

**AIRPORTS ECONOMIC REGULATORY AUTHORITY APPELLATE  
TRIBUNAL  
MINISTRY OF CIVIL AVIATION  
Government of India**

**O/o Competition Appellate Tribunal  
19<sup>th</sup> Floor, Jawahar Vyapar Bhawan  
Tolstoy Marg, New Delhi-110 001**

**APPEAL NO. 1 OF 2010**

(Arising out of the Order No. 1/2010 dated 5.5.2010 passed by the Airports Economic Regulatory Authority of India Act, 2008 in the matter of levy of UDF at Trivandrum International Airport.)

**CORAM**

**Hon'ble Dr. Justice Arijit Pasayat  
Chairman**

**Hon'ble Shri Rahul Sarin  
Member**

**In the matter of :**

**State of Kerala & Anr.**

**... Appellants**

**Versus**

**AERA & Anr.**

**... Respondent**

**Appearances : Mr. P.V. Dinesh and Mr. T.P. Sindhu, advocates  
for the appellant.**

Mr, Mohan Prasaran, ASG, Mr. Atul Nanda, Sr. Advocate with  
Ms. Rameeya Hakeem abd Nr, Akij Orasabba Jynarm, advocates  
for respondent nos. 1.

Mr. Amit Kapur and Ms. Poonam Verma, advocates for respondent  
no. 3.

**ORDER  
9<sup>th</sup> February, 2011**

Heard learned counsel for the parties. Considering the urgency involved and without expressing any final opinion in the matter we direct that it shall be open to the Airport Authority of India to make the new Trivandrum International Airport functional for the present without prejudice to the claims involved. The Airport Authority of India is permitted to levy user development fee on fifteen years basis in stead of ten years

basis as fixed by the Airports Economic Regulatory Authority of India. The present arrangement shall continue until further orders or the disposal of the case whichever is earlier. The Trivandrum International Airport Authorities shall keep the records of the fee collected so that the question of adjustment, if any, can be done at the appropriate stage.

**[Dr. Arijit Pasayat]**  
**Chairman**

**[Rahul Sarin]**  
**Member**



The matter shall be listed on 16<sup>th</sup> March, 2011.

**[Dr. Arijit Pasayat]**  
**Chairman**

**[Rahul Sarin]**  
**Member**



The matter shall be listed on 16<sup>th</sup> March, 2011.

**[Dr. Arijit Pasayat]**  
**Chairman**

**[Rahul Sarin]**  
**Member**