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GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
CIVIL SECRETARIAT
ITANAGAR

NOTIFICATION

The 29th September, 2023

No. Law/Legn-10/2023.—The following Act of the Arunachal Pradesh Legislative Assembly which was passed in the Twelfth Session of the Seventh Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 27th September, 2023)

**THE ARUNACHAL PRADESH AIRPORT AREA PLANNING AND
DEVELOPMENT AUTHORITY Act, 2023**

(ACT No. 8 OF 2023)

An

Act

to provide for constitution of the Arunachal Pradesh Airport Area Planning and Development Authority for proper planning and setting up of infrastructural facilities, developmental work and upgradation of existing infrastructural facilities in the airports of the State and matters connected therewith and incidental thereto.

WHEREAS, providing of better communication facilities to the residents of Arunachal Pradesh, tourists visiting Arunachal Pradesh in the Airports of the State is very necessary;

AND WHEREAS, establishment of a state-of-the-art Airport with world class urban infrastructure facilities in Hollongi Donyi Polo Airport or any other Airport in the State, as the case may be, is utmost importance ;

AND WHEREAS, to secure the welfare of the villagers in adjoining Airports in the State, for their orderly development is also imperative ;

AND WHEREAS, benefit of Airport to adjoining villagers for securing the orderly establishment of the Airports in the State is urgently felt ;

NOW, THEREFORE, be it enacted by the Legislative Assembly of Arunachal Pradesh in the Seventy-fourth Year of the Republic of India, as follows : -

1. (1) This Act may be called the "The Arunachal Pradesh Airport Area Planning and Development Authority Act, 2023". Short title, commencement and application.
- (2) It shall come into force on the date of its publication in the Official Gazette
- (3) It shall apply to the Airport Area specified in the Schedule hereto and to such other areas, with effect from the date of its publication in the Official Gazette.
2. In this Act, unless the context otherwise requires, Definitions.
 - (a) "Airport Area" means the Airport Areas specified in the Schedule appended in this Act or any other airport area as may be appended thereto ;
 - (b) "Airport Planning Area" means the area declared as the Airport Planning Area under sub-sections (1), (2) and (3) of section 7 of the Arunachal Pradesh Urban and Country Planning Act, 2007 (Act No.3 of 2008) ;
 - (c) "Authority" means the Arunachal Pradesh Airport Area Planning and Development Authority constituted under section 3 of this Act ;

