



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 37 of 2017

Kamal Kumar Dubey **versus** Union Of India

WPPIL/67/2017

Order Sheet

02/09/2024	Shri Ashish Shrivastava, Sr. Advocate along with Shri Rohishek Verma, Advocate for the petitioner in WPPIL No.37 of 2017 Shri Sudiep Shrivastava, Advocate along with Shri Sandeep Dubey, Advocate for the petitioner in WPPIL No.67 of 2017. Shri Raj Kumar Gupta, Additional Advocate General for the State. Shri Ramakant Mishra, Dy. Solicitor General for the Union of India along with Miss Anmol Sharma, Central Government Counsel. Shri Shobhit Mishra, Advocate for the IndiGo Airlines.
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	Shri Shobhit Koshta, Advocate for the Alliance Air (Air India) Ms. Kavita Bansal, Advocate appears on behalf of Shri Anumeh Shrivastava, Advocate for the Airport Authority of India. Heard. After hearing the parties and perusal of order dated 18/07/2024, as per the instructions received by learned Additional Advocate General, it is informed that for installation of DVOR at airport meeting has already taken place on 05/08/2024 and the equipments are primarily as appears are to be procured by the Airport Authority. It is further submitted that the communication has been made by the State that the cost which may be incurred shall be borne by the State. The said communication and the copy of the meeting be placed on record before this Court with a copy to the petitioner before the next date of hearing. Since it is submitted that the arguing counsel for the Airport Authority of India is on adjustment, therefore, no
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positive statement could be made. Under these circumstances, the subsequent date is given.

With respect to the earlier demolition of the boundary wall, the reference is made to the affidavit filed by the Union of India by Bureau of Civil Aviation, Security wherein the conditions have been set forth in their letter and the extract of the same is reproduced hereinbelow:-

2. The airport operator shall ensure that the area under construction of the proposed facility shall be developed as per the design approved by the standing committee and no deviation shall be attempted without due approval of the BCAS.
3. Perimeter road and illumination at perimeter must be ensured as per circular order 18/2002, NCASP para 6.2.4 and rule 18 of Aircraft (security) rules 2023.
4. The entire perimeter of this airport measures approximately 9 kilometers. Therefore, a manpower survey is necessary to determine the staffing requirements for guarding the perimeter and manning watch towers. Watch towers should be constructed between 1 kilometer and 1.5 kilometers apart, ensuring line of sight and as per specifications as outlined in Circular Order No.18/2002 and its addendum dated 15.02.2024.
5. The entire area intended to be included in the operational area must be levelled, and the undergrowth must be cleared before removing the existing barbed fencing between the proposed extension and operational area.
6. Once the construction of the perimeter wall is completed along with perimeter lights, the barbed fence between the existing operational area and

	the extended portion will be removed for the process of upgradation of airport from 3C VFR to 3C IFR. Further the reference is also made to the letter dated 29/07/2024 wherein certain compliance is sought for by BCAS. Primarily it appears that perimeter road, which was earlier stated to be motorable for all season but it appears that the requirement may be of the Tar Road, therefore, learned Additional Advocate General shall apprise the concerned State authorities to ensure the laying down of the Tar Road of perimeter road is done so that the necessary compliance can be done as per the letter dated 29/07/2024. The necessary compliance may be carried out as early as possible as already the concrete boundary wall has been set up apart from the earlier existing barbed fencing. The State shall ensure and may place on record what are the advancements have taken place for such compliance of the perimeter road. In respect of the demarcation of the land, as it has been stated that the demarcation has already been taken place by the State, the said demarcation report be placed on record
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along with the status report of the transfer of the land as existing today by the next date.

The Union of India shall also place on record the status of the land and the procedure which are pending as on date for transfer of the land for development of the airport.

Learned counsel for the Alliance Air (Air India) shall also place on record the flights which are operating as on date from Bilaspur so as to evaluate the further course of action.

List it after two weeks.

SD/-

(Goutam Bhaduri)

Judge

SD/-

(Radhakishan Agrawal)

Judge

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