by police forces. Of the 56 airports categorised as 'sensitive', CISF manages only 37. Officials added that CISF's proposal is being seriously considered by the ministries of home and civil aviation.

The government has approved handing over the security of Jabalpur and Jamnagar airports to CISF.

EXHIBIT - P

Received
IB *Asw*
14/9/16

VISHAL - S. KHATEEM
B/15 MAFHAWISHA CHAUL
PARELIA WADI SAMINARA
MUMBAI - 72
DATE 14/9/16

TO SUPERINTENDENT OF POLICE
CBI ACB
PLOT NO C35A
G BLOCK
B K BANORA KURIA COMPLEX
MUNGAZI 4000 98

9869358015
989246621

26529936 HARKALE SAG

Subject :- Issuing illegal passes to the employees.

Respected Sir,






This is to inform you that there has been misuse of power by BCAS and BWFS by issuing 2nd pass to the same person. When he is already holding pass of Cambata Aviation Pvt. Ltd. Company.



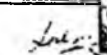


The above circumstances reveals that the power is being misused by BCAS as well as BWFS by issuing the pass to the same person while issuing passes they have not compiled the terms and conditions which is violation of the Aviation LAW.


By doing this, they are encouraging forgery which leads to the cheating with the Aviation department. This behaviour and policies of the company is raising questions against the security of the nation at large.

While recruitment the company has to follow certain norms and conditions. Doing they have to take precautions and to follow the rules and measures framed by the Aviation ministry. There are many employees recruited by the BWFS from Cambata Aviation Pvt. LTD. whose previous passes of Cambata Aviation Pvt. LTD. is not been surrendered and are issued new passes of BWFS. There are many employees recruited by BWFS without verification and police NOC.

P.T.O

ना. वि. सु. ब्यूरो  B. C. A. S.	
T A E P No : 201608244323 Valid From : 25-Aug-2016 To 27-Aug-2016 Time : 00:00 To 23:59 Escort : 1307160377 2607160445 2007160450 2007160463 Airport/s : MUMBAI Terminal/s : T2 INTERNATIONAL	
Name : LALIT KOLAMBEKAR Orgn : BWFS Desig : STAFF	
	A D T S P B - C CS I
	Holder's Signature  Issuing Authority  

ना. वि. सु. ब्यूरो  B. C. A. S.	
A E P No. MUM 201629075 Valid From : 10.12.2015 To 31.12.2016 Airport/s : MUMBAI Terminal/s : T2 INTL	
Name : LALIT ASHOK KOI AMBEKAR Orgn. : CAMBATA Desig. : DUTY OFFICER	
	A D T S P B - C CS I
	Holder's Signature  Issuing Authority  

	<p>केन्द्रीय अन्वेषण ब्यूरो घ्रष्टाचार निरोधक शाखा प्लॉट न. 35-ए, जी-ब्लॉक बांद्रा कूलर्स कॉम्प्लेक्स, (बांद्रा) ईस्ट मुंबई-400098 टेलिफोन नं- 26529936 26529042 फैक्स नं.- 26529951</p>
---	---

गोपनीय

नं.सी.ई./026/2016/ए/0719-CR24

दिनांक :- 27/9/16

सेवा में,

The Regn.Dy.Commissioner of
 Security (CA)
 Bureau of Civil Aviation Security,
 Western Region, D-9,
 Gate No.1, MIAL Residential Colony,
 Andheri - Sehar Road,
 Andheri (East), Mumbai.

