

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPIL No. 37 of 2017Kamal Kumar Dubey **Versus** Union of India

WPIL 67/2017

15.02.2021	Shri Ashish Shrivastava, Shri Sudiep Shrivastava and Shri Sandeep Dubey, Advocates for the respective Petitioners. Shri Ramakant Mishra, Assistant Solicitor General for the Union of India. Shri S.C. Verma, Advocate General with Shri Sudeep Agrawal, Deputy Advocate General for the State. Shri Apurv Goyal, Shri Anumeh Shrivastava, Shri Yogesh Pandey and Shri Shobhit Mishra, Advocates for the respective Respondents. In furtherance of the order dated 03.02.2021 passed by this Court, an additional reply-statement dated 12.02.2021 has been filed on behalf of the Respondents No.4 and 5 i.e. the State Government in WPIL No.67 of 2017 as to the further steps which are required to be taken so as to have commencement of the flights from the Bilaspur Airport. Different aspects as pointed out in this regard are given in paragraph-3, which is extracted below : “3. That, it is most humbly submitted by the answering respondents that <u>following are the various works which are required to be initiated / commenced / curried out for starting flights from the Bilaspur Airport.</u> i. <u>Bilaspur – Bhopal Flight :-</u> a. The aforesaid route was announced by the Ministry of Civil Aviation on 26.08.2020 for Alliance Air (Air India) under UDAN 4.0 Scheme.

b. That, Airports Authority of India along with Regional Connectivity Scheme Cell of Ministry of Civil Aviation, need to issue letter of Award (LoA) to the Alliance Air.

ii. Bilaspur – Prayagraj – Delhi Flight :-

a. That, the aforesaid route was part of UDAN 4.0 bid process however the results of the same has not been declared by the Ministry of Civil Aviation.

b. That, Airports Authority of India along with Regional Connectivity Scheme Cell of Ministry of Civil Aviation is required to take immediate steps for finalization of the selected airlines operator.

iii. Bilaspur – Delhi and Bilaspur – Kolkata Flight :-

a. The aforesaid routes were part of UDAN 3.0 bidding for which counter bid were also called which means that some of the airlines have bidden for the said routes however the result and the award is yet to be declared.

b. That, Ministry of Civil Aviation need to revive the aforesaid bid process as many of the routes awarded during UDAN 3.0 scheme are yet to be made operational.”

Shri Satish Chandra Verma, the learned Advocate General representing the State submits with reference to the contents of additional reply-statement as pointed out in paragraph-4 that, once the 'Letter of Award' is issued by the Airport Authority of India to the Airliners as mentioned there, the selected Airline Operators will have to visit the Airport for survey of safety assessment. The said Operators will have to provide the Standard Operating Procedure for the flight operation and joint safety assessment has to be conducted in presence of the Airliner Operators so as to submit the safety assessment report along with Standard Operating Procedure to the Director General for Civil Aviation for approval. Only after getting the approval as above, that the Ministry of Civil Aviation would grant permission for scheduling the flight operation and once the schedule time for operation is made available, selected Airline Operators would take appropriate steps to commence the regular flights. It is also brought to the notice of this Court by the learned Advocate General that the

safety assessment is scheduled to be effected tomorrow i.e. on 16.02.2021 and that the Officials of the Alliance Air (Air India) would be visiting the Bilaspur Airport in this regard.

Shri Ramakant Mishra, the learned Assistant Solicitor General representing the Union of India submits that the relevant aspects provided from the part of the State in their reply-statement dated 12.02.2021, as put-forth by the learned Advocate General, would definitely be considered and pursued by the Authorities of the Ministry as well as the DGCA / Airport Authority of India and all earnest efforts would be taken to give effect to the declaration made by the Hon'ble Minister for Civil Aviation, Government of India that the flights would commence from the Bilaspur Airport from the 1st of March 2021.

As agreed by learned counsel for both the sides, post these matters for further consideration on 04.03.2021.

Sd/-

(P.R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge