

Aircraft Act, 1934

Section 9A - Power of Central Government to Prohibit or Regulate Construction of Buildings, Planting of Trees Etc.

(1) If the Central Government is of opinion that it is necessary or expedient so to do for the safety of aircraft operations it may by notification in the Official Gazette

(i) direct that no building or structure shall be constructed or erected, or no tree shall be planted on any land within such radius not exceeding twenty kilometers from the aerodrome reference point as may be specified in the notification and where there is any building, structure or tree on such land, also direct the owner or the person having control of such building, structure or tree to demolish such building or structure or, as the case may be, to cut such tree within such period as may be specified in the notification;

(ii) direct that no building or structure higher than such height as may be specified in the notification shall be constructed or erected or no tree, which is likely to grow or ordinarily grows higher than such height as may be specified in the notification shall be planted, on any land within such radius, not exceeding twenty kilometers from the aerodrome reference point, as may be specified in the notification and where the height of any building or structure or tree on such land is higher than the specified height, also direct the owner or the person having control of such building, structure, or tree to reduce the height thereof so as not to exceed the specified height, within such period as may be specified in the notification.

(2) In specifying the radius under clause (i) or clause (ii) of sub-section (1) and in specifying the height of any building, structure or tree under the said clause (ii), the Central Government shall have regard to-

- (a) the nature of the aircraft operated or intended to be operated in the aerodrome; and
- (b) the international standards and recommended practices governing the operation of aircraft.

(3) Where any notification has been issued under sub-section (1) directing the owner or the person having control of any building, structure or tree to demolish such building or structure or to cut such tree or to reduce the height of any building, structure or tree, a copy of the notification containing such direction shall be served on the owner or the person having the control of the building, structure or tree as the case maybe, --

- (i) by delivering or tendering it to such owner or person; or
- (ii) if it cannot be so delivered or tendered, by delivering or tendering it to any officer of such owner or person or any adult male member of the family of such owner or person or by affixing a copy thereof on the outer door or on some conspicuous part of the premises in which such owner or person is known to have last resided or carried on business or personally worked for gain; or failing service by these means;
- (iii) by post.

(4) Every person shall be bound to comply with any direction contained in any notification issued under sub-section (1).