केन्द्रीय अन्वेषण ब्यूरो
 CENTRAL BUREAU OF INVESTIGATION
 घ्रष्टाचार निरोधक शाखा
 प्लॉट नं. 35-ए, जी-ब्लॉक
 बांद्रा कूलर्स कॉम्प्लेक्स,
 (बांद्रा) ईस्ट, मुंबई-400098
 टेलिफोन नं. - 26529936
 26529042 फैक्स नं. - 26529951


विषय:- शिकायत का अग्रेषण ।

महोदय,


उपर्युक्त विषय पर प्राप्त शिकायत मूल रूप में आवश्यक कार्रवाई हेतु संलग्न है।

क्रम संख्या	शिकायत संख्या	शिकायतकर्ता का नाम
1	सी.ई./026/2016/अ/0719	Shri Vishal S. Khatedar

के अ.ब्यूरो, ए.सी.बी., मुम्बई ने इस मामले में कोई जांच-पडताल नहीं की है।

भवदीय,

 पुलिस अधीक्षक
 के.अ.ब्यूरो, एसीबी, मुम्बई

संलग्न : यथासंभव ।
 प्रतिलिपी :

	<p align="center">OFFICE OF SUPERINTENDENT OF POLICE CENTRAL BUREAU OF INVESTIGATION ANTI CORRUPTION BRANCH</p> <p align="center"><i>Plot No.35-A, G-Block, Bandra - Kurla Complex, Bandra (East), Mumbai-400098.</i></p> <p align="center">Tel. Nos.26529042, 26529936 (F)-26529951</p>
---	---

No.CE/026/2015/A/0719/C-214
21/11/16

To

**The Jt. Secretary (Vigilance),
Ministry of Civil Aviation,
Government of India,
Rajiv Gandhi Bhawan,
'B' Wing,
Safdarjung Airport,
New Delhi – 110003.**

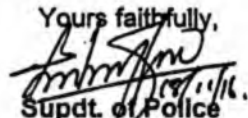
भारतीय अधिपत्य ब्यूरो
 CENTRAL BUREAU OF INVESTIGATION
 एंटी कोरुप्शन ब्रांच
 एंटी कोरुप्शन ब्रांच
 MINISTRY OF INDIA
 ग-ब्लॉक
 35-Block
 बंदरा (पूर्व) - कर्ला कॉम्प्लेक्स
 E. Block - Kurla Complex
 बंदरा (पूर्व), मुंबई - 400 098
 Bandra (E), Mumbai - 400 098

Sub:- Forwarding of complaint - regarding

Sir,

Please find enclosed herewith a complaint, in original, received from Shri. Vishai Suresh Khatedar, Mumbai which is self explanatory, for necessary action at your end.

CBI.ACB.Mumbai has not conducted any enquiry in this matter and no copy is retained by this office.

Yours faithfully,

 Supdt. of Police
 CBI ACB Mumbai

LA-LET ASHUSK Mumbai

CAMBATA AVIATION PVT

DATE 8/9/16

T6L No 989244042



To,
Regional Director BCAS,
Mumbai.

Subject :- Issuing illegal passes to the employees.

Respected Sir,

This is to inform you that there has been misuse of power by BCAS and BWFS by issuing 2nd pass to the same person. When he is already holding pass of Cambata Aviation Pvt. Ltd. Company.

The above circumstances reveals that the power is been misused by BCAS as well as BWFS by issuing the pass to the same person while issuing passes they have not compiled the terms and conditions which is violation of the Aviation LAW.

By doing this, they are encouraging forgery which leads to the cheating with the Aviation department. This behaviour and policies of the company is raising questions against the security of the nation at large.

While recruitment the company has to follow certain norms and conditions. Doing they have to take precautions and to follow the rules and measures framed by the Aviation ministry. There are many employees recruited by the BWFS from Cambata Aviation Pvt. LTD. whose previous passes of Cambata Aviation Pvt. LTD. is not been surrendered and are issued new passes of BWFS. There are many employees recruited by BWFS without verification and police NOC.

P.T-0

This type of recruitment shows that the recruitment BWFS company is not following the rules and misusing the power vested to them. This act of the BWFS company is raising a big question about the security of the international airport. This also creates doubt about the existing corruption in the BWFS company.