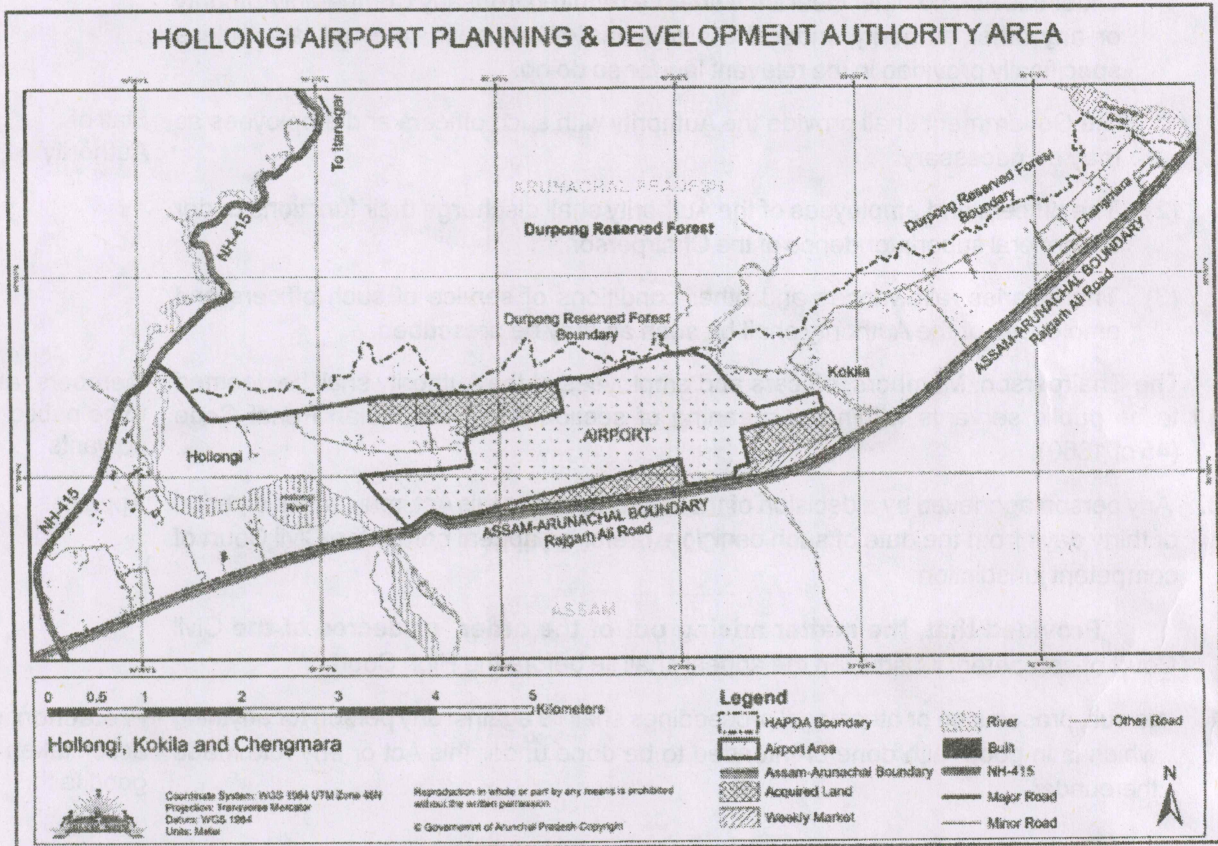
- (d) "Clearances" means no objection certificates, consents, approvals, permissions, registrations, enrollments, licenses and the like, required under the relevant law in connection with setting up of the infrastructural facilities, developmental work and upgradation of existing infrastructural facilities connected with or related to Airport;
- (e) "Chairperson" means the Chairperson of the Authority ;
- (f) "Competent Authority" means any Department or agency of the Government, authorized agency, statutory authority or body, village panchayat, municipality or municipal corporation or other local body or any other authority or committee which is entrusted with the powers and responsibilities to grant or issue clearances ;
- (g) "Government" means the Government of Arunachal Pradesh ;
- (h) "notification" means a notification published in the Official Gazette of the Government of Arunachal Pradesh ;
- (i) "prescribed" means prescribed by rules made under this Act ;
- (j) "relevant law" means the State law and the rules, regulations, notifications and orders framed or issued thereunder ;
- (k) "Schedule" means Schedule(s) appended to this Act ;
- (l) "Secretary" for the purpose of this Act means, Secretary, Commissioner, Principal Secretary, Additional Chief Secretary of the Department.
- Constitution of Authority. 3. The Government may, by notification in the Official Gazette, constitute an Authority, to be known as the Arunachal Pradesh Airport Planning and Development Authority, to exercise the powers conferred on, and to perform the functions assigned to it, by or under this Act.
- Composition of Authority. 4. The Authority shall consist of the following ex-officio members, namely :
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| (i) Chief Secretary, Arunachal Pradesh | : | Chairperson |
| (ii) Secretary (Finance) | : | Member |
| (iii) Secretary (APPWD) | : | Member |
| (iv) Secretary (Planning and Investment) | : | Member |
| (v) Secretary (Civil Aviation) | : | Member |
| (vi) Secretary (Health & Family Welfare) | : | Member |
| (vii) Secretary (Disaster Management) | : | Member |
| (viii) Secretary (Land Management) | : | Member |
| (ix) Secretary (Town Planning) | : | Member |
| (x) Principal Chief Conservator of Forests | : | Member |
| (xi) Director Town Planning | : | Member Secretary |
- Authentication. 5. All orders and decisions of the Authority shall be authenticated by the Member Secretary of the Authority.
- Powers and functions of the Authority. 6. The Authority shall exercise the following powers and functions, namely :
- (i) to meet at such times and place(s) as the Chairperson may decide and shall transact the business as per the procedure as may be prescribed.
- (ii) to receive proposals for clearance and give acknowledgement there of ;
- (iii) to advice the Government from time to time ;
- (iv) to exercise the powers of the Planning and Development Authority under the Arunachal Pradesh Urban and Country Planning Act, 2007 (Act No.3 of 2008), a municipality under the Arunachal Pradesh Municipal Act, 2007(Act. No. 4 of 2008), a Municipal Corporation under the Arunachal Municipal Corporation Act, 2019 or the Village Panchayat under the Arunachal Pradesh Panchayat Raj Act, 1997 (Act No. 5 of 2001), as the case may be, in respect of the Airport Planning Area ;
- (v) to exercise all the powers, which are otherwise vested in the Competent Authority under the relevant law or rules, regulation, bye laws, notifications issued thereunder so as to give clearances for development of the Airport Planning Area.
- (vi) the Authority shall exercise such other powers and functions as may be by order determined by State Government.

