

Letter No. - DIAL/ 2024-25/Regulatory/3422

Date – 07th Feb’2025

The Director (P&S, Tariff),
Airport Economic Regulatory Authority of India (AERA),
Udaan Bhawan, 3rd Floor, D Block, Rajiv Gandhi Bhawan,
Safdarjung Airport,
New Delhi – 110003

Sub: Submission of the Annual Tariff Proposal (ATP) for the 4th Control Period of Indira Gandhi International Airport, Delhi (DEL).

Reference: Consultation Paper no 07/2024-25 dated January 31, 2025

We thank you for the release of consultation paper of IGI Airport for the fourth control period. The Authority directed DIAL to submit the Annual Tariff Proposal (ATP) in line with target revenue within seven days. In this regard, we submit the following:

- While determining the tariff the economic and viable operations of airport has to be taken care in accordance with the Section 13 of the AERA Act.
- DIAL in the past has been incurring losses and also the losses for the current financial year is expected to be over Rs. 1,500 Crs.
- DIAL has recently completed the Phase 3A expansion project incurring huge capex in excess of Rs. 12,500 Crs, considerable portion of which is from borrowings.
- As at the end of December 2024, DIAL is having huge outstanding debt in excess of Rs. 15,000 Crs out of which one series of bonds to the extent of 522 Mn USD is falling due for maturity in October 2026.
- As DIAL will not be able to generate sufficient cash to meet this obligation, DIAL has to raise a fresh loan to meet the bond maturity obligation.
- Considering the allowed target revenue in the next four years, the average aero revenue per pax is coming to Rs. 370/- out of which, it is Rs. 346/- for the financial year 2025-26 and Rs. 360/- for the financial year 2026-27. Based on this aero revenue per pax with the expected traffic, DIAL will incur losses in these two financial years.
- DIAL with the past losses and continuous loss for the next 2 financial years will suffer due to issues in credit rating and it would be difficult to raise any further debt to meet the repayment obligation falling due in October 2026.
- To overcome this challenge and to ensure the economic viability we earnestly request authority within the permitted target revenue in the next four years of CP4 `period please allow aeronautical revenue per pax of ~Rs 450/- in the FY 2025-26 and the same amount in the FY 2026-27 and balance amount can be given in the subsequent two financial years.

- In this way, with need based flexibility, DIAL can avoid incurring losses in the next two financial years helping to retain credit rating enabling to raise funds required to meet the repayment obligations.
- Accordingly, based on the above need based requirement and in the interest of achieving the economic viability we submit the rate card namely ATP for the remaining four years in the CP 4 control period as **Annexure A.**

TDSAT Judgement dated July 21, 2023 of CP2 and CP3:

With regard to TDSAT Judgement although the authority has challenged in Supreme Court in the absence of stay order based on earlier Supreme Court Judgements and legal positions authority should have implemented the referred TDSAT Judgement. However, the authority has taken a view to await for the outcome of Supreme Court Judgement.

In this regard, it is imperative to note that as per Order 41 Rule 5 of the CPC, 1908 unless the appeal is listed and there is an interim order and merely pendency of the appeal before the Supreme Court will not amount the stay on the operation of the order passed by the Court/Tribunal below.

Following Supreme Court Judgements support the implementation of TDSAT Judgement in the absence of stay order by the Honourable Supreme Court :