Necessary action should be taken on BCAS staff and BWFS company.

Thanking You,
Yours Faithfully,






CALIT ASHOK KOLHANE
9920270530






CC to

- ① CBI Mumbai
- ② Aviation Ministry

P.T.O

P.T.O

ना. वि. सु. व्यूरो  B. C. A. S.													
T A E P No : 201608244323 Valid From : 26-Aug-2016 To 27-Aug-2016 Time : 00:00 To 23:59 Escort : 1207180377 2007180445 2007180450 2007180453													
Airport/s : MUMBAI Terminal/s : T2 INTERNATIONAL													
Name : LALIT KOLAMBEKAR Orgn : BWFS Desig : STAFF													
	<table border="1"> <tr><td>A</td><td>D</td><td>T</td></tr> <tr><td>S</td><td>P</td><td>B</td></tr> <tr><td></td><td></td><td>C</td></tr> <tr><td>CS</td><td>I</td><td></td></tr> </table>	A	D	T	S	P	B			C	CS	I	
	A	D	T										
S	P	B											
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CS	I												
Holder's Signature 	Signature of Issuing Authority 												
													

ना. वि. सु. व्यूरो  B. C. A. S.													
A E P No. MUM 201629075													
Valid From : 10.12.2015 To 31.12.2016 Airport/s : MUMBAI Terminal/s : T2 INTL													
Name : LALIT ASHOK KOLAMBEKAR Orgn. : CAMBATA Desig. : DUTY OFFICER													
	<table border="1"> <tr><td>A</td><td>D</td><td>T</td></tr> <tr><td>S</td><td>P</td><td>B</td></tr> <tr><td></td><td></td><td>C</td></tr> <tr><td>CS</td><td>I</td><td></td></tr> </table>	A	D	T	S	P	B			C	CS	I	
	A	D	T										
S	P	B											
		C											
CS	I												
Holder's Signature 	Signature of Issuing Authority 												
													

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भारत सरकार / Government of India
क्षेत्रीय निदेशक का कार्यालय / Office of Regional Director,
नागर विमानन सुरक्षा ब्यूरो / Bureau of Civil Aviation Security,
एम.आइ.ए.एल. प्रायोजन कार्यालय, ब्लॉक-1, / MIAL Project Office, Block-1,
समीप न्यू टर्मिनल-2 / Near New Terminal-T2,
हयात होटल का अगला, सहार रोड, सहार, / Next to Hyatt Hotel, Sahar Road, Sahar,
अंधेरी(पूर्व), मुम्बई-400099 / Andheri East, Mumbai-400099.

पत्रांक सं: सी०एच०एस०(एन)-2016/अनुभाग-II/आर.टी.आई/ - 290

दिनांक- 28 /10/2016

सेवा में,

Shri Lalit Ashok Kolambkar,
B/4, Parle Sourabh Society, Sahaji Raje Marg,
Vile Parle (East), Mumbai-400057.

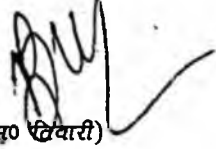
Sub: Reply to the letter dated 08.09.2016-Action Taken regarding under the Right to Information Act, 2005.

Sir,

Kindly refer to your RTI Application dated 04.10.2016 received by this office on 04.10.2016 regarding the above cited subject.

2. This office is not in a position to disclose information on the above subject matter as per section 8(j) and relevant provisions as applicable in the RTI Act, 2005.

भवदीय,


(बी० एस० तिवारी)
सी पी आई ओ
क्षेत्रीय निदेशक
नागर विमानन सुरक्षा ब्यूरो
मुम्बई

Copy to:

The Director General, BCAS HQ, New Delhi

For kind information.

