

PART I – Preliminary

1. Short title and extent - (1) These rules may be called the Aircraft Rules, 1937.

(2) They extend to the whole of India and apply also (unless the contrary intention appears) -

(a) to, and to persons on, aircraft registered in India wherever they may be, except cases falling under sub-rule(4);

(b) to, and to persons on, all aircraft for the time being in or over India :

Provided that in the case of aircraft registered in a country other than India, the regulations of that country relating to registration, license of personnel, airworthiness and log books shall apply in place of the provisions contained in Parts IV, V, VI and IX of these Rules :

Provided further that the foregoing proviso shall not apply to aircraft registered in any country whose regulations are not based on standards at least equal to the minimum standards established from time to time under the Convention on International Civil Aviation opened for signature at Chicago on the 7th December, 1944, and the cases falling under sub-rule(3).

(2A) In case of aircraft registered in a contracting State other than India and operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who has his principal place of business, or, if has no such place of business, his permanent residence in another contracting State than India, the regulations of the other contracting State relating to registration, licensing of personnel, airworthiness and log books shall apply in place of the provisions contained in Parts IV, V, VI and IX of these rules, provided that an agreement has been reached between the Government of State of registry of aircraft and the government of the other contracting State relating to transfer of functions and duties pursuant to Article 83 bis of the Convention and the same has been officially notified to the Government of India or the International Civil Aviation Organisation. The extent of application of these rules to such aircraft shall be as per the agreement between the two Governments.

(3) These rules shall also apply to aircraft registered in a contracting State and operated pursuant to an agreement for the lease, charter or interchange of the aircraft or any similar arrangement by an operator who has his principal place of business, or, if he has no such place of business, his permanent residence in India, provided that an agreement has been reached between the government of the State of registry of the Aircraft and the Government of India in regard to transfer of functions and duties pursuant to Article 83 bis of the convention. The extent of application of these rules to such aircraft shall be as per the agreement between the two Governments.

(4) These rules shall not apply to aircraft registered in India and operated pursuant to an agreement for the lease, charter or interchange of aircraft or any similar arrangement by an operator who has his principal place of business or if he has no such place of business, his permanent residence in a contracting State, provided that an agreement has been reached between the Government of India and the Government of that contracting state in regard to transfer of functions and duties pursuant to Article 83 bis of the Convention. The extent of non-application of these rules to such aircraft shall be as per the agreement between the two Governments.

[Amended by (i) G.S.R. No. 794, dated. 16-5-1966,

(ii) G.S.R. No. 20(E) dated 12-1-1994, and

(iii) G.S.R. No. 812(E) dated 21-11-2008.]

2. Nationality of aircraft - An aircraft shall be deemed to possess the nationality of the State on the register of which it is entered.

3. Definitions and Interpretation - In these rules, unless there is anything repugnant in the subject or context –

(1) *Deleted by GSR No. 535(E) dated 5th July 2012*

(1A) “Aerial work” means any aircraft operation undertaken for an industrial or commercial purpose or any other remunerative purpose, but does not include operation of an air transport service;

[Inserted by GSR No 643(E) dated 29-7-2010 and GSR No. 801(E) dated 15-9-2010]

(1B) “Aerial work aircraft” means an aircraft used for the aerial work.”

[Inserted by GSR No 643(E) dated 29-7-2010 and GSR No. 801(E) dated 15-9-2010]

(1C) “air traffic” means all aircraft in flight or operating on the manoeuvring area of an aerodrome;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1D) “Air Traffic Controller” means a person on duty in an air traffic services unit and entrusted with the task of giving instructions, clearance or advice to aircraft by approved means of communication in the interest of safety of aircraft operations;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1E) “Air Traffic Controller’s Licence” means a licence granted under these rules certifying the competence of the holder to perform the duties of an air traffic controller and containing his personal details including ratings, endorsements and validity of the licence;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1F) “air traffic service” means the flight information service, alerting service and air traffic advisory service and air traffic control service (area control service, approach control service or aerodrome control service);

[Inserted by GSR No 64(E) dated 3-2-2012]

(1G) “Air traffic services unit” means the air traffic control unit, flight information centre or air traffic services reporting office;

[Inserted by GSR No 64(E) dated 3-2-2012]

(1GA) “Airworthy” means the status of an aircraft, engine, propeller or part when it conforms to its approved design and is in a condition of safe operation in accordance with norms specified by the Director-General;

[Inserted by GSR No 721(E) dated 23-6-2017]

(1GB) “Airworthiness Review Certificate” means a certificate issued under these rules to confirm the continued validity of a Certificate of Airworthiness;

[Inserted by GSR No 721(E) dated 23-6-2017]

(1H) “approved training” means a training the curriculum of which has been approved by the Director-General;

[Inserted by GSR No 64(E) dated 3-2-2012]

(2) "Aerodrome" means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers and other structures thereon or appertaining thereto;

(3) 'Aerodrome operator' means a person, organization or enterprise responsible for operation and management of an aerodrome.

[Inserted by GSR No 690(E) dated 22.09.2009]

(4) "Aerodyne" means an aircraft whose support in flight is derived dynamically from the reaction on surfaces in motion relative to the air, and includes all aeroplanes, helicopters, gyroplanes, gliders and kites;

(4A) "Aeronautical beacon" means an aeronautical ground light visible at all azimuth either continuously or intermittently to designate a particular point on the surface of the earth;

[Inserted by GSR No 610(E) dated 14-8-84]

(4B) "Aeronautical ground light" means any light provided as an aid to air navigation other than a light displayed on an aircraft;

[Inserted by GSR No 610(E) dated 14-8-84]

(4C) "Aeronautical product" means any civil aircraft, aircraft engine or propeller.

[Inserted by GSR No 97(E) dated 14-02-2014]

(5) "Aeroplane" means a power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

[Amended by GSR No. 1202 dated 23-7-1976]

(6) "Aerostat" means an aircraft supported in the air statically and includes all airships and balloons;

(7) "Aircraft" means any machine which can derive support in the atmosphere from reactions of the air other than reactions of the air against the earth's surface and includes balloons whether fixed or free, airships, kites, gliders and flying machines;

[Amended by GSR No. 270 dated 2-3-1973]

(7A) "Aircraft component" means any part, the soundness and correct functioning of which, when fitted to an aircraft, is essential to the continued airworthiness or safety of the aircraft and includes any item of equipment;

[Inserted by GSR No. 1202 dated 23-7-1976]

(8) "Airship" means a power-driven lighter-than air aircraft;

[Amended by GSR No. 1202 dated 23-7-1976]

(9) "Air transport service" means a service for the transport by air of persons, mails or any other thing, animate or inanimate, for any kind of remuneration whatsoever, whether such service consists of a single flight or series of flights;

(9A) "Air Transport Undertaking" means an undertaking whose business includes the carriage by air of passengers or cargo for hire or reward;

[Inserted by GSR No. 1202 dated 23-7-1976]

(9B) "Amateur-built aircraft" means an aircraft, the major portion (minimum 51%) of which has been fabricated and assembled by person or persons who undertook the construction project solely for their own education, research and development, sports or recreation;

[Inserted by GSR No. 1358(E) dated 01-11-2017]

(10) "Amphibian" means an aeroplane capable normally of taking off from and alighting on either land or a solid platform or water;

(10A) "Approved" means accepted by the Director-General as suitable for a particular purpose;

[Amended by GSR No 721(E) dated 23-6-2017]

(10B) "Approved maintenance system" means the maintenance system approved by the Director-General of Civil Aviation;

[Inserted by GSR No. 1202 dated 23-7-1976; Amended by GSR No 721(E) dated 23-6-2017]

(10C) "Authorised Party" means the party referred to in Article XIII (3) of the Cape Town Protocol;

[Inserted by GSR No. 78(E) dated 9-2-2015; Renumbered by GSR No 721(E) dated 23-6-2017]

(11) "Balloon" means a non-power-driven lighter-than-air aircraft;

Amended by GSR No. 1202 dated 23-7-1976]

(11A) "Cabin crew member" means a crew member other than a flight crew member;

[Inserted by GSR No. 383 dated 11-7-2001]

(11AA) "Cape Town Convention" means the Convention on international interests in mobile equipment signed at Cape Town, South Africa on the 16th of November, 2001, together with any regulations made in connection therewith as acceded to by India on March 31, 2008;

[Inserted by GSR No. 78(E) dated 9-2-2015]

(11AB) "Cape Town Protocol" means the Protocol to the Cape Town Convention on matters specific to Aircraft Equipment, signed in Cape Town, South Africa on the 16th of November, 2001, together with any regulations made in connection therewith as acceded to by India on the 31st March, 2008;

[Inserted by GSR No. 78(E) dated 9-2-2015]

(11B) "Certificate of Airworthiness" means an aircraft specific document issued by the Director-General to signify that it conforms to its applicable type design and is in a condition for safe operation in accordance with the norms as specified by the Director-General;

[Inserted by GSR No. 1202 dated 23-7-1976; Amended by GSR 721(E) dated 23-06-2017]

(12) "Class Rating" shall comprise

- (a) Single-engine, land;
- (b) Single-engine, sea;
- (c) Multi-engine, land;
- (d) Multi-engine, sea;

(13) "Contracting State" means any State which is for the time being a party to the Convention on

International Civil Aviation concluded at Chicago on December 7, 1944, and any amendment which may be made thereto under the provisions of Article 94 thereof;

(13A) "Convention" means the Convention relating to International Civil Aviation signed at Chicago on the 7th day of December, 1944, as amended from time to time;

[Inserted by GSR No. 1202 dated 23-7-1976]

(14) "Co-pilot" means a licensed pilot serving in any piloting capacity other than as pilot-in-command but excluding a pilot who is on board the aircraft for the sole purpose of receiving flight instruction;

(15) Deleted

[GSR No. 413 dated 23-7-2001]

(16) "Course" or "heading" means the direction in which the longitudinal axis of an aircraft is pointed, usually expressed in degrees from North (True, Magnetic or Compass);

(16A) "Crew Member" means a person assigned by an operator to duty on an aircraft during a flight duty period;

[Inserted by GSR No. 383 dated 11-7-2001]

(17) *[Deleted by GSR No. 232(E) dated 19-3-2007]*

(17A) "Defence Aerodrome" means an aerodrome owned and operated by Indian Air Force, Indian Navy or Indian Army;

[Inserted by GSR No. 977(E) dated 5-10-2016]

(18) "Director-General" means Director-General of Civil Aviation;

(19) "Dual flight time" means flight time during which a person is receiving flight instructions from a pilot on board the aircraft;

(19A) "endorsement" with respect to a licence means an entry in the licence indicating the privileges which the licence holder is entitled to exercise, including any observation impacting the exercise of such privileges;

[Inserted by GSR No 64(E) dated 3-2-2012]

(20) "Export" means taking out of India;

(21) "Flight crew member" means a licenced crew member charged with duties essential to the operation of an aircraft during a flight duty period;

[Amended by GSR No. 383 dated 11-7-2001]

(21A) "Flight Manual" means a manual associated with the certificate of airworthiness, containing limitations within which the aeroplane is to be considered airworthy, and contains instructions and information necessary to the flight crew members for the safe operations of the aeroplane;

[Inserted by GSR No. 1202 dated 23-7-1976]

(21B) "flight information region" means an airspace of defined dimensions within which flight information service and alerting service are provided;

[Inserted by GSR No 64(E) dated 3-2-2012]

(21C) "flight information service" means a service provided for the purpose of giving advice and information useful for the safe and efficient conduct of flights;

[Inserted by GSR No 64(E) dated 3-2-2012]

(22) "Flight time" –

- (i) in respect of an aeroplane, means the total time from the moment the aeroplane first moves for the purpose of taking off until the moment it finally comes to rest at the end of the flight; and
- (ii) in respect of a helicopter, means the total time from the moment the helicopter's rotor blades start turning until the moment it finally comes to rest at the end of the flight, and the rotor blades are stopped.

Note:- Flight time as herein defined is synonymous with the term "block to block" time, or "chock to chock" time in general usage which is measured from the time an aeroplane first moves for the purpose of taking off until it finally stops at the end of the flight;

[Inserted by GSR No. 383 dated 11-7-2001]

(23) "Flight time in a glider" means the total time occupied in flight, whether being towed or not, from the moment the glider first moves for the purpose of taking off until the movement it comes to rest at the end of the flight;

(24) "Flight time in free flight" includes flight time in glider when it is not being towed;

(25) "Flying machine" means a mechanically driven aerodyne, and includes all aeroplanes, helicopters and gyroplanes;

(25A) "Foreign Aircraft" means an aircraft registered in a country other than India;

[Inserted by GSR No. 1202 dated 23-7-1976]

(26) "Glider" means a non-power-driven heavier-than-air aircraft, deriving its lift in flight chiefly from aerodynamic reactions on surfaces which remain fixed under given conditions of flight;

[Amended by GSR No. 1202 dated 23-7-1976]

(27) "Government aerodrome" means an aerodrome which is maintained by or on behalf of the Central Government and includes an airport to which the Airports Authority of India Act, 1994 (55 of 1994) applies or is made applicable;

GSR No. 732 (E) dated 02-11-2004]

27A) "Gyroplane" means a rotorcraft whose rotors are not engine-driven, except for initial starting, but are made to rotate by action of the air when the rotorcraft is moving; and whose means of propulsion, consisting usually of conventional propellers, is independent of the rotor system;

[Inserted by GSR No. 1358(E) dated 01-11-2017]

(28) "Helicopter" means a heavier-than -air aircraft supported in flight by the reactions of the air on one or more power driven rotors on substantially vertical axis;

(28A) "IDERA" means the irrevocable deregistration and export request, authorisation as contemplated

in Article XIII of the Cape Town Protocol and substantially in the form and manner provided as an Annexure to the Cape Town Protocol;

[Inserted by GSR No. 78(E) dated 9-2-2015]

Amended by GSR No. 295(E) dated 23-3-2017]

(28B) "IDERA Holder" means the authorised party under an IDERA or its certified designee;

[Inserted by GSR No. 78(E) dated 9-2-2015]

(29) "Import" means bringing into India;

[Amended by -(i) GSR No. 1035 dated 6-9-1974]

(29A) Deleted by GSR No. 535(E) dated 5th July 2012

(30) "Instrument time" means the instrument flight time or the instrument ground time;

(31) "Instrument flight time" means the time during which a pilot is piloting an aircraft solely by reference to instruments and without external reference points;

(32) "Instrument ground time" means the time during which a pilot is practising, on the ground, simulated instrument flight on a mechanical device approved by the Director -General;

(32A) "Item of equipment" means any self-contained unit, which, when attached to, or installed on aircraft, performs a function essential under certain operating conditions of airworthiness or safety of the aircraft or its occupants;

[Inserted by GSR No. 1202 dated 23-7-1976]

(33) "Landing area" means that part of an aerodrome reserved for the departure or landing of aircraft;

(33A) "Licence" means a licence issued under these rules;

[Inserted by GSR No. 1202 dated 23-7-1976]

(33AA) "Light Sport Aircraft" means a fixed wing aircraft with maximum certificated take off mass exceeding 450 Kgs. but not exceeding 600 Kgs.(650 Kgs. in case of sea planes) and stalling speed not exceeding 45 knots;

[Inserted by GSR No 721(E) dated 23-6-2017]

(33B) "Major Airport" shall have the meaning assigned to it in clause (i) of section 2 of the Airports Economic Regulatory Authority of India Act, 2008 (27 of 2008);

[Inserted by GSR No. 757 dated 14.10.2009]

(33C) "Maintenance" means the performance of tasks required to ensure the continuing airworthiness of an aircraft, including any one or combination of overhaul, inspection, replacement, defect rectification and the embodiment of a modification or repair or test;

[Inserted by GSR No. 1001 dated 22.12.2010 and G.S.R. 50(E) dated 25.01.2011]

(34) "Making way"-An aircraft is said to be "making way" when under way in the air or on the surface of the water, it has a velocity relative to the air or water, respectively;

(34A) "Manoeuvring area" means that area of an aerodrome which is to be used for the take-off and landing of an aircraft and for the movement of aircraft associated with the take-off and landing;

[Inserted by GSR No. 159 dated. 10-1-1972]

(34B) "Microlight aircraft (single seater)" means a fixed wing aircraft with maximum all up weight not exceeding 330 kg. and a wing area not less than 10 sq. meters and which is designed to carry not more than one person;

[Inserted by GSR No. 218 dated 13-3-1991]

(34C) "Microlight Aircraft (two seater)" means a fixed wing aircraft with a maximum all up weight not exceeding 450 kg. and a wing area not less than 10 sq. meters and which is designed to carry not more than two persons;

[Insertion by GSR No. 218 dated 13-3-1991]

(34D) "Microlight Aircraft" means Microlight aircraft (single seater) and Microlight aircraft (two seater) and excludes hang gliders and para-planes.