- I. The statutory authorities are bound to carry out their statutory functions and comply with the orders of the Superior Courts in letter and spirit. Otherwise, the contempt proceedings may be initiated against them by the Superior authority/Appellate Tribunal. [**Refer Bhopal Sugar Industries Vs. Income Tax Officer, Bhopal AIR 1961 SC 182 Para 7-12; RBF Rig Corporation, Mumbai Vs. Commissioner of Customs (Imports), Mumbai (2011) 3 SCC 573 Paras 17-19, 23 to 27]**]
- II. Principle of judicial discipline require that the orders of the higher appellate authorities should be followed unreservedly by the subordinate authorities. The mere fact that the order of the Appellate authority is the subject matter of an appeal cannot furnish any ground for not following it unless its operation has been suspended by a competent court. [**Refer Union of India Vs. Kamlakshi Finance Corporation Limited (1992) Supp (1) SCC 443 Para 6; Kashi Vishwanath Steels Ltd. Vs. Uttaranchal Electricity Regulatory Commission and Ors. Appeal No. 169 of 2006 Para 4]**]
- III. The Regulatory Authorities are bound by this principle of judicial discipline. The orders passed by the Regulatory Authorities are appealable to the concerned Appellate Tribunal under the statute and any order passed in such appeal by the Appellate Tribunal is required to be carried out by the Regulatory Authority unless and until the order of the Appellate Tribunal is stayed, set-aside or modified by the Apex Court to which the second Appeal lies under the scheme of such statute. [**Refer Judgment dated 23.09.2013 passed by APTEL in Appeal No. 52 of 2012- Para 121-124]**]
- IV. Mere pendency of appeal before the Supreme Court against the order does not absolve the party not to comply the order. Provisions of appeal even if availed without any stay, will expose the party to contempt proceedings, for non-compliance. [**Refer Dr. Sajad Majid Vs. Dr. Syed Zahoor Ahmed and Anr.; 1989 Cri LJ 2065 Para 8]**]

- V. *As per the Supreme Court Judgement in the case of 414 of 2007 delivered on 05-10-2023 in respect of Odisha Electricity Regulatory Commission (OERC) and APTEL, following are the important observations at Page 22 at para 26 and at page 47 – para 76):*

The Commission is bound by the orders of the Appellate Tribunal. (page 22- para 26)

It is the duty of the Commission to implement the orders of the Appellate Tribunal as an Appellate Authority (page 47, para 76).

In view of the above legal position, we request authority to be kind enough to implement the TDSAT Judgement as soon as Supreme Court dispose off the pending appeal.

Post Stakeholders meeting, DIAL would be filing its response to the consultation paper. We request Authority to consider our response while finalizing the target revenue and rate card and pass tariff order by the end of this financial year so that new tariff can be implemented from April 01, 2025.

Thanking You,
For Delhi International Airport Limited

K. Narayana Rao
Director

Encl : Annexure A – Annual Tariff Proposal & Variable Tariff Plan
Annexure B – Calculation of projected revenue based on the rate card

Annual Tariff Proposal

I. Landing Charges:

Applicable Rate for the period from April 01, 2025 to March 31, 2029

Landing Charges: Domestic (in Indian rupees)

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Wide Body Aircraft	Rs. 325 per MT	Rs. 325 per MT	Rs. 255 per MT	Rs. 255 per MT
Narrow Body Aircraft	Rs. 300 per MT	Rs. 300 per MT	Rs. 190 per MT	Rs. 190 per MT

Landing Charges: International (in Indian rupees)

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Wide Body Aircraft	Rs. 430 per MT	Rs. 430 per MT	Rs. 340 per MT	Rs. 340 per MT
Narrow Body Aircraft	Rs. 400 per MT	Rs. 400 per MT	Rs. 255 per MT	Rs. 255 per MT

Notes:

1. Classification of Aircrafts:
 - a. Wide Body Aircrafts refers to Code D, Code E and Code F as defined in Annex 14 of ICAO.
 - b. Narrow Body Aircrafts refers to Code A, Code B and Code C as defined in Annex 14 of ICAO and includes Helicopters handled by non-schedule operators.
2. Weight of an aircraft mean Maximum Take-Off Weight (MTOW) in MT (i.e., 1,000 kgs) as indicated in the Certificate of Airworthiness (CoA) issued by competent authority.
3. Landing Charges shall be calculated on the basis of next rounded off MT.
4. Domestic legs of international routes operated by Scheduled Indian Airline Operator to be treated as domestic flights as far as landing charges are concerned, irrespective of the flight numbers assigned to such flights.
5. No landing charges shall be payable in respect of
 - a. Aircrafts with a maximum certified passenger capacity of less than 80 seats, being operated by domestic scheduled operators at the IGI Airport;

- b. Helicopters of all types (not applicable to non-schedule operators);
 - c. Training flights operated by DGCA approved flying schools / flying training institutes;
 - d. Military Aircraft (Government of India) including para-military forces such as BSF, Coast Guard etc.,
6. Minimum Landing charges are Rs. 8,000/-.

