

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No.4/2021 with
MC (PIL) No.2/2021

Date of order: 14.09.2022

Registrar General,
High Court of Meghalaya

Vs. State of Meghalaya & ors

Managing Director, Indigo

Vs. Registrar General,
High Court of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr. P. Yobin, Amicus Curiae with
Ms. I. Laloo, Adv

For the Respondents : Mr. A. Kumar, Advocate General with
Ms. R. Colney, GA
Dr. N. Mozika, ASG with
Ms. A. Pradhan, Adv

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

The State of Meghalaya has identified what, according to the State, is a suitable area for a greenfield airport project to come up. Land measuring approximately 2000 acre at Diengpasoh, off the Guwahati-Jowai highway, has been searched out for such purpose and, prima facie, looks to be an ideal location.

The Airports Authority of India is represented and submits that there are many formalities that need to be complied with before an airport can actually come up. The AAI speaks of a preliminary feasibility study be undertaken. It is hoped that such study would be undertaken at the earliest so that the project can take off as expeditiously as possible, subject to meeting the requirements.

Since the State has identified the land to be appropriate, due consideration must have gone into providing support infrastructure before perceiving the plot to be suitable. The State has to provide ancillary facilities like the approach road to the airport, the provision for a possible hotel, police station, barracks for the security personnel guarding the airport and other necessities that accompany a modern airport.

The State has also to guard against speculative transaction of land in the nearby areas. Immediately after news of the State's offer to the AAI is published, there will be a beeline to acquire land in or around the area and even attempt to set up huts and shanties in the hope of obtaining undue compensation or of setting up business once the airport project gets underway. The State should take every measure possible, in consultation with the Khasi Hills Autonomous District Council, to guard against the speculation in land in and around the area which has been identified and also against setting up of any hut or shanty or any other form of encroachment so that the project is not impeded or the expenses therefor not needlessly increased. Immediate aerial photographs by drones should be obtained of the identified area and its surroundings so that bogus claims by subsequent encroachers may be effectively dealt with. The

photographs should refer to any well-known newspaper of the day so that the date of the relevant photograph is beyond question.

The AAI says that the preliminary study or at least some form of tentative view can be obtained within the next three or four weeks.

Let the matter appear in the second week of October, 2022 for AAI to indicate its preliminary opinion as to the suitability of the land.

The State will also facilitate the multi-disciplinary team that AAI may need to bring to the site for the purpose of carrying out the feasibility survey.

List on October 14, 2022.

(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
14.09.2022
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