[Inserted by GSR No. 218 dated 13-3-1991]

(35) "Military aircraft" includes naval, military and air force aircraft, and every aircraft commanded by a person in naval, military or air force service detailed for the purpose;

(35A) "Movement area" means the area of an aerodrome which is intended for the surface movement of an aircraft and includes the manoeuvring area and aprons;

[Inserted by GSR No. 159 dated 10-1-1972]

(36) "Normal flight" means flight comprising climbing, horizontal flight, turning and descending, provided, however, that it does not entail abrupt variations in height or in the attitude of the aircraft;

(37) "On the surface of the water"- An aircraft is deemed to be "on the surface of the water" so long as any portion of it is in contact with the water;

(37A) "on-the-job training" means integration in practice of previously acquired job related qualifications and skills in a live job situation under the supervision of a qualified and experienced person already employed for that job.

[Inserted by GSR No 64(E) dated 3-2-2012]

(38) "Operator" means a person, organisation or enterprise engaged in or offering to engage in aircraft operation;

(39) "Passenger aircraft", "mail aircraft" and "goods aircraft" means aircraft which effect public transport of passengers, mails or goods, respectively;

(39A) *[Omitted by GSR No. 1358(E) dated 01-11-2017]*

(40) "Personnel" in relation to any aircraft means the person in charge, the pilot, the navigator, the engineer, and all other members of the crew;

(41) "Petroleum in bulk" means petroleum contained in receptacle exceeding 900 liters in capacity;

(42) "Pilot-in Command" in respect of a pilot,
(i) engaged in commercial operations means the pilot designated by the operator as being in command and charged with the safe conduct of a flight; and

- (ii) engaged in general aviation or helicopter operations means the pilot designated by the operator or owner as being in command and charged with the safe conduct of a flight;

[Inserted by GSR No. 383 dated 11-7-2001]

(43) "Private aircraft" means all aircraft other than aerial work aircraft or public transport aircraft;

(44) "Prohibited area" means an area over which the navigation of aircraft is prohibited under rule 12;

(45) "Public transport" means all carriage of persons or things effected by aircraft for a remuneration of any nature whatsoever, and all carriage of persons or things effected by aircraft without such remuneration if the carriage is effected by an air transport undertaking;

(46) "Public transport aircraft" means an aircraft which effects public transport;

(47) "Rating" means an authorisation entered on a licence and forming part thereof, stating special conditions, privileges or limitations pertaining to such licence;

(47A) "Registered Interest" means any interest registered pursuant to Chapter V of the Cape Town Convention;

[Inserted by GSR No. 78(E) dated 9-2-2015]

(47B) "Remote Pilot" means a person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during the flight time;

[Inserted by GSR No. 1358(E) dated 01-11-2017]

(47C) "Remote Pilot Station" means the component of the remotely piloted aircraft system, containing the equipment used to pilot the remotely piloted aircraft;

[Inserted by GSR No. 1358(E) dated 01-11-2017]

(47D) "Remotely Piloted Aircraft" means an unmanned aircraft which is piloted from a remote pilot station;

[Inserted by GSR No. 1358(E) dated 01-11-2017]

(47E) "Remotely Piloted Aircraft System" means a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;

[Inserted by GSR No. 1358(E) dated 01-11-2017]

(48) "Rendering a licence valid" means the action taken as an alternative to assuming a licence, in accepting a licence issued by any other Contracting State as the equivalent of an Indian licence;

(48A) "Restricted Type Certificate" means a document issued, validated or accepted by the Director-General signifying that the design of a type of aircraft or engine or propeller does not fully meet the applicable type design standards specified by the Director-General;

[Inserted by GSR No 721(E) dated 23-6-2017]

(48AA) "Safety" means the state in which the risk of harm to persons or of property damage is reduced to and maintained at or below an acceptable level of safety through a continuing process of hazard identification and risk management.

Explanation. – For the purposes of this clause, “acceptable level of safety” is the minimum degree of safety that must be assured by a system in actual practice.

[Inserted by GSR No. 59(E) dated 31.01.2011; Renumbered by GSR No 721(E) dated 23-6-2017]

(48B) “Safety oversight function” means a function by means of which the safety-related standards and recommended practices and associated procedures contained in the Annexes to the Convention are implemented.”

[Inserted by GSR No. 59(E) dated 31.01.2011]

(49) "Scheduled air transport service" means an air transport service undertaken between the same two or more places and operated according to a published time table or with flights so regular or frequent that they constitute a recognisably systematic series, each flight being open to use by members of the public;

[Amended by GSR No. 117(E) dated 25.2.1994]

(50) "Seaplane" means an aeroplane capable normally of taking off from and alighting solely on water;

(50A) *Deleted by GSR No. 535(E) dated 5th July 2012*

(51) "Solo flight time" means flight time during which a pilot is the sole occupant of an aircraft;

(51A) “specified or as specified or may be specified by the Director-General” means the directions issued by the Director-General under rule 133A and placed in public domain on the website of the Directorate General of Civil Aviation i.e. (<http://dgca.nic.in>);

[Inserted by GSR No. 911(E) dated 16-09-2016]

(51B) "Special Certificate of Airworthiness" means a document issued by the Director-General to an aircraft which has a restricted type certificate or complies with airworthiness specifications as specified by the Director-General for ensuring adequate safety;

[Inserted by GSR No 721(E) dated 23-6-2017]

(51C) "Special Flight Permit" means a document issued by the Director-General to an aircraft which does not meet the conditions of airworthiness as defined in clause (1GA) but is in a condition for safe operation subject to limitations as may be specified therein;

[Inserted by GSR No 721(E) dated 23-6-2017]

(52) "State aircraft" includes military aircraft and aircraft exclusively employed in the service of the Government such as posts, customs, police;

(52A) “Student Pilot-in-Command” means a trainee pilot, acting as Pilot-in-Command under observation of a flight instructor, who shall not manipulate the flight controls of an aircraft or influence the flight during flight time except when the safety of the aircraft is jeopardised.

Note: In the event the instructor manipulates the flight controls during the flight, the flight shall be deemed to be a dual instructional flight.

[Inserted by GSR No. dated 12-03-2009]

(53) "Subsequent aircraft" means an aircraft which is constructed in accordance with the design and specification of a type of aircraft, which has been approved or accepted by the Central Government for

the issue of a certificate of airworthiness;

(54) "Take-off" includes all the successive positions of an aerodyne from the moment it moves from rest until the moment of starting normal flight;

(54A) "Tariff" means any fare, rate or charge collected by an air transport undertaking for the carriage of passengers, baggage, cargo, including the commission payable to the agents, and the conditions governing such fare, charge or rate.

[Inserted by GSR No. 21(E) dated 09-01-2009]

(54B) "Temporary Aerodrome" means an aerodrome intended to be used for a period not exceeding six months;

[Inserted by GSR No. 732 (E) dated 02-11-2004]

(55) "To land" is the action under normal conditions of making contact with the ground or a solid platform or water by an aircraft equipped for this purpose;

(56) "To pilot" means to manipulate the flight controls of an aircraft during flight time;

(57) "Type of aircraft" means all aircraft of the same basic design including all modifications thereto except those modifications which result in a change in handling or flight characteristics;

(57A) "Type Certificate" means a document issued, validated or accepted by the Director-General to signify that the design of a type of aircraft or engine or propeller, complies with the applicable type design standard specified by the Director-General;

[Inserted by GSR No. 1202 dated 23-7-1976; Amended by GSR No 721(E) dated 23-6-2017]

(58) "Type rating" means a rating for each type of aircraft;

(59) "Under control" an aircraft is said to be "under control" when it is able to manoeuvre as required by these rules;

(60) "Visible" as applied to lights means visible on a dark night with a clear atmosphere.

3A. Delegation of Powers - (1) Any power or duty conferred or imposed by these rules on the Central Government may be exercised or discharged by the Central Government or by any person authorised by it in that behalf;

(2) Any power or duty conferred or imposed by these rules on the Director-General may be exercised or discharged by the Director-General or by any other person authorised by the Central Government in that behalf;

(3) The exercise or discharge of any power or duty conferred or imposed by the rule 19 or part V or part VI of these rules on the Central Government by an authority outside India specified by the Central Government in that behalf, shall have effect in India as though the powers have been exercised or the duty discharged by a person authorised in this behalf under sub-rule(1) of this rule.

3B. Appeals - If any person is aggrieved by an order passed by an officer in exercise of a power conferred on him by these rules or delegated to him under rule 3A, he may prefer an appeal to the next higher officer within sixty days of the date of the order subject to the condition that not more than two appeals shall be filed in any one case.

Note:- For the purpose of this rule, the next higher officer in case of Director General shall be the Secretary to the Government of India in the Ministry of Civil Aviation Affairs.

[Vide GSR No. 80(E) dated 22-2-1993, sub-rule(1) of rule 3 became rule 3, sub-rules (2), (2A) and (3) thereof became new rule 3A, and a new rule 3B was inserted;

Amended by GSR 481(E) dated 15-05-2017]

PART II - GENERAL CONDITIONS OF FLYING

4. Use and operation of aircraft - No person shall use or operate or assist in using or operating an aircraft save in accordance with these rules.

5. Registration and nationality and registration marks - Subject to the provisions of rule 33, no person shall fly, or assist in flying, any aircraft unless -

(a) it has been registered, and

(b) it bears its nationality and registrations marks and the name and residence of the owner affixed or painted thereon in accordance with rule 37 or, in the case of aircraft registered elsewhere than in India, in accordance with the regulations of the State in which it is registered:

Provided that the prohibition imposed by this rule shall not apply to aircraft flown in accordance with the special permission in writing of the Central Government and subject to any conditions and limitations which may be specified in such permission.

[Amended by GSR No. 1567 dated 16-11-1962]

5A. Prohibited Flight - Except under, and in accordance with the terms and conditions of, a permit issued by the Director-General of Civil Aviation -

(1) no aircraft registered in India shall leave India for the purpose of a flight to a place outside India;

(2) no aircraft shall undertake a flight to any territory which the Central Government may, by notification in the Official Gazette, declare to be a prohibited territory.

Note:- For the purpose of this rule, foreign aircraft falling under sub-rule(3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India.

[Inserted by SRO No. 925 dated 12-4-1956 and further amended by GSR No.1674 dated 28-11-1962 and GSR No. 150(E) dated 04-03-2009]

6. Licensing of personnel - Every aircraft shall carry and be operated by the personnel prescribed in Part V and such personnel shall be licensed in the manner prescribed in that part and in Schedule II:

Provided that in the case of an aircraft not registered in India, such personnel shall be licensed in accordance with the regulations in force in the State in which the aircraft is registered:

Note:- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

[Amended by -(i) GSR No. 1238 dated 8-9-1962,

(ii) GSR No. 637(E) dated 4-10-1993,

(iii) GSR No. 20(E) dated 12-1-1994, and

(iv) GSR 481(E) dated 15-05-2017]

6A. Type of aircraft to be included in rating- No person shall fly as pilot of an aircraft which is not included or entered in the aircraft rating of the licence except as provided in rules 6B and 6C.

[Amendments vide GSR No. 262 dated 7th June, 2000]

6B. Flights to qualify for extension of a licence- The holder of a pilot's licence may fly within the Indian territory as pilot of an aircraft of type which is not included in the aircraft rating of his licence for the purpose of qualifying for the inclusion of such type :

Provided that when he is so flying no person shall be carried on board the aircraft unless he is-

- (a) a person required by the rules to be carried as member of the operating crew, or
- (b) a person who is flying, with the consent of the operator of the aircraft, for the purpose of being trained as a member of the operating crew, or
- (c) a person whose presence may be required on board the aircraft for the purpose of imparting or supervision of training or conducting a flight test, or
- (d) a person who may be specially authorised by the Director-General :

Provided further that such flights are carried out within the local flying area or designated flying area of a licenced aerodrome or a Government aerodrome and prior notice of the flight is given to the person-in-charge of the aerodrome from which the flight is made. However, there are no restrictions for carrying out dual flying with Instructor on board even in areas away from the local flying area within the Indian territory, for learning general as well as route flying (navigation).

[Amended by GSR No. 63 dated 9-1-89. Substituted by GSR 637(E) dated 4-10-93]

6C. Flights for testing and other non-revenue specific special purposes – The Director-General may authorise the holder of a licence to fly an aircraft not entered in the aircraft rating of the licence, for the purpose of testing or non-passenger-carrying flight subject to the terms and conditions of such authorisation, and the authorisation shall be limited in validity to the time needed to complete the testing or the specific flight:

Provided that the holder of the licence produces evidence to show that he meets the requirements of competency as laid down by the Director-General for undertaking such flight:

Provided further that when the aircraft is test flown, no person, other than members of the operating crew, shall be carried on board the aircraft unless he is specifically authorised by the Director-General:

Provided also that the test flight is carried out within the specified area and in accordance with the conditions stipulated by the Director-General in this behalf and prior notice of the flight is given to the officer-in-charge of the aerodrome from which the flight is to be made.

Explanation.—For the purpose of this rule, —

- (1) an aircraft shall include an amateur-built aircraft; and
- (2) the expression “specific special purpose non-revenue, non-passenger-carrying flight” shall include flights authorised by the Central Government in the event of national or international crisis, natural calamities, emergencies or otherwise requiring such flights to carry material or goods for relief purposes.

(Inserted by GSR No. 262 dated 7th June, 2000; and

Amended by GSR No. 1358(E) dated 1.11.2017)

7. Documents to be carried on aircraft - (1) No person shall fly an aircraft unless valid documents, as required by the law of the country in which the aircraft is registered, are carried on board and are kept in such form and manner as laid down by that country.

(2) An aircraft registered in India shall carry on board valid documents as required by these rules:

Provided that where a licence or other document has been submitted to a competent authority under these rules for renewal or other action, that fact shall be deemed a valid excuse for its not being carried on board the aircraft.

[Amended by GSR No. 1202 dated 23-7-1976]

7A. Prohibition of carriage of persons without passport - (1) No person-in-charge of any aircraft shall allow such aircraft to enter India from a place outside India unless all persons on board the aircraft are in possession of valid passports as required by rules for the time being in force made under the Indian Passport Act, 1920 (XXXIV of 1920).

(2) Where an aircraft is brought into India in contravention of sub-rule (1), any authority empowered by the Central Government generally or specially in this behalf may direct the owner or the person in-charge of the aircraft to take on board and remove from India, or otherwise arrange for the immediate removal from India of the person or persons without valid passports, and the owner, or as the case may be, the person-in-charge, of the aircraft shall comply with such directions.

7B. Carriage of Cock-pit Check Lists in aircraft- Every aircraft registered in India shall carry Cock-pit Check Lists and Emergency Check Lists specified by the Director-General for that particular type of aircraft. Such lists shall be carried in the cock-pit of the aircraft readily accessible to the pilot in flight.

[Amended by GSR No. 1202 dated 23-7-1976]

8. Carriage of arms, ammunition, explosives, military stores, etc. - (1) No person shall carry or cause or permit to be carried in any aircraft to, from, within or over India, any arms, ammunitions, munitions of war, implements of war, explosives and military stores, except with the written permission of the Central Government and subject to the terms and conditions of such permission.

(2) Where the carriage of any goods is permitted under sub-rule (1), it shall be the duty of the pilot, the consignor and every person concerned with the booking, handling or carriage of such goods, to take all precautions to avoid danger to the aircraft or to the persons on board or to any other person or property and in particular, to ensure that -

(a) the goods are so packed, protected and secured as to avoid any possibility of them being a source of danger;

(b) the goods are so carried as not be accessible to the passengers on board the aircraft; and

(c) the nature of the goods is clearly and conspicuously marked on the package containing them.

(3) The consignor of such goods shall give the operator a written notice specifying the nature, weight and quantity of the goods and the name and full address of the consignee; and the operator shall inform the pilot-in-command of the aircraft of all such particulars before the goods are placed on board the aircraft.

(4) Where any officer, authorised in this behalf by the Central Government, has reasons to believe that the provisions of this rule are, or are about to be, contravened, he may cause such goods to be placed

under his custody pending detailed examination of the nature of the goods or pending a decision regarding the action, if any, to be taken in the matter.

[Inserted by GSR 601(E) dated 27.9.2006]

8A. Deleted - *[Inserted by GSR No. 315 dated 16-2-1979 and deleted by GSR 481(E) dated 15-05-2017]*

9. Radio-telegraph apparatus - (1) No person shall operate radio transmitting apparatus in any aircraft registered in India unless he holds a licence of the type required by the provisions of Part V in respect of aircraft required by these rules to carry radio-telegraph or radio-telephone apparatus, as the case may be, and issued in accordance with those provisions.

(2) Radio-transmitting apparatus carried in aircraft shall be operated under the conditions defined by the International Tele-communication Convention (Madrid, 1932) and the general radio-communication regulations annexed thereto as far as these apply and shall be operated only during the hours in which such operation is permitted by the Central Government.

(3) Aircraft registered in India and required by these rules to carry radio-telegraph apparatus shall be fitted with such apparatus in accordance with the provisions of Part VII.

(4) Nothing in this rule shall exempt any person from those provisions of the Indian Telegraph Act, 1885, and the rules made thereunder which require that radio-telegraph apparatus shall be licensed.

Note- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India".

[Amended by GSR No. 20(E) dated 12-1-1994]

10. Mails - No person shall carry mails or allow mails to be carried in any aircraft except with the consent in writing of the Director-General of Posts and Telegraphs.

11. Aerodromes - (1) No pilot or person-in-charge of any aircraft carrying passengers for hire or reward shall use any place for a series of landings and departures, and no pilot or person-in-charge of any aircraft employed on a scheduled air transport service shall use any place as a regular place of landing or departure other than an aerodrome licensed or approved for the purpose in accordance with the provisions of Part XI.

(2) No person being the proprietor of an aerodrome other than an aerodrome mentioned in sub-rule (1) shall permit the aerodrome to be used in contravention of that sub-rule.

(3) No person other than the occupant of an aircraft manoeuvring in accordance with these rules may enter upon the landing area of an approved or licensed aerodrome without the consent of the person-in-charge of the aerodrome.

12. Prohibited areas - (1) No person shall fly or assist in flying an aircraft over any of the areas specified in Schedule I save in accordance with the conditions specified in that schedule.

(2) Every pilot who, when flying an aircraft, finds himself above a prohibited area in contravention of sub-rule (1), shall, as soon as he is aware of the fact, give the signal of distress specified in the Rules of the Air referred to in rule 16 and shall land the aircraft as soon as possible outside the prohibited area at one of the nearest aerodromes in India:

Provided that he shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

(3) When the signals prescribed in the Rules of the Air referred to in rule 16 to warn an aircraft that it is flying in the vicinity of restricted, prohibited or danger area are given, the pilot of the aircraft shall immediately change his course and fly away from the prohibited area.

(4) When the signals prescribed in light signals from aerodrome control tower, as prescribed in the rules of the Air referred in rule 16 are given, the pilot shall immediately give the signal referred to in sub-rule (2) of this rule and land the aircraft in accordance with that sub-rule.

[Amended by –

(1) GSR No. 1225 dated 15-10-1959.

(2) GSR No. 672 (E) dated 12-10-2004.]

13. Photograph at aerodromes or from aircraft in flight - No person shall take, or cause or permit to be taken, at a Government aerodrome or from an aircraft in flight, any photograph except in accordance with and subject to the terms and conditions of a permission in writing granted by the Director-General, a Joint Director General, a Deputy Director-General or the Director of Regulations and Information of the Civil Aviation Department:

Provided that the Director-General from time to time, may, by notification in the official Gazette, direct that these restrictions shall not apply to photography at any Government aerodrome, or within such limits of any Government aerodrome as may be specified in the order.

[Amended by SRO No. 380 dated 28-1-1957]

[Amended by G.S.R. 813(E) dated 21-11-2008]

13A. Carriage of photographic apparatus in aircraft- (1) No camera or other apparatus for recording photographic impressions shall be carried in any aircraft except where -

(a) the permission for taking photographs from the air has been granted by any of the officers empowered under rule 13; or

(b) the carriage of a camera or such other apparatus by any person in the aircraft is permitted by general or special order in writing by the Director-General, a Deputy Director-General or the Director of Regulations and Information of the Civil Aviation Department, subject to such conditions and limitations as may be specified in that order.

(2) Any customs officer, any aerodrome officer and any other person specially authorised in this behalf by the Director-General may search any aircraft or any person therein and may, without prejudice to any other remedy, seal any camera or other apparatus for recording photographic impressions, or a bag containing cameras or such apparatus which in his opinion is being or is about to be carried in the aircraft in contravention of sub-rule (1), and no person shall tamper with any such seal until the camera or apparatus or bag is removed from the aircraft.

[Amended by GSR No. 783 dated 16-6-1972]

14. Aerial work and public transport reserved for certain aircraft - No aircraft registered in accordance with Part IV in Category B shall be used as an aerial work aircraft or as a public transport aircraft:

Provided that the Central Government may, from time to time, permit and impose restrictions on the performance of aerial work or public transport by aircraft other than those registered in accordance with Part IV in Category A, and such restrictions shall be deemed to have been effectively imposed if they have been notified in writing to the owner or operator of such aircraft.

[Amended by GSR 481(E) dated 15-05-2017]

15. Conditions to be complied with by an aircraft in flight – No aircraft shall be flown unless the following conditions are complied with, namely:–

(i) the aircraft possesses a valid certificate of airworthiness or special certificate of airworthiness issued by the Director-General;

(ii) the aircraft shall be certified as airworthy and shall be maintained in accordance with the provisions of Part VI or in the case of an aircraft not registered in India, in accordance with the regulations of the State in which the aircraft is registered;

(iii) all the terms or conditions on which the certificate of airworthiness or special certificate of airworthiness was granted shall be duly complied with;

(iv) the aircraft shall carry on board its certificate of airworthiness or special certificate of airworthiness and any other certificate prescribed by Part VI, or by the regulations of the State in which the aircraft is registered, which it is required to carry on board:

Provided that an aircraft not in compliance with the aforesaid conditions may be flown under a special flight permit issued by the Director-General under rule 55A subject to such conditions as may be specified in the special flight permit;

Note:– For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

[Amended by- (i) GSR No. 1296 dated 20-9-1962;

(ii) GSR No. 1347 dated 27-11-1973;

(iii) GSR No. 1202 dated 23-7-1976;

(iv) GSR No. 218 dated 13-3-1991;

(v) GSR No. 20(E) dated 12-1-1994; and

(vi) GSR No 721(E) dated 23-6-2017]

15A. Operation of Remotely Piloted Aircraft System. – (1) No remotely piloted aircraft of all-up-weight more than 250 grams shall be flown unless such aircraft has been allotted a Unique Identification Number by the Director-General.

(2) A remotely piloted aircraft with all up weight exceeding a limit as specified by the Director-General from time to time shall not be flown by the operator, save, as per the conditions of the permit issued by the Director-General. Such permit shall be granted by the Director-General on being satisfied that the applicant meets the requirements as specified by the Director-General in this behalf. The continued validity of the permit shall be subject to compliance of such conditions as may be stipulated by the Director-General in the permit.

(3) The permit granted under sub-rule (2) shall, unless suspended or cancelled, remain valid for a period not exceeding five years, and may be renewed for a period not exceeding five years at a time.

(4) In case of non-compliance with the conditions of the permit or for any other violation of the provisions of these rules, the Director-General may suspend or cancel the permit after giving a show cause notice to the holder.

(5) The fee for issue of unique identification number for a remotely piloted aircraft shall be rupees 1000 only.

(6) The following fees shall be payable for, grant and renewal of permit to operate a remotely piloted aircraft:

(i) for grant of permit: Rupees 25,000 only;

(ii) for renewal of permit: Rupees 10,000 only.

(7) The fee shall be paid in the manner as specified by the Director-General.

[Inserted by GSR No. 1358 dated 01-11-2017]

16. Rules of Air.— Every person shall comply with the Rules of the Air issued by the Director-General in accordance with Annex 2 to the Convention as may be applicable to that person.

[Amended by (i) GSR No. 1225 dated 15-10-1959,]

(ii) GSR No. 390(E) dated 24.06.2004, and

(iii) GSR 481(E) dated 15-05-2017]

17. Production of licences, etc. - Any licence (other than a licence issued under Part XIII), certificate, authorisation and approval, log book or document granted or required to be maintained under these rules shall, on demand for the purpose of inspection, by any magistrate, any police officer above the rank of sub-inspector, any Customs officer, any commissioned officer of the Naval, Military or Air Force of the Union, any gazetted officer of the Civil Aviation Department in Government of India, or any other person authorised by the Central Government by special or general order in writing in this behalf, be produced by the licensee or, in the case of an aircraft or of a licensed aerodrome, by the owner, hirer or person-in-charge thereof ;

Provided that any such licence, certificate, authorisation and approval, log book or document relating to an aircraft or its personnel which is not by these rules required to be carried in the aircraft shall be produced within seven days of the making of the demand.

[Amended by -(i) SRO No. 1019 dated 25-5-1952,

(ii) GSR No. 1567 dated 16-11-1962, and

(iii) GSR No. 1202 dated 23-7-1976, and

(iv) GSR 481(E) dated 15-05-2017]

18. Prevention of flights in contravention of the rules - (1) An authority authorised under section 8 of the Aircraft Act, 1934, to detain aircraft may do so by the issue of a written direction to the pilot or other persons for the time being in-charge of the aircraft to be detained, or by taking or causing to be taken such other steps as may, in the opinion of such authority, be necessary to make the detention effective, including the use of force, denial of access by any person to the aircraft, removal of parts and components of the aircraft, defuelling of the aircraft or otherwise interfering with the aircraft. If an aircraft detained by a person so authorized is housed or kept at a Government aerodrome, the housing or picketing charges normally applicable shall be payable in respect of the whole period during which it is detained.

(1A) Officers of the Central Government or a State Government, employed at or in the neighbourhood of any airport, including the officers of police, naval, army, air force or customs department and such other officers of the Central Government or a State Government as may be specified by the Central Government by general or special order issued in this behalf shall, on being required to do so by the authority authorised under section 8 of the Aircraft Act, 1934 (22 of 1934) to detain an aircraft, assist such authority in detaining the aircraft and taking such steps as may, in the opinion of that authority, be necessary to make the detention effective.

(2) Any person acting in contravention of any direction given under this rule shall, without prejudice to any other penalty he may incur, be deemed to have acted in contravention of these rules.

[Amended by GSR No. 1608 dated 12-10-1966, and

GSR 413 dated 23-07-2001]

19. Cancellation, suspension or endorsement of licences, certificates, authorisation and approval - (1) Where any person is convicted of a contravention of, or failure to comply with, these rules or any direction issued under rule 133A in respect of any aircraft, the Central Government may cancel or suspend any certificate of registration granted under these rules relating to that aircraft.

(2) The Central Government may cancel or suspend any certificate granted under these rules relating to airworthiness of an aircraft or a Type Certificate of an aircraft component, or item of equipment, if the Central Government is satisfied that a reasonable doubt exists as to the -

(a) safety of the aircraft or the type of aircraft; or

(b) the airworthiness of the aircraft component or item of equipment in respect of which a Type Certificate exists, and may vary any condition attached to any such certificate if the Central Government is satisfied that reasonable doubt exists as to whether such conditions afford a sufficient margin of safety.

(2A) Where the licensing authority is satisfied, after giving him an opportunity of being heard, that any person has contravened or failed to comply with these rules or any direction issued under rule 133A, it may, for reasons to be recorded in writing, suspend or cancel or vary any particulars entered in any licence, certificate, authorization or approval granted by it, and may require the holder of the licence, certificate, authorization or approval to surrender the same for cancellation, suspension, endorsement or variation.

(3) If the Central Government is satisfied that there is sufficient ground for doing so or, in the case of suspension during investigation that suspension is necessary in the public interest, it may, for reasons to be recorded in writing-

(a) suspend any certificate, rating or licence, authorisation and approval or any or all of the privileges of any certificate, rating or licence, authorisation and approval, for any specified period;

(b) suspend any certificate, rating or licence, authorisation and approval during the investigation of any matter;

(c) cancel any certificate, rating or licence, authorisation and approval; or

(d) endorse any adverse remarks on any certificate, rating or licence, authorisation and approval,

(4) The Central Government may cancel or vary any particulars entered by it or under its authority in any licence or certificate, authorisation and approval granted or in any journey log book issued under these rules.

(5) The Central Government may require the holder of any licence, certificate, authorisation and approval or other document granted or issued under these rules, or any person having possession or custody of such licence, certificate, authorisation and approval or document, to surrender the same to it for cancellation, suspension, endorsement or variation and any person failing to comply with any such requirement within a reasonable time shall be deemed to have acted in contravention of these rules.

NOTE- The decision of the Central Government as to whether any ground constitutes sufficient ground for suspension of any certificate, rating, licence, authorisation or approval in the public interest under the foregoing sub-rule shall be final and binding.