II. Parking Charges:

Applicable Rate for the period from April 01, 2025 to March 31, 2029

Parking Charges: Contact Stands (in Indian rupees)

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
> = 100 MT	Rs. 1600/- + Rs. 22.00 per MT per Hour	Rs. 1600/- + Rs. 22.00 per MT per Hour	Rs. 1600/- + Rs. 22.00 per MT per Hour	Rs. 1600/- + Rs. 22.00 per MT per Hour
< 100 MT	Rs. 16.00 per MT per Hour	Rs. 16.00 per MT per Hour	Rs. 16.00 per MT per Hour	Rs. 16.00 per MT per Hour

Parking Charges: Remote (in Indian rupees)

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
> = 100 MT	Rs. 800/- + Rs. 11.00 per MT per Hour	Rs. 800/- + Rs. 11.00 per MT per Hour	Rs. 800/- + Rs. 11.00 per MT per Hour	Rs. 800/- + Rs. 11.00 per MT per Hour
< 100 MT	Rs. 8.00 per MT per Hour	Rs. 8.00 per MT per Hour	Rs. 8.00 per MT per Hour	Rs. 8.00 per MT per Hour

Notes:

1. The above tables shall be referred as Parking Charges for Contact Stands and Parking Charges for Remote Stands respectively and collectively referred as Parking Charges.
2. Weight of an aircraft mean Maximum Take-Off Weight (MTOW) in MT (i.e., 1,000 kgs) as indicated in the Certificate of Airworthiness (CoA) issued by competent authority.

3. Parking Charges shall be calculated on the basis of next rounded off MT and for calculating chargeable parking time, part of an hour shall be rounded off to the next hour.
4. No Parking Charges are levied for the first 2 hours. While calculating the free parking time, standard time of 15 minutes is added on account of time taken between touchdown and actual parking time on the parking stand. Another standard time of 15 minutes is added on account of taxiing time of aircraft from parking stand to take off point and collectively referred as free parking.
5. Parking Charges shall be calculated as follows:
 - a. 0 hours to 4 hours after free parking : Rate as per Parking Charges
 - b. 4 hours to 12 hours after free parking : 2 times of rate as per Parking Charges
 - c. 12 hours to 24 hours after free parking : 4 times of rate as per Parking Charges
 - d. More than 24 hours after free parking : 5 times of rates as per Parking Charges

The Parking Charges for Aircrafts on Ground (AoG) as on January 31, 2025 shall be charged in accordance with the point 5.a referred above only.

III. X-Ray Baggage Charges:

Applicable Rate for the period from April 01, 2025 to March 31, 2029

X-Ray Baggage Charges: Domestic (in Indian rupees)

Domestic Flights <i>Registered Baggage</i>	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
<= 25 Seats	115	120	126	132
26-50 seats	230	241	252	263
51-100 seats	518	542	567	593
101-200 seats	805	842	881	922
>= 201 seats	920	963	1,007	1,053

X-Ray Baggage Charges: International (in US Dollars)

International Flights <i>Registered Baggage</i>	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
For all wide body aircrafts (Code D, Code E and Code F) turnaround flights	220 USD	230 USD	240 USD	250 USD
For all narrow body turnaround flights (Code C) and all transit flights	155 USD	165 USD	170 USD	180 USD

Notes:

1. For conversion of USD to INR the RBI reference conversion rate as on the last date of the previous month for invoices issued in the first fortnight and rate as on 15th of the month for bills issued in the second fortnight of the month shall be considered.

IV. User Development Fee (UDF):**Applicable Rate for the period from April 01, 2025 to March 31, 2029****Domestic Embarking Passengers (in Indian rupees):**

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Off peak hours	405	405	210	210
Peak hours	610	610	315	315

Domestic Dis-embarking Passengers (in Indian rupees):

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Off peak hours	140	140	80	80
Peak hours	210	210	115	115

International Embarking Passengers (in Indian rupees):

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Economy Class	810	810	430	430
Business Class	1,620	1,620	860	860

International Dis-embarking Passengers (in Indian rupees):

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Economy Class	280	280	150	150
Business Class	570	570	300	300

Notes:**1. Classification of Peak Hour and Off-Peak Hour for domestic passengers:**

- a. *Peak hours for Embarking and Dis-embarking Passengers:* Scheduled Time of flight (arrival or departure) between 05:00 hrs to 08:55 hrs and 17:00 to 20:55 hrs (starting and ending time stamps are included in both the intervals).
- b. *Off peak hours for Embarking and Dis-embarking Passengers:* All the scheduled flights other than referred above at 1(a).