EXHIBIT - Q

116

rediffmail

Mailbox of yshenoy@entetelegale.com

Subject: PE/026/2013/A0010/CBI/ACB, Mumbai and SERIOUS THREAT TO THE SAFETY OF LIVES OF PEOPLE IN MUMBAI

From: Yeshwanth<yshenoy@entetelegale.com> on Mon, 13 Feb 2017 13:20:43

To: "hozmum1@cbi.gov.in"<hozmum1@cbi.gov.in>,"hobac2del@cbi.gov.in"<hobac2del@cbi.gov.in>,"hobac3del@cbi.gov.in"<hobac3del@cbi.gov.in>,"hozac@cbi.gov.in"<hozac@cbi.gov.in>,"hobac1del@cbi.gov.in"<hobac1del@cbi.gov.in>,"hobacmum@cbl.gov.in"<hobacmum@cbl.gov.in>

Dear Sir,

The above referred PE status is not known to me. Perhaps It has been closed. However, the issue is very serious and the High Court of Mumbai has exposed the issue through my PIL 86/2014. Therefore, the fact of illegal buildings is not anymore in doubt. The only thing to be known are the people who ran the scam. I am providing the list of people I could find through documentary evidence who actively participated or closed their eyes to the non compliance with law.

While the PIL 86/2014 was to get the attention of the court to the serious issue of the threat to Aviation Safety which consequently threatens the safety of the City of Mumbai as there is always a threat of an aircraft impacting a building and crashing into this densely populated city.

In addition to the violation of Aviation Safety that in turn threatens peoples lives, even Aviation Security has been threatened by corruption and collusion of the Aviation Officials with GVK officials thereby causing loss of crores of government money and also exposing the Airport to serious Security threat from Terrorists. Bombay has been at the receiving end of many terror attacks and keeping the recent terror bombings at Istanbul and Brussels airport, I want to immediately bring your attention to the threat to the Bombay Airport. The Multi Level Car Parking is in the same building as the Terminal (which in violation of security norms and the BCAS itself has objected to it). An entry through an attack on the Car Parking will expose the whole of the Airport to a serious threat. IF a 26/11 type of attack on Airport takes place, it could in a matter of seconds convert the Airport into a warzone as the Airport has several inflammable and highly combustible substances. One aircraft on fire could start a chain reaction of all parked aircrafts. Also please note that the ATC tower is in a public place (roads on 2 sides and parking on the third) thereby exposing it to lone wolf attacks which is the most threatening of terror attacks. During the peak hours of the CSI airport, we have about 50-60 aircrafts over the city and if the ATC tower is brought down there could be consequential mid air collisions because to provide pilots of those with a plan B communication, you need ATC officials alive. if the tower comes down, the chances for the same is remote. This tower and the car parking was built at enormous costs 26% of which is to be paid by the government coffers. the plans were illegal from inception and persons responsible for causing this loss need to be taken to task but before that the ATC tower and the parking has to be secured.

I am an advocate, but had interned with the United Nations Interregional Crime and Justice Research Institution during the athens olympics and i have some experience in operational security issues as i have worked on such issues for the Athens and beijing Olympics and also the Winter Olympics, 2006. The threat from the Parking and the ATC tower is serious and imminent. In addition to this, the Airport operator is also involved in breaching security by its own acts wherein it has issued security pass in the name of the same person for the same period and the same was brought to the attention of the CBI and your office had sent letters to both the MoCA and BCAS on 22 Sept 2016 (Letter No. CE/026/2015/A/0719/E 319 (314) dated 21/11/2016.

THE SECURITY ISSUES ARE VERY SERIOUS AND BEFORE INVESTIGATION THE MORE IMPORTANT THING IS TO PLUG THE LOOPHOLE AND DOING IT WITHOUT LOSING TIME. These issue were long there but came to my notice only recently and i have written to all possible authorities to rectify this serious breach. The terrorists are not anymore conventional but are sophisticated and well read and I am sure you are aware of it.

I will be Filing a Criminal PIL this week on this issue and move it urgently before the Bombay High Court. I hope you immediately get on to this issue not because of the threat of Court Orders but because of the real threat to the safety and well being of the people of this city.

