



2024:DHC:5426-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2151/2024 & CRL.M.A. 20910/2024**

CIVIL SAFETY COUNCIL OF INDIA

.....Petitioner

Through: Dr. Abhay Kant Upadhyay, Mr. B.P. Vaishnav, Mr. Vinod Kr. Kataria and Mr. Ravi Swami, Advs.

versus

UOI AND ORS

.....Respondent

Through: Mr. Ravi Prakash, CGSC with Mr. Ali Khan and Ms. Isha Kant, Advs. Mr. Digvijay Rai, Mr. Archit Mishra, Mr. Sachin Yadav, Advs. with Mr. Gagan Kochar, Sr. Manager, LAW, AAI.

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Date of Decision: 22nd July, 2024

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

MANMOHAN, ACJ : (ORAL)

1. Present public interest petition has been filed following the recent mishap at the Terminal-1 of the IGI Airport, Delhi whereby a portion of the roof at Terminal-1 collapsed due to heavy rainfall around 5:00 A.M. on 28th June, 2024.

2. The Petitioner has prayed for initiation of investigation by a multidisciplinary Special Investigation Team (SIT) headed by a group of expert engineers or by any other agency like CBI etc. to assess the quality of



building construction, its project approval and clearance from civil agencies like MCD etc. or its maintenance as per building bye-laws at all Terminals of the Delhi Airport and at other Terminals in the country.

3. Learned counsel for the Petitioner states that three airport mishaps in three days at Jabalpur, Delhi IGI and Rajkot caused by relentless downpours, have raised serious concerns about the safety and structural integrity of the airport facilities. He states that Respondent No. 5, which operates the Delhi Airport, failed to comply with the Fire and Life Safety norms in accordance with the provisions of National Building Code of India, 2005.

4. Learned counsel for the Union of India states that an F.I.R. No. 40 of 2024 dated 28th June, 2024 under Sections 337/304A IPC for causing death by negligence has been registered by the Delhi Police and investigation is under way. He further states that the Ministry of Civil Aviation (MoCA) has constituted a high level expert committee consisting of structural engineers from IIT Delhi to assess the incident at Delhi T1 and submit its report. Further, all the airport operators have been directed to carry out a third party audit of structural stability of airport buildings and associated infrastructures through a reputed Government Institution/ Body such as IITs, NITs, CBRI, EIL etc. All the airport operators have also been directed to carry out thorough evaluation of all civil, electrical and technical aspects of the building including the design, specifications and workmanship of the roof sheeting structure before the onset of monsoon every year. He points out that airport buildings are built following laid down standards/ National Building Code. Further, Directorate General of Civil Aviation has published Civil Aviation Requirements Section 4 Series B Part 1 which deals with



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standards prescribed for airside infrastructure and DGCA carries out regular audits in the form of surveillance inspections/ spot inspections to ensure compliance to these standards. He lastly states that all airport operators have been instructed to carry out third party structural audit by reputed agencies like IIT/NIT/ Govt. Engineering Colleges, EIL etc.

5. Learned counsel for Airport Authority of India has handed over a copy of the statement issued by its Chairman on 28th June, 2024. The relevant portion of the said statement is reproduced hereinbelow:

“2. As a preventive measure, all Airport Directors are hereby directed to carry out inspection of the building(s) to find out any shortcomings, deterioration etc. so that remedial measures can be taken. Small airports having terminal building upto 10,000 sq. mtrs. to complete this exercise by 30.06.2024 and airport having more than 10,000 sq. mtrs. terminal building to complete this exercise by 05.07.2024.

3. Concerned REDs are also directed to coordinate and do the manpower planning for auditing purpose. In CHQ, ED (LM) would plan and coordinate for timely completion of such inspections and plan out for the subsequent work, if any.”

6. In view of the aforesaid steps that have been initiated by the respondents, the present writ petition is closed.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 22, 2024

N.Khanna