Passengers travelling through non-scheduled flights / general aviation shall be charged at the Peak hours rates irrespective of the times referred to in above.

2. Classification of Economy Class and Business Class passengers:

- a. *Economy Class:* Tickets issued by the scheduled airline operator in the category of Economy Class and Premium Economy Class.
- b. *Business Class:* All the tickets issued by the scheduled airline operator other than the Economy Class referred above at 2(a) including the business class, first class.

Passengers travelling through non-scheduled flights / general aviation shall be charged at the Business Class rates irrespective of the class referred to in above.

3. Collection Charges:

If the payment is made within in 15 days of receipts of invoice, then collection charges per departing passenger shall be paid by DIAL as per the policy pertaining to such charges between the DIAL and the airlines. No collection charges shall be paid in case the airlines fails to pay the UDF invoice to DIAL within the credit period of 15 days or in case of part payment.

4. Applicability of UDF Charges:

Above UDF Charges shall be applicable for the tickets issued on or after April 01, 2025.

5. Exemption in payment of UDF:

In terms of DGCA AIC No. 14/2019 dated 16.05.2019 and AIC No. 20/2019 dated 06.11.2019 (decision of Ministry of Civil Aviation, Govt. of India vide order no. AV 29012/39/2018-AD dated 30.10.2019) the following categories of persons are exempted from levy and collection of UDF/PSF:

- Children (under-age of 2 years).
- Holders of Diplomatic Passport.
- Airlines crew on duty including sky marshals & airline crew on board for the particular flight only (this would not include Dead Head Crew or ground personnel).
- Persons travelling on official duty on aircraft operated by Indian Armed Forces.
- Persons travelling on official duty tour United Nations Peace keeping Missions.
- Transit/transfer passengers (this exemption may be granted to all the passengers transiting up to 24 hours. "A passenger is treated in transit only if onward travel journey is within 24 hours from arrival into airport and is part of the same ticket, in case 2 separate tickets are issued it would not be treated as transit passenger").
- Passengers embarking from the IGI Airport, New Delhi due to involuntary re-routing i.e., technical problems or weather conditions.

V. General Condition:

1. All the charges referred above are collectively called as 'aeronautical charges'.
2. Flights operating under Regional Connectivity Scheme will be completely exempted from aeronautical charges as per Order No. 20/2016-17 dated March 31, 2017 of the Authority from the date the scheme is operationalised by the Government of India (GoI) as amended from time to time.
3. All the above aeronautical charges are excluding Goods and Services Tax (GST). GST at the applicable tax rates is payable in addition to the above charges.
4. For all the above aeronautical charges, the Airlines will be allowed a credit period in accordance with the agreement between DIAL and Aircraft Operators.

Variable Tariff Plan

The variable tariff plan with respect to Landing Charges referred in the Annexure A are proposed for scheduled international airline operator as follows:

Variable International Landing Charges (VILC):

Particulars	April 01, 2025 to March 31, 2026	April 01, 2026 to March 31, 2027	April 01, 2027 to March 31, 2028	April 01, 2028 to March 31, 2029
Wide Body Aircraft	-	-	-	-

To avail the Variable International Landing Charges referred to in the table above, the scheduled airline operators are required to satisfy all the following terms and conditions:

- a) Schedule airline operator shall operate a direct flight to new international destination (schedule flights only) which was unserved at the IGI Airport in the previous 2 IATA seasons i.e., Summer'24 and Winter'24-25. The list of destinations which were served by the IGI Airport in the previous 2 IATA season would be provided to such airline operators upon request.
- b) The new international destination with a distance more than or equal to 5,000 KMS from IGI Airport.
- c) The new international destination shall be served only through Wide Body Aircraft as defined in the Landing Charges in Annexure A.

Other Terms:

- a) The Variable International Landing Charges are applicable only for the period up to March 31, 2029 from the date of the commencement scheduled flight referred to in above on or after April 01, 2025.
- b) The unit of KMS refers to air kilometers for calculating the qualifying distance in accordance with the great circle path.
- c) The above charges shall be applicable only if the scheduled airline operator and DIAL are entered into a formal agreement / memorandum of understanding in this regard.