*[Amended by- (i) GSR No. 1238 dated 8-9-1962,
(ii) GSR No. 1202 dated 23-7-1976,
(iii) GSR No. 218 dated 13-3-1991, and
(iv) GSR No. 167 (E) dated 13-03-2009; and
GSR No 721(E) dated 23-6-2017]*

19A. Restrictions on licence, certificate, authorisation or approval. – (1) The Director-General may impose restrictions, as deemed fit, on any licence, certificate, authorisation or approval, —

(a) in the event of non-compliance with any condition imposed on the said licence, certificate, authorisation or approval;

(b) if any safety concern that emerged during an inspection has remained unresolved beyond the period specified by the Director-General.

(2) The Director-General may, during an inspection, direct any person not to exercise privileges of his licence or certificate if he is satisfied that there is sufficient ground for so doing and such direction shall be reduced in writing on the next working day along with reasons thereof, and further action for allowing the person concerned to exercise his privileges shall be taken thereafter in accordance with the process specified by the Director-General in this behalf.

[Inserted by GSR No. 832(E) dated 30-06-2017]

20. Certain rules not applicable to Gliders, Kites and Remotely Piloted Aircraft System.— (1) The rule 7 shall not apply to gliders, and rules 5, 6, 7, 12, 15, 17, 19 and the rules in Part III, with the exception of rule 26, shall not apply to kites.

(2) The rules 5, 6, 15 in Part II, all rules in Part III with the exception of rules 21, 21A, 26 and all rules in Part IV, Part V, Part VI and Part VII, shall not apply to remotely piloted aircraft system.”;

[Amended by (i) GSR No. 1238 dated 8-9-1962; and

(ii) GSR No. 1358 dated 01-11-2017]

PART III - GENERAL SAFETY CONDITIONS

21. Dangerous flying - No person shall fly any aircraft in such circumstances as, by reason of low altitude or proximity to persons or dwellings or for other reason, to cause unnecessary danger to any person or property.

21A. General safety. – No person shall, act in any manner, either directly or indirectly, so as to –

- (a) endanger safety and security of an aircraft or aircraft operation;
- (b) cause interference with the normal functioning of any facility established for the safe and secure operation of aircraft; or
- (c) obstruct or distract the functioning of any person entrusted with any responsibility towards ensuring safe and secure operation of aircraft.

[Inserted by GSR No. 832(E) dated 30-06-2017]

21B. Aircraft in distress. – (1) The Director-General may issue requirements to be followed by concerned persons for providing assistance to aircraft in distress in accordance with Annex 12 to the Convention.

(2) Every person shall comply with the requirements issued by the Director-General under sub-rule (1).

[Inserted by GSR No. 832(E) dated 30-06-2017]

22. Assault and other acts of interference against a crew member – No person shall, on board an aircraft, –

- a) assault, intimidate or threaten, whether physically or verbally, a crew member which may interfere with the performance of the duties of the crew member or lessens the ability of the crew member to perform those duties;
- b) refuse to follow a lawful instruction given by the Pilot-in-Command, or on behalf of the Pilot-in-Command by a crew member, for the purpose of ensuring the safety of the aircraft or of any person or property on board or for the purpose of maintaining good order and discipline on board.

[Inserted by GSR No 766(E) dated 17.9.2010]

23. Assault and other acts endangering safety or jeopardizing good order and discipline.– (1) No person shall, on board an aircraft, –

- (a) assault, intimidate or threaten, whether physically or verbally, any person,
- (b) intentionally cause damage to or destroy any of property,
- (c) consume alcoholic beverages or drugs,

which is likely to endanger the safety of the aircraft or of any person or jeopardizes the good order and discipline on board the aircraft.

(2) For the purposes of rules 22 and 23, the jurisdiction of India shall, in addition to the applicability provided in rule 1 of these rules, also extend to any offence if the act constituting the offence took place on board any aircraft in flight outside India:

Provided that —

- (a) the next landing of the aircraft is in India; and
- (b) the Pilot-in-Command has delivered the suspected offender to the competent authorities of India, with the request that the authorities prosecute the suspected offender and with the affirmation that no similar request has been or shall be made by the Pilot-in-Command or the operator to any other State.

[Inserted by GSR No 766(E) dated 17.9.2010]

24. Prohibition on consumption of intoxicating and psychoactive substances – (1) No person acting as, or carried in aircraft for the purpose of acting as pilot, commander, navigator, engineer, cabin crew or other operating member of the crew thereof, shall have taken or used any alcoholic drink, sedative, narcotic or stimulant drug or preparation within twelve hours of the commencement of the flight or take or use any such preparation in the course of the flight, and no such person shall, while so acting or carried, be in a state of intoxication or have detectable blood alcohol whatsoever in his breath, urine or blood alcohol analysis or in a state in which by reason of his having taken any alcoholic, sedative, narcotic or stimulant drug or preparation, his capacity so to act is impaired, and no other person while in a state of intoxication shall enter or be in aircraft or report for duty.

(2) No operator operating a domestic air transport service in India shall serve any alcoholic drink on board such an air transport service and no passenger traveling on such a service shall consume any alcoholic drink while on board.

(3) The holders of licences shall not exercise the privileges of their licences and related ratings while under the influence of any psychoactive substance which might render them unable to safely and properly exercise the privileges of the licences and ratings.

(4) The holders of licences shall not engage in problematic use of substances.

[Substituted by GSR No. 485 (E) dated 28-6-2001]

Amended by: GSR No. 323 dated 24-11-2011]

24A. Carriage of persons suffering from mental disorders or epilepsy in aircraft- No person shall knowingly carry or permit to be carried, or connive at the carriage of, a person suffering from any mental disorder or epilepsy in any aircraft:

Provided that this prohibition shall not apply if the person to be carried is certified by a registered medical practitioner to be fit to travel by air without being a risk to other passengers or to the aircraft, and in addition :-

- (a) has not taken or used any alcoholic drink or preparation within twelve hours of the commencement of the flight;
- (b) is kept under proper sedative, if in a state of excitement, during the flight and stops en route; and
- (c) is accompanied by an attendant, provided that in case he has been in a state of excitement requiring sedation within the two weeks preceding the date of commencement of the flight, he shall be accompanied by a registered medical practitioner and adequate escort who shall

individually and collectively be responsible for ensuring that no alcoholic drink or preparation is taken by the person in their charge and that such person is kept suitably sedated during the flight and stops en route.

[Inserted by SRO No. 2022 dated 21-10-1953 and

amended by SRO No. 662 dated 20-2-1957]

24B. Carriage of prisoners in aircraft- No prisoner shall be taken aboard or carried on an aircraft except under and in accordance with a permit in writing issued by the Director-General, a Deputy Director-General, the Director of Regulations and Information or any other officer of the Civil Aviation Department authorized by the Central Government in this behalf and subject to such conditions, if any, as he may specify in the permit.

Explanation - The term "prisoner" means a person who is confined in any prison and includes a person who is arrested under any law for the time being in force.

[Inserted by SRO No. 139 dated 4-1-1954 and amended by GSR No. 60 dated 6-1-1973]

24C. Carriage of animals, birds and reptiles in aircraft- No animal, bird or reptile shall be taken aboard or carried on any aircraft to, from and within India, except under and in accordance with a general or special permit in writing issued by the Director-General in this behalf, and subject to such conditions, if any, as may be specified therein.

[Inserted by GSR No. 2147 dated 12-11-1968]

25. Smoking in aircraft- (1) The owner or the operator and the pilot-in-command of every aircraft registered in India, shall exhibit or cause to be exhibited in prominent place(s) in the aircraft notice(s) stating where and to what extent smoking is prohibited or permitted therein.

(2) A notice permitting smoking in such aircraft may be exhibited therein only if smoking in the aircraft is permitted by the certificate of airworthiness of the aircraft or by the direction of the Central Government and only in accordance with the conditions relating to smoking contained in such certificate or direction.

(3) No person shall smoke :

(a) in any part of an aircraft or in its vicinity, in which a notice is displayed indicating that smoking is prohibited.

(b) anywhere in an aircraft during take-off, landing or refuelling or during a period in which a notice is temporarily displayed indicating that smoking is prohibited.

Note:- For the purpose of this rule, foreign aircraft falling under sub-rule(3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India.

[Amended by GSR No. 1202 dated 23-7-1976 and GSR No. 150(E) dated 04-03-2009]

25A. Fuelling of aircraft- (1) No person shall fill or replenish the fuel tanks of an aircraft from vehicles or vessels containing petroleum in bulk or from fuel hydrant installations except from vehicles or installations of a type approved by the Chief Inspector of Explosives or from barges licensed under the Petroleum Rules, 2002.

(2) During fuelling operations, which may include filling or draining of fuel tanks, the following precautions shall be observed :-

(a) Fuelling of aircraft shall be done outdoors and not less than 15 meters from any building.

(b) A "NO SMOKING" notice shall be prominently displayed.

(c) Smoking or use of an appliance employing naked flame or use of an appliance capable of producing a spark or in any other way igniting fuel vapours shall not be permitted within 30 meters of the aircraft or fuelling equipment.

(d) Aircraft engines shall not be started or turned and ignition switches shall be placed in the "OFF" position.

(e) Aircraft electrical radar and radio systems shall not be operated and the switches relating thereto shall remain in the "OFF" position:

Provided that this clause shall not apply to electrical switches controlling the following circuits :

(i) power and light essential for fuelling operations;

(ii) minimum amount of cabin lighting; and

(iii) steady parking lights. Such switches shall not be operated during the fuelling operations.

(f) The use of ground power supply units, air-conditioning units, tractors and similar equipment shall be permissible subject to compliance with the following conditions:-

(i) Flexible training cables suitable for use in hazardous areas shall be used.

(ii) They shall be located outside the Danger Zone. "Danger Zone" is defined as the area within the largest polygon obtainable by joining points 3 meters away from the wings and the fuelling vehicle.

(iii) The units, including the associated electrical equipment, shall be flame-proof and of a type approved by the Chief Inspector of Explosives, otherwise they shall be stationed at a distance of not less than 15 meters, in the case of gasoline or wide cut fuels and 6 meters in the case of straight kerosine, from the aircraft and the fuelling vehicle.

(iv) They shall not be switched "ON" or "OFF" during fuel transfer.

(g) The fuelling equipment and the aircraft shall be bonded to each other and both shall be earthed.

(h) No person other than the staff of the operator, fuelling company and officials of the Civil Aviation Department, Customs and Police, shall be permitted within 15 meters of the aircraft.

(i) Passengers may be permitted to embark, disembark, or remain in the cabin subject to the following conditions :-

(i) an attendant shall remain on duty in the cabin of the aircraft. The attendant shall ensure that no smoking takes place or other source of ignition is allowed to occur and shall assist in the removal of passengers in the event of fire;

(ii) the passenger loading ramp shall be correctly positioned at the cabin exit door and adequate provision shall be made to maintain the equilibrium of the aircraft in case all passengers attempt to leave by one exit;

(iii) in case of marine aircraft, adequate means of water transport shall be stationed at cabin exit door.

(j) The handling of freight and baggage in and around the aircraft shall not proceed simultaneously with fuelling unless adequate precautions have been taken to eliminate fire risk.

(k) No aircraft maintenance shall be conducted which may provide a source of ignition for fuel vapour during fuelling operations.

(l) Fire extinguishers of adequate capacity and of suitable type, approved by the Director-General shall be available for immediate use near the aircraft.

(m) In the event of fuel being spilled, fuelling must cease and the engine of the ground power supply units must be stopped, but the electrical circuits and switches should on no account be touched except for the purpose of stopping the power unit. Prior to recommencing fuelling, action must be taken to clean the spilled fuel. Fuel must not be washed into sewers or drains.

(n) Fuelling operations shall cease when a turbo-jet aircraft manoeuvres so as to bring the rear jet outlets within 43 meters of the fuelling equipment or the aircraft.

NOTE - The requirements of clause (f) of sub-rule (2) above shall not apply to the use of ground batteries as an auxiliary source of electric supply to the aircraft provided they are not connected or disconnected during fuelling operation.

[Inserted by Notification No. 1-A/15-39, dated 7-12-1939 and amended by GSR No. 524 dated 23-4-1959 and GSR 481(E) dated 15-05-2017.]

26. Dropping of articles and descent by parachutes- (1) No person shall drop or project or cause or permit to be dropped or projected from an aircraft in motion anything except ballast in the form of fine sand or water:

Provided that nothing in this rule shall be construed as preventing -

(a) in an emergency, the dropping of liquid fuel;

(b) in an emergency, the dropping of cargo over areas where hazard to persons or property outside the aircraft is not thereby created;

(c) the dropping of message bags, smoke producing or other apparatus or materials dropped for the purpose of navigating an aircraft or communicating messages from an aircraft subject to the observance of such precautions as to the nature of the articles dropped and the place of dropping as will avoid risk of injuring persons or damaging property on the ground or water;

(d) the dropping of separate sheets of paper containing printed matter or separate petals of flowers in any place if :-

- i. the prior written permission of the District Magistrate or the Commissioner of Police is obtained in each case;
- ii. the aircraft is suitable for dropping these articles;
- iii. the minimum safe heights specified in these rules are observed; and

- iv. necessary precautions are taken to avoid injury or damage to persons or property.

(e) the dropping of ropes used for towing aircraft.

(2) No person shall, except in an emergency, descend by means of a parachute from an aircraft and no person shall drop or cause or permit to be dropped from an aircraft in flight any article, whether attached to a parachute or not, unless the descent is made or the article is dropped in accordance with the subject to any conditions or limitations contained in general or special order of the Central Government in writing in that behalf.

*[Amended by - (i) GSR No. 1567 dated 16-11-1962, and
(ii) GSR No. 54 dated 04-02-2002.]*

27. Carriage of persons in unauthorised parts of aircraft- No person shall at any time be carried on the wings or undercarriage of the aircraft, or on or in any other part thereof which is not designed for the accommodation of the personnel or passengers, or on or in anything attached externally to the aircraft:

Provided that -

(a) nothing in this rule shall prevent a person having temporary access -

(i) to any part of the aircraft for the purpose of executing repairs to the aircraft or adjusting the machinery, or equipment thereof or for the purpose of doing anything which may be necessary for the safety of the aircraft or persons or goods carried therein; or

(ii) to any part of the aircraft in which goods or stores are being carried and to which proper means of access is provided; and

(b) a person may be carried on or in any part of the aircraft, or anything attached thereto, with the permission in writing of the Central Government and subject to any conditions which may be specified in such permission.

28. Minimum age for sole control of aircraft – No person being under 16 years of age shall have sole control of an aircraft in motion and no person shall cause or permit any other person to have sole control of an aircraft in motion unless he knows or has reasonable cause to believe such other person to have attained the age of 16 years.

[Substituted by GSR No. 485 (E) dated 28-6-2001]

28A. Maximum age limit for professional pilots – (1) No person, holding a pilot's licence issued under these rules and having attained the age of sixty-five years, shall act as Pilot-in-Command or Co-pilot of an aircraft engaged in commercial air transport operations.

(2) No person holding a pilot's licence issued under these rules and having attained the age of sixty years, shall act as Pilot-in-Command or Co-pilot of an aircraft engaged in commercial air transport operations unless it is operated in a multi-crew environment and the other pilot is less than sixty years of age.

Provided that the provisions of sub-rule (2) shall not apply in respect of aircraft certified for single pilot operations and not exceeding an all up weight of 5700 kilograms engaged in commercial air transport operations within the territory of India and while operating in a multi-crew environment.

