

Airports Authority of India (Manner of Service of Notice on Unauthorized Occupant) Rules, 2004

CONTENTS

1. Short title and commencement
2. Definitions
3. Form of Notice
4. Manner and service of notice, etc

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In exercise of the powers conferred by clause (gi) and (gii) of subsection (2) of Section 41 of the Airport Authority of India Act, 1994 (15 of 1994), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

(1) These rules may be called the Airports Authority of India (Manner of Service of Notice on Unauthorized Occupant) Rules, 2004 .

(2) They shall come into force on the date of its publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires, -

(a) "Act" means the Airports Authority of India Act, 1994 (15 of 1994);

(b) "eviction officer" means an officer of the Authority appointed as such by it under Section 28B of the Airports Authority of India Act, 1994 :

(c) all other words and expressions used hereinafter, but not defined herein shall have the same meaning as are respectively assigned to them in the Act.

3. Form of Notice :-

A notice under Section 28C of the Airports Authority of India Act,

1994 shall be in the Form appended in these rules.

4. Manner and service of notice, etc :-

(1) In addition to the manner of service of notice specified in sub-section (3) of Section 28C of the Airports Authority of India Act, 1994 , it shall be served on the person or persons who are in occupation of the airport premises by delivering or tendering it to that person or persons or to any adult member of the family of every such person or persons or by sending a copy of such notice by registered post acknowledgment due in a letter addressed to such person or persons.

(2) The copy of the notice required to be sent by post under sub-section (4) of Section 28-C shall be sent by registered post acknowledgment due in a letter addressed to that person at the airport premises.

(3) Where a copy of the notice under sub-section (4) of Section 28-C is delivered or tendered, the signature of the person to whom the copy is so delivered or tendered should be obtained on token of acknowledgment of the service.

(4) In respect of a copy of notice served under sub-rule (2) or sub-rule (3), where the person refuses to sign the acknowledgment or where he cannot be found after using all due and reasonable diligence and there is no adult member of the family of such person, a copy of the notice shall be affixed on the outer door or some other conspicuous part of the airport premises and the original shall be returned to the eviction officer who issued the notice, with a report endorsed thereon or annexed thereto, stating that a copy has been so affixed, the circumstances under which it was done so and the name and address of the person, if any, by whom the airport premises was identified and in whose presence the copy was affixed.

(5) If a notice issued under sub-section (4) of Section 28C of the Airports Authority of India Act, 1994 cannot be served in any manner aforesaid, the eviction officer may, if he thinks fit, direct that such notice shall be published in at least one newspaper having circulation in the locality.