I would also like to point out one aspect which has been brought to my notice. the CBI building in the BKC itself has received the permission of height by following the same route. Only thing is that the CBI did not have to pay money for the Aeronautical study (an exemption which was not granted to any other government institutions) and in spite of the CNS getting disrupted at 66mtrs AMSL, the building was given higher height and it so happened while the PE was still pending and the CBI was investigating and one Mr. Pan Singh was armtwisted to give the extra height. I cannot assert the veracity of my information but the papers do prove the truth of some of that. Please note that, if the same is true, you have put the lives of your own officers at risk by asking them to work in a building that is a safety hazard to aviation safety.

Names, Designations/Organisations and Scams accused involved in :-

Sl.No	Name	Designation/Organisation	Scams involved in
	Shri. Rajiv .N.Choubey	Presently the Secretary, MoCA	Failed to take steps even after full information was given. Active role

			in giving approval to M/s.Havemore Realty even after specific input on illegality given
	Dr.S.N.A.Zaidi	The then Secy, MOCA and presently, CEC	Chouhan builders & Negi report. Failed to take action which resulted in the fatalities in IX 812 crash.
	Shri.Alok Sinha	The then Jt.Secy, MOCA in charge of AAI & Chairman of Appellate Committee	Chouhan Builders, Negi report, JBS , suppression of airmiss/incident reports
	Shri.Arun Kumar	The present Jt.Secy, MOCA in charge of AAI & Chairman of Appellate Committee	Ring leader of the scam related to giving extra heights even after the MoCA report dated 26 March 2015 through Aeronautical studies. Active and direct role in giving approval to M/s.Havemore Realty even after specific input on illegality given
	Kanu Gohain	Former DGCA and external expert member of the Appellate Committee	Chouhan builders & Negi report. Has been a part of all meetings to give extra height to building. Active and direct role of threatening Aviation Safety in spite of having expert knowledge on the subject matter. Possibly the one man running the Scam because of his involvement from inception of the scheme of 'Aeronautical Study'.
	Shri. A.K.Mishra	Former AAI Board Member and external expert member of the Appellate Committee	Chouhan builders & Negi report
	Shri.B.S.Bhullar	Present DGCA	Failed to take any steps even after specific input given

			on illegal permissions given to buildings that threaten Aviation Safety. Did not cancel the licence of the CSI Airport even when it was established that the runway distances have not been recalculated to account for the published obstacles thereby intentionally and willfully giving wrong information to the international community that the Airport meets international standards.
	Ms. M.Satyavati	former DGCA	Gave wrong info to ICAO and MOCA abt working hours of Indian ATCOs (chk today's TOI article on pgs 1 & 4). Failed to take any steps even after specific input given on illegal permissions given to buildings that threaten Aviation Safety.
	Smt.Shubha Thakur	Jt.DG, O/o DGCA, New Delhi	Withheld information and protected the wrong doers after clearly knowing the violations made by each of these officials. Stonewalling efforts of people trying to expose the threat to Aviation Safety.
	Shri.Pavan Malviya	Dy.Director, Admin, o/o.DGCA	Withheld information and protected the wrong doers after clearly knowing the violations made by each of these officials. Stonewalling