[Inserted by GSR 58(E) dated 7-2-1991 and Amended by GSR No. 251 dated 20-7-1999, GSR No. 676(E) dated 17-11-2005 and GSR No. 660(E) dated 5-9-2008]

29. Acts likely to imperil the safety of aircraft- No person shall interfere with the pilot or with a member of the operating crew of an aircraft, or tamper with the aircraft or its equipment or conduct himself in a disorderly manner in an aircraft or commit any act likely to imperil the safety of an aircraft or its passengers or crew.

29A. Prohibition of operating civil aircraft causing sonic boom- No person shall operate a civil aircraft at a true flight mach number greater than one over the territory of India or over the high seas in a manner which may cause or is likely to cause sonic boom over the territory of India.

NOTE -For the purpose of this rule, "the territory of India" shall include the territorial waters of India.

[Inserted by GSR No. 193 dated 29-1-1980]

29B. Prohibition on the use of portable electronic devices – No person shall operate, nor shall the operator or the pilot-in-command of an aircraft allow the operation of any portable electronic device on board an aircraft in flight:

Provided that the Pilot-in-Command may permit the use of cellular telephone by the passengers of a flight after the aircraft has landed and cleared active runway, except when the landing takes place in low visibility conditions as may be determined by the Director-General from time to time:

Provided further that the provisions of this rule shall not apply to portable voice recorders, hearing aids, heart pacemaker, electric shavers or other portable electronic devices which, in the opinion of the operator, do not cause interference with the navigation or communication system of the aircraft on which it is to be operated and for which such operator has obtained approval of the Director-General.

Explanation. For the purposes of this rule, an aircraft shall be deemed to be in flight when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation.

[Inserted by GSR No. 400 dated 18-7-2001;

Amended by GSR No. 726(E) dated 3-09-2010]

29C. Adoption of the Convention and Annexes – (1) The Director-General may lay down standards and procedures not inconsistent with the Aircraft Act, 1934 (22 of 1934) and the rules made thereunder to carry out the Convention and any Annex thereto.

(2) The Director-General shall formulate the State Safety Programme and oversee its implementation.

Explanation.– For the purposes of this sub-rule, "State Safety Programme" means an integrated set of requirements and activities aimed at improving safety."

[Inserted by GSR No. 330(E) dated 19-5-2005, and

amended by GSR No. 59(E) dated 31-01-2011]

29(D). Safety management system.—(1) Every organization which –

- (i) is holding a Scheduled or Non-Scheduled Operator's Permit issued under rule 134 or 134A, as the case may be; or
- (ii) is conducting operations of large or turbojet aeroplanes for general aviation; or
- (iii) is engaged in the operation of an aerodrome licensed under rule 78; or
- (iv) is engaged in the type design of aircraft; or
- (v) is engaged in manufacture of aircraft; or
- (vi) is a maintenance organization approved under rule 133B; or
- (vii) is a training organization approved under rule 41B; or
- (viii) is an air traffic service provider,

shall establish and maintain a Safety Management System and prepare a Safety Management System Manual in such form and manner as may be specified by the Director-General and submit the same to the Director-General for acceptance.

(2) The Director-General or any other officer authorized by him may, at any reasonable time carry out oversight of the Safety Management System and the concerned organization shall co-operate with the Director-General or the person so authorized to carry out the oversight.

Explanation: —for the purpose of this rule, -

- (a) "Safety Management System" means the system as accepted by the Director-General under sub-rule (1);
- (b) "Safety Management System Manual" means the document as accepted by the Director-General under sub-rule (1);
- (c) "large aeroplane" means an aeroplane with all-up weight exceeding 5700 kilograms.

*[Inserted by GSR No. 59(E) dated 31-01-2011; and
Substituted by GSR 911(E) dated 16-09-2016]*

PART IV - REGISTRATION AND MARKING OF AIRCRAFT

30. Certificate of Registration – (1) The authority empowered to register aircraft and to grant certificate of registration in India shall be the Central Government. The certificate of registration shall include the following particulars, namely:

Type of aircraft, constructor's number, year of manufacture, nationality and registration marks referred to under these rules, full name, nationality and address of the owner, usual station of aircraft and the date of registration and the period of validity of such registration:

Provided that in the case of a leased aircraft, the certificate of registration shall also include the validity of the lease and the names, nationalities and addresses of the lessor and the lessee:

(1A) The Central Government may by general or special order issued from time to time, specify the period of validity of registration of the aircraft.

(2) An aircraft may be registered in India in either of the following categories, namely:

(a) Category A – Where the aircraft is wholly owned either –

(i) by citizens of India; or

(ii) by a company or corporation registered and having its principal place of business within India; or

(iii) by the Central Government or any State Government or any company or any corporation owned or controlled by either of the said Governments; or

(iv) by a company or corporation registered elsewhere than in India, provided that such company or corporation has given the said aircraft on lease to any person mentioned in sub-clause (i), sub-clause (ii) or sub-clause (iii); and

(b) Category B – Where the aircraft is wholly owned either –

(i) by persons resident in or carrying on business in India, who are not citizens of India; or

(ii) by a company or corporation registered elsewhere than in India and carrying on business in India.

(3) No aircraft in respect of which the conditions required in sub-rule (2) are not satisfied, or which is already validly registered in another country, shall be registered in India.

(4) In a case where the usual station of an aircraft and its ordinary area of operation are not situated in India, the Central Government may decline to accept an application for registration of the aircraft in India, or, as the case may be, to permit the aircraft to remain registered in India, if, in its opinion, the aircraft could more suitably be registered in some other country.

(5) In any particular case, the Central Government may decline to register an aircraft in India, if, in the circumstances of the case, it appears to it to be inexpedient in the public interest that the aircraft should be so registered.

(6) The registration of an aircraft registered in India may be cancelled at any time by the Central Government, if it is satisfied that –

(i) such registration is not in conformity with the provisions of sub-rule (2); or

- (ii) the registration has been obtained by furnishing false information; or
- (iii) the aircraft could more suitably be registered in some other country; or
- (iv) the lease in respect of the aircraft, registered in pursuance of sub-clause (iv) of clause (a) of sub-rule (2), has expired or has been terminated in accordance with terms of lease; or
- (v) the certificate of airworthiness in respect of the aircraft has expired for a period of five years or more; or
- (vi) the aircraft has been destroyed or permanently withdrawn from use; or
- (vii) it is inexpedient in the public interest that the aircraft should remain registered in India.

(7) The registration of an aircraft registered in India, to which the provisions of the Cape Town Convention or Cape Town Protocol apply, shall be cancelled by the Central Government, within five working days, if an application is received from IDERA Holder prior to expiry of the lease along with:—

- (i) the original or notarised copy of the IDERA; and
- (ii) a certificate that all Registered Interests ranking in priority have been discharged or the holders of such interest have consented to the deregistration and export:

Provided that the deregistration of an aircraft by the Central Government under sub-rule (6) or sub-rule (7) shall not affect the right of any entity thereof, or any inter-governmental organisation, or other private provider of public services in India to arrest or detain or attach or sell an aircraft object under its laws for payment of amounts owed to the Government of India, any such entity, organisation or provider directly relating to the services provided by it in respect of that object..

[Amended by – (i) GSR No. 1202 dated 23.7.1976;

(ii) GSR No. 36 dated 7.1.1992;

(iii) GSR 349(E) dated 31.7.1996;

(iv) GSR 404(E) dated 14.7.1997;

(v) G.S.R. 813(E) dated 21-11-2008;

(vi) G.S.R. 28(E) dated 17th January 2011;

(vii) G.S.R. No. 78(E) dated 9-2-2015; and

(viii) G.S.R. No. 295(E) dated 23-3-2017]

31. Nature of application- (1) Every application for a certificate of registration shall be accompanied by-

- (a) such particulars relating to the aircraft and its ownership as may be required by the Central Government;
- (b) the fee prescribed in rule 35, which fee shall be refunded if the application is not granted; and

(c) in the case of an aircraft imported by air, a certificate signed by the Assistant Commissioner of Customs or any officer above the rank of Assistant Commissioner of Customs that the customs duty leviable in respect of it has been paid and stating the type and manufacturer's number of the aircraft and engine, and if the aircraft has been registered elsewhere, its registration markings.

(2) An applicant for a certificate of registration may be required to produce proof of the truth of the statements contained in his application.

[Amended by (i) GSR No. 1973 dated 5-8-1963

(ii) G.S.R. 813(E) dated 21-11-2008]

32. Aircraft imported by air- When an application is made for the registration of an aircraft before its import into India, for the purpose of the import of the aircraft by air, a temporary certificate of registration may, subject to the conditions of sub-rule(3) of rule 30, be granted by the Central Government to the owner of the aircraft complying with clauses (a) and (b) of sub-rule (1) of rule 31. Such temporary certificate shall be valid only until the first landing of the aircraft at a customs aerodrome in India, when the certificate shall be delivered by the pilot or other person-in-charge to the the Director-General. Thereafter, on production by or on behalf of the owner of the aircraft of the certificate mentioned in clause (c) of sub-rule (1) or rule 31, the certificate of registration may be granted by the Central Government:

[Amended by GSR 481(E) dated 15-05-2017]

32A. Export of aircraft.—Without prejudice to the proviso to rule 30, the Central Government shall, consequent upon cancellation of registration of an aircraft under sub-rule (7) of rule 30, if an application is made by IDERA Holder for export of the same aircraft, take action within five working days to facilitate the export and physical transfer of the aircraft, along with spare engine, if any, subject to compliance with applicable safety rules and regulations relating to that aircraft operation.

[Inserted by GSR No 295(E) dated 23-3-2017]

33. Change in ownership- In the event of any change in the ownership of a registered aircraft, or if a registered aircraft ceases to be owned wholly either by a person or by a company or corporation fulfilling the conditions set out in rule 30, then -

(a) the registered owner of the aircraft shall forthwith notify to the Director-General such change of ownership or, as the case may be, that the aircraft has ceased to be so owned;

(b) any person, company or corporation who becomes the owner of an aircraft registered in India (hereinafter referred to as the New Owner) shall forthwith inform the Director-General in writing of the fact of his ownership of the aircraft and may make an application for a certificate of registration; such application shall be made in such form and shall contain such particulars as the Director-General may direct. Until such application is made and the certificate of registration is granted to the new owner, it shall not be lawful for any person to fly or assist in flying such aircraft except in accordance with and subject to a permission in writing of the Director-General;

(c) the registration and the certificate there-of shall remain valid until such registration and certificate have been cancelled by the Director-General;

[Amended by GSR No. 1202 dated 23-7-1976 and GSR No. 404(E) dated 14-7-1997]

34. (Omitted vide GSR 404(E) dated 14-7-1997)

35. Registration fees- (1) The following fee shall be payable in respect of a certificate of registration for an aircraft having maximum permissible take off weight —

- | | |
|--|-------------|
| (i) of 15,000 kilograms or less: | Rs. 20,000/ |
| (ii) exceeding 15,000 kilograms, for every 1,000 kilograms or part thereof | Rs. 5,000/ |

Note. For the purpose of this sub rule, the maximum take off weight shall be as indicated in the Flight Manual of the aircraft.

(2) Where the original certificate of registration is lost or destroyed, a duplicate thereof may be issued on payment of ten percent of the fee payable under sub rule (1).

(3) A temporary certificate of registration referred to in rule 32, may be issued on payment of twenty five percent of the fee payable under sub rule (1).

(3A) The certificate of registration may be renewed on payment of fifty percent of the fee payable under sub rule (1).

(4) All fees payable under this rule shall be paid by crossed Indian Postal Order/Demand Draft payable to the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

*[Amended by - (i) GSR No. 1202 dated 23-7-1976,
(ii) GSR No. 194 dated 1-2-1980 as corrected by GSR No. 540 dated 26-4-1980, and
(iii) GSR No. 886 dated 24-10-1988
(iv) GSR No. 181(E) dated 20-03-2006
(v) GSR No. 101(E) dated 19-02-2009]*

36. Register of aircraft- A register of aircraft registered in India shall be maintained by the Director-General and shall include the particulars as provided for in respect of certificate of registration in rule 30. Such a register shall be open to inspection by members of the public at such times and subject to such conditions as may be specified by the Director-General.

[Substituted by GSR No. 1202 dated 23-7-1976]

37. Nationality and Registration Marks, how to be affixed- The following provisions of this rule shall have effect with respect to the marks to be borne by aircraft registered in India-

(1) The nationality mark of the aircraft shall be the capital letters VT in Roman character and the registration mark shall be a group of three capital letters in Roman character assigned by the Director-General. The letters shall be without ornamentation and a hyphen shall be placed between the nationality mark and the registration mark.

(2) The nationality and registration marks-

(a) shall be painted on the aircraft or shall be fixed thereto by any other means ensuring a similar degree of permanency in the form and manner as specified by the Director-General, from time to time;

(b) shall be inscribed together with full name and address of the registered owner of the aircraft on the owner's name plate in the form and manner specified by the Director-General from time to time; and

(c) shall always be kept clean and visible.

[Amended by GSR No. 1202 dated 23-7-1976]

37A. Use of State Marks- (1) An aircraft shall not bear on any part of its exterior surface any advertisement or any sign or lettering except those under these rules and as required or permitted by the Director-General.

(2) The name of an aircraft and the name and emblems of the owner of the aircraft may be displayed on the aircraft if the location, size, shape and colour of the lettering and signs do not interfere with easy recognition of, and are not capable of confusion with, the nationality and registration marks of the aircraft.

(3) An aircraft other than a State aircraft shall not bear any mark or sign prescribed for use by a State aircraft.

(4) National flags or colours may be displayed on the aircraft in such a manner that they are distinct and are not likely to create confusion with the markings used by military aircraft.

PART V - PERSONNEL OF AIRCRAFT

38. Licensing Authority – (1) The authority by which the licences and ratings specified below may be granted, renewed or varied shall be the Central Government, which may withhold the grant or renewal of a licence or a rating, if for any reason it considers it desirable to do so :-

- (a) Student Pilot's Licence (for aeroplanes, helicopters, gyroplanes, gliders, balloons, microlight aircraft and light sport aircraft),
- (b) Private Pilot's Licence (for aeroplanes and helicopters),
- (c) Commercial Pilot's Licence (for aeroplanes and helicopters),
- (d) Airline Transport Pilot's Licence (for aeroplanes and helicopters),
- (e) Instrument Rating (for aeroplanes and helicopters),
- (f) Assistant Flight Instructor's Rating (for aeroplanes and helicopters),
- (g) Flight Instructor's Rating (for aeroplanes and helicopters),

- (h) Pilot's Licence (for gliders, balloons, microlight aircraft, light sport aircraft and gyroplane),
- (i) Student Flight Navigator's Licence,
- (j) Flight Navigator's Licence,
- (k) Student Flight Engineer's Licence
- (l) Flight Engineer's Licence,
- (m) Flight Radio Telephone Operator's Licence,
- (n) Flight Radio Telephone Operator's Licence (Restricted);

(2) The Senior Commercial Pilot's Licence (for aeroplanes) specified under clause (d) and the Flight Instructor's Rating (for gliders and balloons) specified under clause (h) of sub-rule (1) shall cease to be granted with effect from a date to be notified by the Central government.

