

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPIL No. 37 of 2017

Kamal Kumar Dubey **Versus** Union of India

WPIL/67/2017

01/03/2024	Shri Ashish Shrivastava, Sr. Advocate with Shri Aman Pandey and Shri Aman Memon, Adv. for the petitioner in WP PIL No.37 of 2017. Shri Sudiep Shrivastava, Adv. for the petitioner in WP PILNo.67 of 2017. Shri Ramakant Mishra, Dy. Solicitor General with Shri Tushar Dhar Diwan and Shri Rishabh Dev Singh, Adv. for the UOI. Shri R.K. Gupta, Additional Advocate General for the State. Shri Shobhit Koshta, Advocate for Respondent No.8. Heard. At the very outset Shri Ramakant Mishra, Dy. Solicitor General, as per the instructions, would submit that the working permission has been granted by the Union of India to the State Government of Chhattisgarh in respect of the land admeasuring 286.65 acres located at Tilsara and Rehanghi villages of Bilaspur District for development of the airport in lieu of deposit of Rs.70,49,20,198/- against the defence land. He would further submit that the documents to this regard would be filed during the course of the day.

In view of that we feel and propose that the development may be accelerated for enhancement into 4C category airport.

In respect of the boundary wall which is co-related with the night landing which would facilitate to change for upgradation from 3C-VFR to 3C-IFR – which provides for the night landing.

Shri R.K. Gupta, learned Additional Advocate General for the State would submit that as per Mr. Pandey, who is Executive Engineer, the boundary wall work would be completed by 15/03/2024.

As has been proposed to us that after completion of the boundary wall, the Airport Authority which is now managed by the State functionaries has to apply to Directorate General of Civil Aviation (DGCA) for license for 3C-IFR as it takes into sweep the inspection and other ancillary work has to be carried out by DGCA.

In view of such submission, the State Aviation Department is directed to comply the necessary formalities to apply for the license for 3C-IFR i.e. night landing to accelerate grant of license by DGCA by the next date of hearing and the State Aviation Department would apprise this Court about the steps taken for upgradation of the Airport for night landing.

With respect to the direct flight from Bilaspur to Delhi; Bilaspur to Kolkata; Bilaspur to Hyderabad; as also to Prayagraj and

Jabalpur and other routes is concerned, as per the Alliance Air they have placed the proposal in the sealed cover as it would require Viability Gap Funding (VGF).

It has been submitted before us by the counsel that since Bilaspur has been excluded from the Udaan Scheme for the reason of more than 7 landing in a week, the VGF proposal has to be considered by the State.

Learned counsel for the petitioners would submit that such criteria to place an airport under the developed airport is that if more than 7 landing and takeoffs takes place is arbitrary, however, at this moment we do not want to deliberate on this issue.

Learned Additional Advocate General would apprise us on the next date that as to what deliberations have taken place to provide VGF by the State as the meeting was already convened.

It has been submitted before us that on 08/02/2024 revised proposal to the various routes by the alliance air has already been submitted. As on date since a month has passed, we propose that the Chief Secretary of the State may convene a meeting of the Department so that the policy of the State for providing VGF can be expedited.

It is further submitted that from 28/03/2024 summer schedule in respect of the aviation of the takeoff and the landing would start in

the various airports. It is further submitted that since landing and takeoff also would be interdependent on the other airport where the routes are expected from Bilaspur, the State Government may expedite the matter before that date.

According to our considered opinion the submission appears to be reasonable and we request the Additional Advocate General to apprise this fact to the concerned authorities.

In respect of the approach road learned State counsel would submit that the same is almost in the completion stage. We take that statement on record.

List both the cases on **19th of March, 2024.**

We appreciate the assistance given by Shri R.K. Gupta, learned Additional Advocate General for the State and Shri Ramakant Mishra, learned Deputy Solicitor General for the Union of India and State and Central Authorities.

SD/-
(Goutam Bhaduri)
Judge

SD/-
(Radhakishan Agrawal)
Judge

Ashu