			efforts of people trying to expose the threat to Aviation Safety.
	Shri.A.K.Sharan	Former Jt.DG of DGCA , N.Delhi	Chouhan Builders, Negi report, JBS, suppression of airmiss/incident reports
	Shri.J.S.Rawat	Jt.DG of DGCA , Delhi	Signed DGCA letter allowing MIAL to install the non-frangible JBS. Probable role in the Mangalore Air crash.
	Shri. M.T.Bokade	Director, O/o DGCA, Mumbai	JBS, suppression of airmis/incident reports. Was clearly aware of the obstacles that threaten Air safety, but did not take any action to rectify the same.
	Shri.Sanjay Brahmane	Dy.Director, O/o DGCA, Mumbai	JBS, suppression of airmis/incident reports, failed to take appropriate action inspite of knowledge of violation of aviation safety in the Mumbai Region.
	Smt. Suvrita Saxena	Dy.Director, O/o DGCA, Mumbai	Made at least two fake reports in 2012 of two airmiss incidents at Mumbai. Aware of the threat caused by obstacles and failed to inform the HQ on the ground situation in Mumbai.
	Shri.V.P.Agarwal	The then Chairman of AAI fm 2009-2014	Chouhan Builders, Negi report, JBS, suppression of airmiss/incident reports. Was responsible for the fatalities of the Mangalore Air Crash that killed 158 people.
	Shri. R.K.Srivastava	Former Chairman of AAI fm 2015-2016	Chouhan Builders, Negi report, JBS, sunnsession of

			airmiss/incident reports
	Dr.Guruprasad Mohapatra	The present Chairman of AAI	Chouhan Builders, Negi report, JBS, suppression of airmiss/incident reports. Failed to take steps even after full information was given. Active role in giving approval to M/s.Havemore Realty even after specific input on illegality given
	Shri.V.Somasundaram	The then Member (ANS), CHQ, AAI	Chouhan Builders, Negi report, JBS, suppression of airmiss/incident reports
	Shri.A.K.Dutta	Present Member (ANS), CHQ, AAI	Aeronautical studies of 2016
	Shri.Jyotiprasad	The then ED(ATM), CHQ, AAI	Chouhan builders & Negi report
	Shri.V.K.Dutta	The then ED(ATM), CHQ, AAI	Chouhan builders & Negi report
	Shri.J.M.S.Negi	The then ED(ATM), CHQ, AAI	The Negi report
	Smt.Kalpana Sethi	The then ED(Planning), CHQ, AAI	The Negi report and extn of Rwy 08/26 of Juhu into the sea
	Shri.N.G.Chikkathimmiah	Former ED (Aviation Safety), CHQ,AAI	Negi report, JBS, suppression of airmiss/incident reports
	Shri.S.V.Satish	Present ED (Aviation Safety), CHQ,AAI	Negi report, JBS, suppression of airmiss/incident reports
	Shri.G.P.Hela	Former GM(Aero), WR,AAI, Mumbai	Rajkot NOC case. Possibly found out by the vigilance department of AAI for corruption and some action taken for amassing illegal wealth (Powai Property).
	Shri.A.K.Khare	Present GM(Aviation Safety), CHQ,AAI	Negi report, JBS, suppression of airmiss/incident reports
	Shri.A.K.Bharadwaj	GM(NOC), CHQ,AAI	Chouhan Builders, Negi report, Aeronautical studies, NOCAS

	Shri.S.K.Purwar	GM(NOC), CHQ,AAI	wrong software Chouhan Builders, Negi report, Aeronautical studies, NOCAS wrong software. Active role in giving approval of heights to several buildings including M/s.Havemore Realty even after specific input on illegality given. Withheld information and protected the wrong doers after clearly knowing the violations made by each of these officials. Stonewalling efforts of people trying to expose the threat to Aviation Safety.
	Shri.A.K.Meena	The then Jt.GM(ATC-SQMS), Mumbai and presently GM (ATC), CHQ,AAI	JBS, suppression of airmis/incident reports
	Shri.A.K.Sharma	The then R.E.D, WR, AAI, Mumbai , presently R.E.D, NER, AAI, Guwahati	Negi report, JBS , suppression of airmiss/incident reports
	Ms.K.Hemalatha	Present R.E.D, WR, AAI, Mumbai	Suppressed information on several Safety Scams from reaching CHQ. Illegally spent money of AAI on making barracks for ATC in violation of law and spending public money on the illegal project.
	Shri.M.Muthu	The then GM(Aero), WR, AAI , Mumbai , presently GM(Aero), SR,AAI,Chennai	Chouhan Builders, Responsible for not responding to the MCGM after specific attention to the fraudulent site elevation certificate by M/s.Sunshine Builders.
	Shri.V.S.P.Chinson	GM(Aero), WR, AAI, Mumbai	Deeply involved in Negi report and