*[Amended by - (i) GSR No. 1238 dated 8-9-1962,
(ii) GSR No. 1118 dated 5-8-1977,
(iii) GSR No. 2197 dated 29-9-1980,
(iv) GSR No. 218 dated 13-3-1991,
(v) GSR No. 637 (E) dated 4-10-1993,
(vi) GSR No. 485 (E) dated 28-6-2001,
(vii) GSR No. 870 (E) dated 22-12-2008,
(viii) GSR No 721(E) dated 23-6-2017; and
(ix) GSR No 1358(E) dated 01-11-2017]*

38A. Carriage of operating crew - Subject to the provisions of rules 6, 6A and 6B, every aircraft registered in India shall comply with such of the following requirements in respect of the personnel which it carries and by which it is operated as are applicable to the aircraft and type of operation concerned, namely :-

(1) Pilot

- (a) Private Aircraft – Every private aircraft shall be flown by a person holding a valid pilot's licence issued in accordance with Schedule II:

Provided that:

- (i) a private aircraft shall not be flown by a person holding a Student Pilot's Licence;
- (ii) a private aircraft shall not be flown by a person holding a Private Pilot's Licence for remuneration or hire of any kind;
- (iii) a private aircraft carrying passengers at night, shall not be flown by a person holding a Private Pilot's Licence, without having a valid Instrument Rating.

(b) **Public transport and Aerial Work Aircraft** – Every Public transport or aerial work aircraft (other than a microlight or a glider or a balloon) shall be flown by a person holding an appropriate professional pilot's licence, i.e. a Commercial, or Airline Transport Pilot's Licence issued in accordance with Schedule II:

Provided that an aircraft other than a microlight, a glider or a balloon which is the property of or is being used by a duly constituted flying/gliding/ballooning/aerosport club may be flown by a person holding a Student Pilot's or a Private Pilot's Licence for the purpose of receiving instructions or for qualifying, renewal of a licence or for issue of a higher category of licence:

Provided further that an aircraft other than a microlight or a glider or a balloon which is the property of, or being used by, a duly constituted flying /gliding/ballooning aerosport club flown by a member and carrying a person otherwise than for the purpose of instructing such person in flying, shall not for the purpose of this rule, be deemed to be flown for public transport, if however, in respect of such carriage, payment is made, either directly or indirectly, to the pilot of the aircraft or the pilot of the aircraft is a paid employee of the flying/gliding/ballooning/aerosport club, the aircraft shall be deemed to be flown for public transport;

(2) Flight Instructor or Assistant Flight Instructor –

- (a) Every aircraft which is being used for the purpose of giving dual instructions in piloting shall carry a person holding an appropriate professional pilot's licence, that is, a Commercial, Senior Commercial or Airline Transport Pilot's Licence or Pilot's Licence (Microlight, Gliders and Balloons) as the case may be, which has an appropriate Flight Instructor's or Assistant Flight Instructor's rating in accordance with Schedule II, or an authorization issued in writing by the Director-General.
- (b) No person other than a person having a Flight Instructor's or Assistant Flight Instructor's rating shall impart instructions in piloting an aircraft, unless he has been specifically authorized in writing by the Director-General to impart such instructions.

(3) Flight Navigator – Every public transport aircraft engaged on a flight without landing over a great circle distance of more than six hundred NMs and not equipped with the navigational equipment capable of providing instant and continuous ground position of the aircraft with adequate stand-by arrangements, shall carry on board a Flight Navigator licenced in accordance with Schedule II, if the total distance between any two consecutive radio navigational fixing aids located within thirty NMs of the route of the proposed flight and capable of being used by the aircraft is more than six hundred NMs:

Provided that the Director-General may require a Flight Navigator to be carried on board an aircraft on any flight.

(4) Flight Engineer - Where a Flight Engineer is required to be carried on board an aircraft as flight crew member under sub-rule (7), he shall be a person holding the appropriate licence in accordance with Schedule II.

(5) Deleted

(6) Flight Radio Telephone Operator – An aircraft which is equipped or required to be equipped with radio apparatus in accordance with rule 63 and which communicates by radio telephony, shall carry a person holding a Flight Radio Telephone Operator's Licence or Flight Radio Telephone Operator's Licence (Restricted), as the case may be, issued in accordance with Schedule II, to operate radio apparatus on such aircraft.

(7) Minimum crew for any flight – The number and description of the flight crew members operating any flight of an aircraft registered in India shall be:-

- (a) if a certificate of airworthiness in respect of the aircraft is in force at least the number and description of persons specified as the minimum operating crew for that aircraft in the certificate of airworthiness;
- (b) if no certificate of airworthiness in respect of the aircraft is in force, but a certificate of airworthiness in respect of that aircraft has previously been in force, at least the number and description of persons specified as the minimum operating crew in the certificate of airworthiness last in force of that aircraft;
- (c) if no certificate of airworthiness in respect of the aircraft is or has been in force and the aircraft is a series aircraft conforming with a prototype (modified) aircraft in respect of which a certificate of airworthiness has been issued, at least the number and description of persons specified as the minimum operating crew in that certificate of airworthiness;
- (d) in all other cases, at least such number and description of persons sufficient to ensure the safety of the aircraft as may be approved by the Director-General.

Note- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

[Inserted by GSR No. 1238 dated 8-9-1962, and amended by GSR No. 637 (E) dated 4-10-1993, GSR No. 20 (E) dated 12-1-1994 and GSR No. 485 (E) dated 28-6-2001 and GSR 481(E) dated 15-05-2017]

38B. Carriage of cabin crew.—(1) No aircraft registered in India shall be operated for public transport of passengers unless the following minimum number of cabin crew are on board the aircraft for the purpose of performing such duties as may be assigned in the interest of the safety of passengers, by the operator or the Pilot-in-command of the aircraft, namely:—

- | | |
|---|--|
| (a) For an aeroplane having a seating capacity of not less than 10 and not more than 50 passengers. | One cabin crew |
| (b) For a helicopter having a seating capacity of not less than 20 and not more than 50 passengers. | One cabin crew |
| (c) For an aeroplane or a helicopter cabin having seating capacity of more than 50 passengers | Two cabin crew Plus one cabin crew for each unit (or part of a unit) of 50 passengers seats above a seating capacity of 99 passengers. |

(2) Notwithstanding anything contained in sub-rule (1), if any higher number is specified by the aircraft manufacturer for the type of aircraft being used, then that minimum number of crew members shall be carried on-board:

Provided that in case of multi-aisles (single or multi-deck) at least one crew member for each floor level exit and for the purpose of certification, if any higher number of crew member is required to conduct emergency evacuation demonstration then that number of crew member shall be carried on board.

(3) The cabin crew shall be located—

(a) during take-off and landing as near as possible to the floor level exits; and

(b) at any other time, at a suitable place in the aircraft, so as to provide the most effective exit of passengers in the event of emergency evacuation.

(4) An operator shall ensure that every member of cabin crew meets the requirements of age, qualification, training and medical assessment as specified by the Director-General from time to time.

(5) Every member of cabin crew shall, before being detailed for duty on board the aircraft, successfully complete an approved course of training followed by periodical approved refresher course concerning evacuation procedure, location and use of emergency equipment and any other requirement as specified by the Director-General.

(6) Whenever two or more cabin crew members are assigned to a flight, the operator shall nominate an experienced cabin crew member as a senior cabin crew member who shall be responsible to the Pilot-in-Command for the conduct and coordination of cabin safety and emergency procedure specified in the Operations Manual:

Provided that the senior cabin crew member has a minimum of one year's experience as cabin crew and has successfully undergone the training as specified by the Director-General.

(7) The operator shall cause checks of proficiency in carrying out safety and emergency duties by each cabin crew after completion of training as per sub-rule (5) and the checks shall be conducted by the Instructors approved, and having qualifications specified, by the Director-General.

(8) No cabin crew shall perform duties on more than three types of aircraft.

Explanation.—For the purposes of this sub-rule, types of aircrafts shall be considered to be different types if they are not similar in all the following aspects, namely:—

(a) emergency exit operation;

(b) location and type of safety equipment; and

(c) emergency procedures

(9) The Director-General may, if he is of the opinion that it is expedient so to do, by order and for reasons to be recorded in writing, waive fully or partially, the requirement of sub-rule (1).

[Substituted by GSR No. 383 dated 11-7-2001 and further amended by GSR No. 150(E) dated 04-03-2009 and Substituted by GSR 481(E) dated 15-05-2017]

39. Deleted.

[GSR No.1238 dated 8-9-1962]

39A. Disqualification from holding or obtaining a licence – (1) Where the licensing authority is satisfied, after giving him an opportunity of being heard, that any person –

(a) is habitually intemperate in the use of alcohol, or is an addict of narcotics, drugs and the like, or

(b) is using, has used or is about to use an aircraft in the commission of a cognizable offence or in contravention of these rules, or

(c) has, by his previous conduct as member of the crew of an aircraft, shown that he is irresponsible in the discharge of his duties connected with his employment or is likely to endanger the safety of the aircraft or any person or thing carried therein, or of other aircraft or persons or things on the ground, or

- (d) is a habitual criminal or has been convicted by a Court in India for an offence involving moral turpitude or an offence which amounts to heinous crime, or
- (e) has obtained the licence, rating, aircraft type rating or extension of aircraft type rating, or renewal of any of them, by suppression of material information or on the basis of wrong information, or
- (f) has unauthorisedly varied or tampered with the particulars entered in a licence or rating,

the licensing authority may, for reasons to be recorded in writing, make an order disqualifying that person for a specified period from holding or obtaining a licence.

(2) The Central Government may debar a person permanently or temporarily from holding any licence or rating mentioned in rule 38 if in its opinion it is necessary to do so in the public interest.

(3) Upon the issue of any order under sub-rule (1) or sub-rule (2), the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority, if the licence has not already been surrendered. The licensing authority shall keep the licence until the expiry of the period for which the person has been disqualified or debarred, or if he has been debarred permanently, for a period of 5 years.

*[Amended by – (i) GSR No. 1238 dated 8-9-62,
(ii) GSR No. 711 dated 3-5-1965,
(iii) GSR No. 218 dated 13-3-1991, and
(iv) GSR No. 485 (E) dated 28-6-2001]*

39B. Medical standards- (1) No licence or rating referred to in rule 38, required for any of the personnel of the aircraft, shall be issued or renewed unless the applicant undergoes a medical examination with an approved medical authority and satisfies the medical standards as notified by the Director-General:

Provided that if in the opinion of the approved medical authority the condition of the applicant is not such as to introduce any hazard either of sudden incapacity or of inability to perform his duties safely during the period of validity of his licence or rating and failure to attain the requirement is capable of being compensated and the Director-General has satisfactory evidence that the applicant has already acquired and demonstrated his ability, skill and experience which compensate for his deficiency, the licence or rating may be renewed or endorsed with any special limitation when the safe performance of flight duties is dependent on compliance with such limitations :

Provided further that, in the case of a member of the operating crew of an aircraft engaged in public transport or aerial work who is on duty in the territory of a foreign country where medical centres recognized by the Director-General do not exist, the Director-General may renew the licence or rating for two consecutive periods of three months each without the candidate having successfully undergone the prescribed medical examination if such candidate produces a medical certificate from a registered practitioner in modern medicine declaring his fitness in accordance with the prescribed medical standards.

Explanation- For the purposes of this sub-rule 'approved medical authority' means a medical authority approved by the Director-General.

(2) The Director-General may require a member of any flight crew to undergo a medical examination by any Medical Authority at any time, if, in his opinion, such examination is necessary in the interest of safety of operations.

[Inserted by SRO No.3625 dated 5-12-1955 and amended by GSR No. 1238 dated 8-9-1962 and GSR No. 1865 dated 13-12-1965.]

39C. Period of validity of medical fitness Assessment and Licences (1) The period of validity of medical fitness assessment and licence in respect of various categories shall be as specified in the following table, namely:

Category of licence		Validity of medical fitness assessment	Validity of licence
(1)		(2)	(3)
(i)	Airline Transport Pilot's Licence (aeroplanes or helicopters)	Twelve months	Five years
(ii)	Commercial Pilot's Licence (aeroplanes or helicopters), Flight Navigator's Licence and Flight Radio Telephone Operator's Licence	Twelve months	Five years.
(iii)	Student Pilot's Licence (aeroplanes or helicopters or gyroplanes or microlight aircraft or light sport aircraft or gliders or balloons), Student Flight Navigator's Licence and Student Flight Engineer's Licence	Twenty-four months	Five years
(iv)	Private Pilot's Licence (aeroplanes or helicopters), Pilot's Licence (microlight aircraft or light sport aircraft or gliders or balloons), Flight Radio Telephone Operator's Licence (Restricted) and Flight Engineer's Licence.	Twenty-four months	Ten years

(2) The period of validity of the initial medical fitness assessment shall commence from the date of the medical examination.

(3) In case of renewal, the period of validity of medical fitness assessment shall commence from the date following the date of expiry of the previous medical fitness assessment, subject to the condition that the medical examination for renewal has been conducted within a period of not more than one month preceding the date of expiry of the previous validity.

(4) In cases other than those referred to in sub-rule (3), the validity of the renewal of the medical fitness assessment shall commence from the date of the medical examination.

(5) (a) The period of validity of medical fitness assessment in respect of the licences specified against items (i) and (ii) of the table under sub-rule (1) shall be reduced to half after the holder of the licence has attained the age of forty years in case of single crew commercial air transport operations and sixty years in case of multi-crew commercial air transport operations.

(b) The period of medical fitness assessment in respect of the licences specified against items (iv) of the table under sub-rule(1) shall be reduced to half after the holder of the licence has attained the age of fifty years.

(6) The period of validity of a licence shall commence from the date of issue of the licence.

(7) In case of renewal, the period of validity of the licence shall commence from the date following the date of expiry of the previous validity of the licence, subject to the condition that the application for renewal has been submitted within a period of not more than one month preceding the date of expiry of the previous validity.

(8) In cases other than those referred to in sub-rule (7), the validity of renewal of the licence shall commence from the date of renewal of the licence.”

*[Inserted by GSR No.637 (E) dated 4-10-1993;
Substituted by GSR No. 485 (E) dated 28-6-2001;
Substituted by GSR No. 11(E) dated 10-01-2011;
Amended by (i) GSR No. 32(E) dated 13-01-2015;
(ii) GSR No. 494(E) dated 04-05-2016;
(iii) GSR No 721(E) dated 23-6-2017;
(iv) GSR No. 325 dated 9-10-2017; and
(v) GSR No 1358(E) dated 01-11-2017]*

40. Signature of licence holder- On the issue of a licence to an applicant he shall forthwith sign his name on the licence as the holder thereof with his ordinary signature.

41. Proof of competency- Applicants for licences and ratings shall produce proof of having acquired the flying experience and having passed satisfactorily the test and examinations specified in Schedule II in respect of the licence or rating concerned:

Provided that a person who is a qualified pilot from the Indian Air Force, Indian Navy or Indian Army or Indian Coast Guard and who produces satisfactory evidence to show that he possesses the necessary flying experience, competency and standards of physical fitness as required under these rules may be exempted by the Director-General, by general or special order in writing, and subject to such conditions, if any, as may be specified in such order, from all or any of the flying tests and from medical or other technical examinations required for the issue of the licences under these rules :

Provided further that a person to whom a licence of a particular class has been issued by the competent authority in a Contracting State may be exempted by the Director-General from all or any of the flying tests or technical examinations required for issue of a licence if his flying experience and competency are not less than the flying experience and competency laid down in Schedule II in respect of the corresponding licence under these rules. If he is the holder of a current licence, he may be further exempted from medical examination for the period for which his licence is current:

Provided further that in the case of a licence issued under any of the preceding provisions, only such type or types of aircraft shall be entered in the aircraft rating of the licence as in the opinion of the Director-General the applicant has sufficient and satisfactory experience and competency to fly :

Provided further that the Director-General may, on examination of the syllabi, determine the relative equivalence of technical examinations for granting exemptions to applicants from passing the examinations required under Schedule II:

Provided further that the Director-General may require any candidate, training establishment or operator to produce for examination all relevant training records, including the syllabi, certificates, mark-sheets, flight-test reports, assessments, etc., in respect of the candidate who has undergone a course of training, examination or flight-test, etc., with such training establishment or operator.