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| 7. | (1) Notwithstanding anything contained in the Arunachal Pradesh Urban and Country Planning Act, 2007 (Act No. 3 of 2008), for the Airport Planning Area, the Authority shall be deemed to be a Planning and Development Authority under the said Act. | Miscellaneous Provisions. |
| | (2) This Authority shall also be a deemed Panchayat having all powers under the Arunachal Pradesh Panchayat Raj Act, 1997 (Act No. 5 of 2001) and a deemed Municipality under the Arunachal Pradesh Municipal Act, 2007 (Act. No.4 of 2008) a Municipal Corporation under the Arunachal Pradesh Corporation Act, 2019 with all powers thereof. | |
| | (3) Notwithstanding anything contained in any relevant law for the time being in force, once a proposal is cleared or clearance or permission is granted by the Authority under this Act, no other clearance shall be required from any Competent Authority or any other authority under the provisions of any such relevant law, unless specifically provided in the relevant law for so doing. | |
| 8. | (1) The Government shall provide the Authority with such officers and employees as may be necessary. | Staff of Authority. |
| | (2) The officers and employees of the Authority shall discharge their functions under the general superintendence of the Chairperson. | |
| | (3) The salaries, allowances and other conditions of service of such officers and employees of the Authority shall be such as may be prescribed. | |
| 9. | The Chairperson, Members, officers and employees of the Authority shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860). | Members, etc., to be public servants. |
| 10. | Any person aggrieved by a decision of the Authority under this Act, may, within a period of thirty days from the date of such decision, prefer an appeal before the Civil Court of competent jurisdiction. | Appeals. |
| | Provided that, the matter arising out of the order or decree of the Civil Court of competent jurisdiction the appeal shall lie before the High Court. | |
| 11. | No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder | Protection of action taken in good faith. |
| 12. | The provisions of this Act shall not apply to any clearances required under Central enactments. | Savings. |
| 13. | To achieve the objectives of the Act, the Government may give direction to any Government Department or Agency, Authority, local authority or other authority or any person, under this Act with regard to the setting up of the infrastructural facilities, developmental work and upgradation of existing infrastructural facilities connected with or related to the Airport and such Government Department or Agency, Authority, local authority or other authority or person. | Power to give directions. |
| 14. | The Government may, by notification make rules for carrying out all or any of the provisions of this Act. | Power to make rules. |
| 15. | If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty : | Power to remove difficulty. |

SCHEDULE

All the Hollongi Donyi Polo Airport Area measuring 1379.14 Hectares comprising of parts of the areas of villages of Hollongi, Kokila, Chengmara, in the plan appended hereto but excluding the built-up area measuring 350.90 hectares of Hollongi Donyi-Polo Airport as described more specifically hereinunder and bounded by:

1. North : Boundary Line of Durpong Reserve Forest.
2. South : Rajgarh Ali Road and Assam-Arunachal Boundary



3. East : Chengmara River;
4. West : National Highway No. 415.

Any other Airport Areas as may be appended.

Onit Panyang, IAS
 Commissioner to the
 Government of Arunachal Pradesh,
 Itanagar.