			attempted closure of Rwy 16/34 of Juhu airport
	Shri.Jayant Dasgupta	Former GM(ATC), AAI, Mumbai, presently AVP, MIAL	JBS, suppression of airmiss/incident reports
	Shri.R.K.Saxena	Present GM(ATC), Mumbai	JBS , suppression of airmiss/incident reports
	Shri.Rajeev Mehta	Present Jt.GM(ATC), Mumbai	Negi report, Rajkot NOC case
	Shri.Pradeep Minz	Jt.GM(ATC), Mumbai	Chouhan Builders case
	Smt.Ashoka Das	The then Manager (ATC - NOC)	Chouhan Builders case, Rajkot NOC case, Sanjay's SRA case i.e AAI NOC case MUM/10/702
	Shri.V.K.Punyal	Former Airport Director, AAI, Juhu airport, presently Jt.GM(Arch), CHQ,AAI	Negi report, extn of rwy 08/26 into sea
	Shri.M.K.Bimal	Present Airport Director, AAI, Juhu airport	Negi report, extn of rwy 08/26 into sea
	Shri.S.K. Vyawahare	GM(Engg), WR,AAI, Mumbai	Negi report
	Shri.Sanjay Reddy	Managing Director, MIAL / GVK	Financial irregularities pointed out by the CAG, having full knowledge of the seriousness of the violations of aviation safety and security. Suppressing information for commercial gains. Incorrect planning of multi level car parking and ATC tower that seriously threatens Aviation Security.
	Shri.Rajeev Jain	CEO, MIAL	JBS, RESA , Chouhan Builders
	Shri.P.K.Mahapatra	MIAL VP (Air side Management)	Chouhan Builders, JBS ,
	Shri.Manish Sinha	MIAL official now with HIAL	Chouhan Builders

Please let me know anytime if you need any help with the matter. it is a technical matter and I have spent atleast 5 years studying this technical aspect. you may reach me on e mail or call me on my mobile 9967642195 and I will be happy to help.

Regards,
Yeshwanth Shenoy

EXHIBIT - R

123

Yeshwanth Shenoy
Advocate

"Priyadarshini"
Veekshnam Road,
Ernakulam - 682018

+91 - 99676 42195
yshenoy@gmail.com

BY SPEED POST

6 February 2017

To,

Shri. Narendra Modi,
Prime Minister of India,
152, South Block, Raisina Hill,
New Delhi-110011

Dear Shri.Modiji,

Sub: Threat to Aviation Safety & Security

I have been working on the issue of Aviation Safety ever since 158 innocent lives were lost in the Mangalore Air crash in 2010. My study in this area left me shocked because of the extent to which the systems failed, all checks and balances in the system failed. I am constrained to write to your office after all other avenues are closed and you are the last remaining hope and I therefore, request you to take action on this from your office and continue to monitor the work. During the tenure of Shri.Praful Patel, the Ministry of Civil Aviation found new heights in the depths of corruption. This Minister had the honour of being named in the Judgment of a Foreign Country which convicted its citizen for corruption. Yet, for reasons best known to the CBI, this man remains scot free. I am not writing this to you for any action of the former minister but I want to bring your attention to the potential of an air disaster waiting to happen. In the current set up, I am certain that an air accident involving an Indian air Carrier or the Indian Air space and it could threaten thousands of lives. I have moved several High Courts and also the Supreme Court, but considering that decisions take time to come, I would request you to plug the leak before the leak kills innocent lives. I particularly bring your attention to the City of Mumbai which has a population of 30 million and has too many obstacles around the airport that the threat of an aircraft impacting the buildings on take off or landing is quite possible. The density of population in the city would easily snuff out a few thousand lives if my fears do come true. All this while, I was the lone voice and there was another officer of AAI itself, who wrote to all concerned. I am now informed that this officer had written a report and sent the same to your office on 18 October 2017 and in spite of instructions from your office, the report is only being 'studied' and blame being shifted. No concrete action has been taken by the authorities and this threatens thousands of life. What adds to the poor aerodrome standards is the poor quality of crew. The DGCA has been lax in implementing strict regulations that after having unearthed fraudulent logs on training simulator or having caught drunk pilots, it has been handling these cases with kid gloves thereby multiplying the threat of bad aerodrome standards with inefficient /unqualified man power.