[Amended by- (i) GSR No. 1238 dated 8-9-1962,

(ii) GSR No. 1112 dated 26-9-1973,

(iii) GSR No. 1172 dated 12-10-1973,

(iv) GSR No. 28(E) dated 17-01-2011, and

(v) GSR 481(E) dated 15-05-2017]

41A. Checks, Tests and Examinations- (1) The Director-General may conduct examinations specified in Schedule II, may fix examination centres within India, appoint invigilators and lay down the procedure for conducting the examinations.

(2) The Director-General may appoint Examiners for carrying out flying tests and technical examinations required under Schedule II and may also appoint a Board to conduct oral examinations when necessary.

(3) The Director-General may determine the manner in which the skill tests shall be carried out and may approve check pilots and examiners for this purpose. He may require their reports to be submitted to him in respect of any flying test on any aircraft for which an aircraft rating is desired on a licence or which is entered in the aircraft rating of the licence and the renewal of which is desired or for checking skill at any time in respect of any aircraft included in the aircraft rating of the licence.

(4) The Director-General may debar permanently or temporarily a candidate from any flying test or examination if, in his opinion, the applicant has adopted unfair means during the test or examination.

(5) The Director-General may declare any flying test or examination conducted by an examiner or a Board, null and void, if in the opinion of the Director-General, the test or examination has not been carried out to his satisfaction, and require the test or the examination to be carried out again by another Examiner or Board and the Director-General may also take such action against the Examiner as he may deem fit under rule 19.

(6) If a licence holder or a candidate for a licence or rating has failed in any flying test subsequent to any flying test successfully undergone by him for issue or renewal of the licence or rating, the previous test as far as it is affected by the subsequent flying test in which he has failed, will be considered invalid from the date of the subsequent test and the privileges accruing as a result of such earlier test shall be deemed to have been withdrawn.

(7) Detailed syllabi for the technical examinations for the issue of flight crew licences and ratings shall be laid down by the Director-General.

[Inserted by GSR No. 1238 dated 8-9-1962 and

Amended by GSR 481(E) dated 15-05-2017]

41B. Approved Training Organisation. (1) A Flying Training Organisation (hereinafter referred to as FTO) providing training on aircraft below 5700 kgs all-up-weight shall obtain the approval of the Director-General before the students are enrolled to acquire flying experience and the level of competency required for obtaining a licence or rating specified in rule 38 and Schedule II of these rules.

(2) (a) For the grant of approval under this rule, the FTO shall, in the first instance, obtain a 'No objection Certificate' by making an application in the prescribed format to the Director-General along with a fee of fifty thousand rupees.

(b) The No Objection Certificate obtained under clause (a) shall be valid for a period of two years from the date of its issuance and may be extended by six months at a time on payment of a fee of twenty-five thousand rupees subject to the satisfaction of the Director-General regarding progress towards meeting the requirements of sub-rule (3).

(3) (a) The FTO shall possess the requisite infrastructure, adequate facilities, qualified and trained manpower including instructors as may be specified by the Director-General and the simulator training in such organisation shall be undertaken on simulator approved by the Director-General.

(b) The FTO shall have a 'Training and Procedure Manual' and a 'Quality Assurance Manual' with contents as may be specified by the Director-General and both the documents shall be submitted to the Director-General for approval.

(c) It shall be the duty of the FTO to provide a copy of the approved Training and Procedure Manual to its personnel for their use and guidance.

(4) (a) The holder of a valid No Objection Certificate may apply to the Director-General for issuance of approval of the FTO in the prescribed format along with a fee of two lakh rupees.

(b) The Director-General may, on being satisfied that all the requirements pertaining to the setting up of a FTO have been complied with, grant an approval to the FTO subject to such conditions as may be specified in the approval.

(c) The approval so granted shall, unless suspended or cancelled, remain valid for a period not exceeding five years and on being satisfied with the performance of FTO during this period, the Director-General may renew the approval for a period of two years at a time on payment of a fee of one lakh rupees, subject to such terms and conditions as may be specified by the Director-General:

Provided that after the 13th January, 2015, in case of a FTO holding approval of the Director-General prior to said date, the first renewal may be carried out for a period of five years on payment of a fee of two lakh rupees.

(5) The various fees payable under this rule shall be paid by demand draft drawn in favour of the Pay and Accounts Office, Directorate General of Civil Aviation, Ministry of Civil Aviation, New Delhi or by other means to be specified by the Director-General.

(6) The training records of the FTO shall be maintained in a manner specified by the Director-General and shall be produced on demand to the Director-General or any other officer authorised by him in this behalf.

(7) The FTO shall not impart any training which is not included in the scope of its activities and has not been duly approved by the Director-General.

(8) The FTO shall have an acceptable safety management system as specified by the Director-General.

(9) Upon being satisfied that, (a) any of the conditions of the approval of the FTO has not been complied with and the failure is due to any wilful act or default on the part of the holder of such approval or by any of his employees or agents, irrespective of whether or not such wilful act or default of the employee or agent was with the knowledge or consent of the holder of the approval; or

(b) the holder of the approval has failed to maintain safe, efficient and reliable training organisation; or

(c) the approval of the FTO was obtained by suppressing any material fact or furnishing wrong information, the Director-General may cancel the approval or suspend it for such a period as deemed fit:

Provided that no such approval shall be cancelled or suspended without giving a show-cause notice in writing informing the holder of the approval the ground on which it is proposed to suspend or cancel the approval and giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice and, if that person so desires, of being heard.

(10) Notwithstanding anything contained in sub-rule (9), if the Central Government is of the opinion that in the interest of public safety it is necessary to do so, it may, for reasons to be recorded in writing, summarily suspend the approval of a FTO with a view to make further enquiry.

[Inserted by GSR No. 909(E) dated 27-11-2015]

42. Licences and their renewal - (1) The licences and ratings mentioned in Rule 38 may be issued or renewed for any period not exceeding the period specified in rule 39C and Schedule II in respect of each licence or rating:

Provided that if, on the date of application for renewal, the licence or rating has expired for the periods specified below, the applicant may be required to qualify in the examinations and skill tests specified against them and such other examinations and tests as the Director-General may consider necessary to assess the applicant's competency to hold that licence or rating :-

- | | |
|---|--|
| (a) For a period exceeding
2 years but not exceeding
3 years. | Test of skill
and Air Regulations. |
| (b) For a period exceeding
3 years. | All examinations and
tests required for the
issue of the licence or
rating. |

Provided further that the Director-General may, before the renewal of a licence or a rating, require an applicant to satisfy all or any of the requirements for the issue of licence or rating of the same class, if, in the opinion of the Director-General, the competency of the applicant is below the standard required for the licence or rating.

Provided also that, in case where the holder of expired Indian commercial licence is flying on a valid equivalent commercial licence issued by a Contracting State and satisfies the requirement of flying experience for renewal of Indian licence, his Indian licence, if expired beyond two years, shall be renewed after his qualifying the examinations and tests as the Director-General may consider necessary;

Provided also that in the case of a pilot or a flight engineer, the Director-General may, when renewing a licence or a rating, delete any type of aircraft entered in the aircraft rating if he is satisfied that the holder of the licence does not have reasonable flying experience or does not possess the required standard of competency on that type of aircraft.

(2) The holder of a licence shall not exercise the privileges of his licence without being declared fit after a fresh medical examination in the event of his having-

- (a) a sickness or injury involving incapacity for a period of fifteen days or more for the work for which he is licensed; or
- (b) an injury sustained in any accident occurring during the exercise of the privileges of his licence or otherwise and which is likely to cause incapacity or impair his efficiency in the discharge of his duties.

The licence holder or his employer shall immediately notify all the relevant details of the sickness or injury to the Director-General.

(3) The licence of a person disqualified under sub-rule (2) shall be deemed to be invalid until the holder passes a fresh medical examination.

(4) The holder of a licence shall not exercise the privileges of his licence during any period when he is aware that his physical condition has deteriorated below the standard required for that category of licence.

*[Amended by GSR No. 637(E) dated 4-10-1993; and
Amended by GSR No. 32(E) dated 13-01-2015]*

42A. Fatigue Management of Flight Crew and Cabin Crew Members.—

(1) Taking into account the likely impact of fatigue on the level of alertness of flight crew members and cabin crew members, the maximum limits of flight time, flight duty period and duty period of flight crew members as well as cabin crew members, and also the minimum rest periods required to be observed by such crew members, may be specified by the Director-General.

(2) No flight crew member or cabin crew member of a flying machine registered in India, or wet leased by an Indian operator, shall contravene the limitations stipulated by the Director-General under sub-rule (1).

(3) Every Indian operator shall establish a scheme of flight and duty time limitations and minimum rest periods for its flight crew members as well as cabin crew members in accordance with the stipulations made by the Director-General under sub-rule (1) and submit the same to the Director-General for approval and after approval by the Director-General, such scheme shall form part of the Operations Manual of the concerned operator.

Explanation.—For the purposes of this rule, 'Indian operator' means an operator having his principal place of business, or his permanent residence, in India.

[Inserted by SRO No. 1154 dated 23-4-1952; and Substituted by GSR 911(E) dated 16-09-2016]

43. Deleted.

[GSR No.1238 dated 8-9-1962]

44. Aircraft not registered in India- An aircraft not registered in India shall carry the personnel prescribed by the laws of the State in which it is registered and such personnel shall be licenced in accordance with the laws of that State.

Note - For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India".

[Amended by GSR No.20(E) dated 12-1-1994]

45. Validation of foreign licences.—When a licence has been granted by the competent authority in a foreign State and is for the time being in force, the Central Government may, subject to such conditions and limitations and for such periods as it shall think fit, render such licence valid by an authorisation for flying aircraft registered in India and a licence so validated shall be subject to the provisions of rules 19 and 19A and such validation of a licence shall cease if the licence is revoked or suspended.

Note : For the purpose of this rule, foreign aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

[Amended by GSR No. 1567 dated 6-11-1962; GSR No. 150(E) dated 04-03-2009, GSR 481(E) dated 15-05-2017 and GSR No. 832(E) dated 30-06-2017]

46. Deleted.

47. Minimum age for holding a licence- The minimum age of a person who is otherwise qualified and to whom a licence may be granted shall be as laid down in Schedule II.

[Amended by GSR No. 1238 dated 8-9-1962]

47A. Minimum educational qualification for holding a licence- No person shall be granted a licence unless he possesses the educational qualification laid down in Schedule II :

Provided that candidates already enrolled for training on or before the coming into force of these rules with flying club or institution shall be exempted from application of this rule.

[Inserted by GSR No. 452(E) dated 11-6-1993]

48. Fees and other charges-(1) The following fee shall be payable for the issue, renewal and validation of licences and ratings or the issue of duplicate licences and for the tests and examinations for such licences and ratings:

- | | | | |
|--------|--|---|-------------------------|
| (i) | for tests and examinations for licences and ratings | : | Rs. 500/per paper |
| (ii) | for issue or validation of a licence or rating for Student Pilot's Licence and Glider Pilot's Licence | : | Rs. 1,000/ |
| (iii) | for renewal of a licence or rating for Student Pilot's Licence and Glider Pilot's Licence | : | Rs. 500/ |
| (iv) | for issue or validation of a licence or rating other than Student Pilot's Licence and Glider Pilot's Licence | : | Rs. 5,000/ |
| (v) | for renewal of a licence or rating other than Student Pilot's Licence and Glider Pilot's Licence | : | Rs. 2,500/ |
| (vi) | for issue of duplicate Student Pilot's Licence and Glider Pilot's Licence | : | Rs. 250/ |
| (vii) | for issue of duplicate licence or rating other than Student Pilot's Licence and Glider Pilot's Licence | : | Rs. 500/- |
| (viii) | for issue of duplicate result sheet | : | Rs. 500/-of examination |
| (xi) | Where the examination is conducted on line through computer, in addition to the fee mentioned in clause (i), an amount of Rs 2000/- per paper shall be payable by the candidate. | | |

(2) For all flying tests, the candidate shall be required to provide the aircraft and bear all charges in respect of the flight, and if a Government Examiner is carried on board during the flying test, the following fee shall be payable to the Central Government, namely:

- | | | | |
|------|--|---|-------------|
| (i) | for a single-engine aircraft | : | Rs. 5,000/- |
| (ii) | for a multi-engine aircraft with maximum permissible take-off weight below 5,700 kilograms | : | Rs.10,000/- |

- (iii) for a multi-engine aircraft with maximum : Rs. 50,000/-
permissible take-off weight of 5,700 kilograms
and above upto 50,000 kilograms
- (iv) for a multi-engine aircraft with maximum : Rs.1,00,000/-
permissible take-off weight above 50,000
kilograms

(2A) The fee shall be paid by crossed Indian Postal Order or Demand Draft drawn in favour of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

(3) The fees for the medical examinations conducted by the official Medical Board shall be paid in the manner as prescribed and notified by the Director- General.

(4) Every application for technical examination or the issue, validation, renewal or revalidation of licences and ratings or the issue of duplicate licence and ratings shall be paid in the manner prescribed and notified by the Director-General.

(5) When in any case the licence or rating is not issued, validated, renewed or revalidated or a duplicate licence or rating is not issued, the Central Government may order the refund to the applicant of a proportionate part of the sum paid as fees.

[Amended by- (i) GSR No. 1238 dated 8-9-1962,

(ii) GSR No. 1232 dated 18-9-1972,

(iii) GSR No. 605 dated 17-7-1989,

(iv) GSR No. 637(E) dated 4-10-1993,

(v) GSR No. 181(E) dated 20-03-2006,

(vi) GSR No. 101(E) dated 19-02-2009, and

(vii) GSR No. 213(E) dated 05.04.2013]

PART VI – AIRWORTHINESS

49. Issue of Type Certificate or Restricted Type Certificate for an aircraft or engine or propeller designed or manufactured in India— (1) The Director-General may direct by general or special order that there shall be a Type Certificate in respect of an aircraft designed or manufactured in India, as a pre-requisite to the issue or continued validity of a certificate of airworthiness.

(2) The Director-General may also direct by general or special order that there shall be a Type Certificate in respect of any engine or propeller designed or manufactured in India.

(3) The Director-General may issue a Type Certificate when, —

(a) an applicant furnishes such documents or other evidence relating to the suitability of the aeronautical product for aviation purposes, as may be specified, inclusive of a flight test, if necessary, as the Director-General may require. The applicant shall provide all necessary facilities for such inspection and tests as may be stipulated; and

(b) the Director-General is satisfied as to its suitability for aviation purposes.

(4) The Director-General may issue a Restricted Type Certificate for an aeronautical product imposing necessary limitations on its operations if he is satisfied that the design of an aircraft or engine or propeller, does not fully comply with the applicable design standard specified by the Director-General but is in a condition for safe operation.