While the above threatens aviation safety, we should be more concerned with Aviation Security. After the airport bombings in Brussels, Istanbul etc the security agencies worldwide have been beefing up security in and around airports. Mumbai, even with its history of bomb blasts has a

sitting duck in its airport. An ATC tower (which is in a public place) and the Multi level parking (which is in the same terminal building as opposed to regulations) are red carpet welcome to terrorists. Indian Intelligence agencies, I am sure, would be worried about lone wolf attacks (which are the most difficult to detect) and the ATC tower and the multi level parking are examples of how poorly we plan our security. Every effort of bringing the attention of the police has failed as the commercial power of these corporates (though funded by public loans) are difficult to deal with at the ground level as they easily influence a police station. The reluctance of the Sahar Police station in registering any complaint against MIAL / GVK speaks volumes of this corrupt nexus.

There is one reason why all attempts to plug this systemic collapse and repair it failed. It failed because the top rung of the AAI, MoCA, DGCA are involved and therefore, no action is triggered. As a simple eg. The CVO of the MoCA invariably is the chairman of the Appellate Committee on Height Clearances and therefore, a CBI investigation will go haywire because the CBI's interface, which is the CVO of that office, is himself involved. The CBI had registered a PE/026/2013/A0010/CBI/ACB, Mumbai. This PE seem to be quietly closed after Mr.Patel ensured that the CBI itself gets extra height for its building in Bandra Kurla Complex.

Under the circumstances stated above, I humbly request you to get the CBI to reopen its investigation, identify officers of integrity and get them to clean up the MoCA, AAI & DGCA and immediately implement the mitigation measures recommended by Smt.Mangala in her report sent to your office.

I would like to bring your attention to one very important aspect which could embarrass the Country if an accident were to happen in Mumbai or any other place in the Indian Air space. It is the legal liability of the Government of India. The AAI and Air India are entities owned by the Government of India. The DGCA and MoCA are arms of the government whose specific attention has been brought to the issues and if they fail to act, the Government of India could be held liable in foreign jurisdiction which would certainly arise based on the nationality of victims as per the Montreal Convention. Even a terrorist attack could give rise to a foreign jurisdiction based on the nationality of victim as we have had the experience of a UK national suing in London after the 26/11 tragedy.

I hope you will direct your officers to take immediate action and will continue to monitor the progress and not merely pass this letter to the MoCA or the CBI.

Thanking you,

Yours Faithfully,

Yeshwanth Shenoy

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Criminal Public Interest Litigation No. _____/2017

Yeshwanth ShenoyPetitioner
Vs.
The Union of India & OthersRespondents

NOTE OF APPEARANCE

To,
The Registrar,
High Court of Bombay,
Mumbai.

Dear Sir,

I am an advocate enrolled in the Bar Council of Kerala and would appear as a Party in Person in this Public Interest Litigation Petition.

My address for service is as under:

Shri. Yeshwanth Shenoy
"Priyadarshini", Veekshnam Road,
Ernakulam - 682018

E-Mail: yshenoy@gmail.com

Mobile: 9967642195