*[Amended by - GSR No. 1202 dated 23-7-1976,
GSR No. 218 dated 13-3-1991,
GSR No 97(E) dated 14-02-2014,
GSR No 721(E) dated 23-6-2017, and
GSR No 721(E) dated 23-6-2017]*

49A. Issue of Type Certificate or Restricted Type Certificate to an aircraft imported in India.— (1) The Director-General may direct by general or special order that there shall be a type certificate or restricted type certificate in respect of any aircraft imported in India.

(2) The Director-General may issue a type certificate or restricted type certificate in respect of any aircraft imported in India.

*[Inserted by GSR No. 1202 dated 23-7-1976, and
Amended by (i) GSR No 97(E) dated 14-02-2014; and
GSR No 721(E) dated 23-6-2017]*

49B. Validation of Type Certificate or Restricted Type Certificate for an aeronautical product imported in India.—

(1) The Director-General may validate a type certificate or a restricted type certificate in respect of any aeronautical product that may be imported when, —

(a) the State aviation authority of the country in which it is designed has issued a type certificate or a restricted type certificate or a similar document in respect of that aeronautical product, as the case may be;

(b) it meets the airworthiness requirements as specified by the Director-General; and

(c) the applicant furnishes such documents and technical data regarding the suitability of the product for aviation purposes as may be specified and as the Director-General may require.

(2) The Director-General may, by order in writing and subject to such conditions as may be stated in that order, exempt any aeronautical product from the provisions of this rule.

*[Inserted by GSR No. 1202 dated 23-7-1976, and
Amended by (i) GSR No 97(E) dated 14-02-2014; and
(ii) GSR No 721(E) dated 23-6-2017]*

49C. Type Certificate or Restricted Type Certificate- aeronautical product categories.— The type certificate or restricted type certificate of an aeronautical product when issued or validated may be grouped as an aeronautical product in one or more categories as may be specified. The operation of the aircraft shall be restricted to those categories.

*[Inserted by GSR No. 1202 dated 23-7-1976;
Amended by GSR No 721(E) dated 23-6-2017]*

49D. Cancellation, suspension of or endorsement on Type Certificate or Restricted Type Certificate.— If at any time the Director-General is satisfied that there is a reasonable doubt to indicate that the safety of the aeronautical product is imperilled because of a defect, he may cancel, suspend or endorse the type certificate or restricted type certificate issued or validated for the aeronautical product having defect, or may require the incorporation of any modification as a condition for the type certificate or restricted type certificate remaining in force, as the case may be.

*[Inserted by GSR No. 1202 dated 23-7-1976, and
Amended by (i) GSR No 97(E) dated 14-02-2014;
(ii) GSR No 721(E) dated 23-6-2017]*

49E. Recognition of Type Certificate or Restricted Type Certificate of an aeronautical product issued by a Contracting State.— The Director-General may accept the type certificate or restricted type certificate in respect of an aeronautical product issued by a Contracting State whose airworthiness requirements shall be in accordance with these rules, if—

- (a) the State aviation authority of the State in which it is designed has issued a type certificate or restricted type certificate in respect of that aeronautical product;
- (b) it meets the airworthiness requirements specified by the Director-General; and
- (c) the applicant furnishes documents and technical data as may be required to assess the suitability or safety of the aeronautical product.

*[Inserted by GSR No 97(E) dated 14-02-2014;
Amended by GSR No 721(E) dated 23-6-2017]*

49F. Issue of Supplemental Type Certificate in respect of an aeronautical product.— The Director-General may issue a supplemental type certificate in respect of any aeronautical product for which a type certificate or a restricted type certificate has been issued or validated or accepted as provided in rules 49A, 49B and 49E, and which has undergone a structural modification or installation of new item of equipment on account of the following reasons, namely:-

- (a) the aeronautical product in-service has developed deficiencies that may affect the safety or performance of the product;
- (b) there is a genuine need of the operator to change the configuration of the aeronautical product; and
- (c) there is a need to change or install new item of equipment for the purpose of enhancing safety or to bring in more user comfort.

*[Inserted by GSR No 97(E) dated 14-02-2014;
Amended by GSR No 721(E) dated 23-6-2017]*

49G. Recognition of Supplemental Type Certificate issued by a Contracting State.— The Director-General may accept a Supplemental Type Certificate issued by a Contracting State in respect of the aeronautical product, if,—

- (a) the airworthiness requirements of that Contracting State are acceptable in accordance with the Indian law; and
- (b) sufficient evidence is provided (including flight tests if required) by the applicant in respect of the safety and airworthiness of the product.

*[Inserted by GSR No 97(E) dated 14-02-2014;
Amended by GSR No 721(E) dated 23-6-2017]*

49H. Regulation and control of aircraft components and items of equipment.— The aircraft components and items of equipment not covered under rule 49A to 49G shall be in accordance with the requirements specified by the Director-General under rule 133A”.

[Inserted by GSR No 97(E) dated 14-02-2014.]

49-I. Acceptance of design for an aircraft— Notwithstanding anything contained in rules 49A to 49G, the Director-General may accept the design of an aircraft after evaluation against minimum standards laid down under these rules and on being satisfied that it is in a condition for safe operation.

[Inserted by GSR No 721(E) dated 23-6-2017]

50. Issue of Certificate of airworthiness or Special Certificate of Airworthiness and Airworthiness Review Certificate.— (1) The owner or operator of an aircraft may apply to the Director-General for the issue of a certificate of airworthiness or a special certificate of airworthiness in respect of the aircraft or for the validation of a certificate of airworthiness issued elsewhere in respect of the aircraft.

(2) The Director-General may issue a certificate of airworthiness or special certificate of airworthiness in respect of an aircraft when—

- (a) the applicant furnishes such documents or other evidence relating to the airworthiness of the aircraft as may be specified by the Director-General; and
- (b) the Director-General is satisfied that it is airworthy or in a condition for safe operation:

Provided that the Director-General may impose such conditions on the special certificate of airworthiness issued as may be necessary for safe operation of the aircraft.

(3) The Director-General may validate a certificate of airworthiness in respect of any aircraft that may be imported if —

- (a) the airworthiness authority of the country in which the aircraft is manufactured, has issued a certificate of airworthiness or such equivalent document;
- (b) the airworthiness requirements as specified by the Director-General are complied with; and
- (c) the applicant furnishes necessary documents and technical data relating to the aircraft as may be specified and as the Director-General may require.

(4) The certificate of airworthiness or special certificate of airworthiness shall be issued or rendered valid for one or more of the categories as specified by the Director-General. The operation of the aircraft shall be restricted in those categories as specified in the certificate of airworthiness or special certificate of airworthiness subject to the conditions stated therein.

(5) A certificate of airworthiness issued under this rule shall be invalid unless the Director-General or an organisation approved under these rules, carries out a review of compliance with applicable airworthiness standards and issues an airworthiness review certificate valid for such periods as may be specified therein which may be extended by the Director-General or an organisation approved under these rules, in accordance with such procedures as may be specified by the Director-General.

(6) A special certificate of airworthiness shall be valid for such periods as may be specified in the certificate and maybe renewed from time to time by the Director-General.

(7) The aircraft shall be inspected and tested by the Director-General or by a person authorised in his behalf, as specified.

(8) The owner or operator of the aircraft shall provide all necessary facilities for the purpose of carrying out the inspection and tests as required under sub-rule (7) and bear all expenses as specified by the Director-General.

*[Substituted by (i) GSR No 97(E) dated 14-02-2014; and
(ii) GSR No 721(E) dated 23-6-2017]*

50A. Conditions necessary for the certificate of airworthiness or special certificate of airworthiness and inspection, overhaul of aircraft- (1) The Director-General may specify conditions and standards in respect of certificate of airworthiness or special certificate of airworthiness of a particular type or class of aircraft to ensure safety of the aircraft and of persons on board the aircraft, having regard to the limitation of the aircraft.

(2) If, at any time, the Director-General considers that any modification, repair, replacement, inspection or overhaul of any aircraft or type of aircraft or of any aircraft component or item of equipment of that aircraft or type of aircraft is necessary in the interest of safety, he may require the modification, repair, replacement, inspection or overhaul to be carried out as a condition of the certificate of airworthiness or special certificate of airworthiness remaining in force.

*[Inserted by GSR No. 1202 dated 23-7-1976;
Amended by GSR No 721(E) dated 23-6-2017]*

51. Flight Manual- Where a flight manual is required to be kept in relation to an aircraft in accordance with provisions of these rules, the Director-General shall endorse the certificate of airworthiness of the aircraft accordingly.

[Substituted by GSR No. 1202 dated 23-7-1976]

52. Modification and repairs- (1) A person shall not carry out any modification or repair affecting safety of any aircraft in respect of which there is a valid certificate of airworthiness unless he has been required to do so in pursuance of these rules or unless he has obtained the prior approval of the Director-General.

(2) (a) Modifications issued by the manufacturer of an aircraft, aircraft component or item of equipment of that aircraft which have been issued a Type Certificate by the Director-General or elsewhere may be deemed as approved modifications, unless otherwise specified by the Director-General.

(b) Repair schemes issued by the manufacturer of an aircraft, aircraft component or item of equipment of that aircraft issued with a Type Certificate by the Director-General or elsewhere and other repairs carried out in accordance with standard aeronautical engineering practice may be deemed as approved unless otherwise specified by the Director-General.

(3) The Director-General may give approval for repair or modification other than those referred to in sub rule (2), of an aircraft, aircraft component, or item of equipment of that aircraft, where the owner or operator furnishes such evidence relating to the intended modification or repair and its effect on the airworthiness of aircraft as specified by the Director-General.

(4) Modifications which have been approved by the Director-General for one aircraft, aircraft component, item of equipment may be incorporated in others of the same type provided it is within the terms of approval.

(5) (a) While an aircraft has been modified or repaired after a major damage or major defect, the aircraft shall not be flown until an appropriately licensed engineer or an authorised person has certified in the manner specified by the Director-General that the aircraft is in a fit condition to be flown for purpose of experiment or test, as the case may be.

(b) While an aircraft component or item of equipment has to be modified or repaired, it shall not be released until it is certified by an appropriately licensed engineer or an authorised person as may be specified by the Director-General.

(6) The form and manner of distribution of the certificate and its copies referred to in the above sub-rules and preservation thereof shall be as may be specified by the Director-General.

(7) A certificate in pursuance of the preceding sub-rules shall not be issued unless the materials, parts, method comply with such designs, drawings, specifications or instructions as may be issued by the manufacturers or as may be specified or approved by the Director-General. The method and the workmanship shall be in accordance with standard aeronautical practice or as may be approved by the Director-General.

[Substituted by GSR No. 1202 dated 23-7-1976]

53. Use of materials, processes, parts and periodical overhaul of aircraft- (1) Every aircraft required under these rules to be provided with a certificate of airworthiness and aircraft components and items of equipment on such aircraft shall periodically be inspected, overhauled and certified on completion of the prescribed flight time or calendar time or on the basis of any other stipulated condition in accordance with the approved maintenance schedules or approved maintenance system. Such inspection and certification shall be effected by appropriately licensed engineers or authorised persons as may be specified by the Director-General.

(2) A certificate to be issued in pursuance of sub-rule (1) shall not be issued unless the materials, processes, parts, method comply with such designs, drawings, specifications or instructions as may be issued by the manufacturers or as may be specified or approved by the Director-General. The method and workmanship shall be in accordance with standard aeronautical practice or as may be approved by the Director-General.

(3) Notwithstanding the foregoing provisions, the Director-General may grant exemption by general or special order in writing to any person or class of persons from the operation of the foregoing sub-rules either wholly or partly, subject to such conditions, if any, as may be specified in such order.

[Substituted by GSR No. 1202 dated 23-7-1976]

53A. Manufacture, storage and distribution of all aircraft- The manufacture, storage and distribution of aircraft, aircraft components and items of equipment or any other material used or intended to be used in an aircraft, whether or not a certificate of airworthiness has been or is required to be issued, renewed or rendered valid for such aircraft, under these rules, shall be undertaken and certified only by approved organisations, by licensed engineers or by authorised persons in this behalf. The form and manner and the distribution of the certificate and its copies and preservation thereof shall be as may be specified by the Director-General.

[Inserted by GSR No. 1202 dated 23-7-1976]

54. Persons authorised to certify- The certification required under Parts VI, XIIB, and XIII A of these rules shall be signed by appropriately licensed engineers or authorised persons qualified under the terms and conditions of the licence, authorisation or approval, as the case may be, to carry out or inspect the manufacture, process, modification, repair, replacement, overhaul or maintenance, to which the certificate relates or by an approved person or by a person or persons holding written authorisation for certification from an approved organization in accordance with the criterion specified by the Director-General and the certificate is signed as per the authorisation, or when these have been carried out at a suitably equipped Indian Air Force Establishment, by its Officer-In-Charge :

Provided that in one or more class of aircraft, such of the work, if performed in accordance with approved procedures, practices and methods as may be specified by the Director-General, need not be supervised or certified by the approved organisation, licensed engineers or authorised persons in this behalf.

*[Substituted by GSR No. 1202 dated 23-7-1976; and
Substituted by GSR 911(E) dated 16-09-2016]*

55. Suspension or cancellation of certificate of airworthiness or special certificate of airworthiness and its continued validity- (1) The certificate of airworthiness or special certificate of airworthiness of an aircraft shall be deemed to be suspended when an aircraft-

- (a) ceases or fails to conform with the requirement of these rules, in respect of operation, maintenance, modification, repair, replacement, overhaul, process or inspection, applicable to that aircraft; or
- (b) is modified or repaired other wise than in accordance with the provisions of these rules; or
- (c) suffers major damage; or
- (d) develops a major defect which would affect the safety of the aircraft or its occupants in subsequent flights.

(2) If, at any time, the Director-General is satisfied that reasonable doubt exists as to the safety of an aircraft or as to the safety of the type to which that aircraft belongs, he may -

- (a) suspend or cancel the certificate of airworthiness or special certificate of airworthiness in respect of the aircraft; or
- (b) require the aircraft or an aircraft component or an item of equipment of that aircraft to undergo such modification, repair, replacement, overhaul, inspection including flight tests and examination under the supervision of an approved person as the Director-General may specify, as a condition of the certificate of airworthiness remaining in force.

(3) Subject to sub-rule (4), an aircraft shall not be flown during any period for which its certificate of airworthiness or special certificate of airworthiness is suspended or deemed to be suspended.

(4) Where the certificate of airworthiness or the special certificate of airworthiness of an aircraft is suspended or deemed to be suspended, the Director-General may, upon an application by the owner or operator, issue a special flight permit under rule 55A.

*[Substituted by GSR No. 1202 dated 23-7-1976; and
Amended by GSR No 721(E) dated 23-6-2017]*

55A. Issue of Special Flight Permit— (1) The Director-General may issue a special flight permit when an aircraft is not fully in compliance with the airworthiness requirements but is in a condition for safe operation subject to such conditions as are specified in the special flight permit.

(2) The owner or operator of an aircraft may apply to the Director-General for the issue of a special flight permit in respect of the aircraft for any of the purposes as specified by the Director-General.

(3) The Director-General may issue a special flight permit in respect of an aircraft when, —

(a) an applicant furnishes such documents as may be specified by the Director-General; and

(b) the Director-General is satisfied that the aircraft is in a condition for safe operation.

[Inserted by GSR No 721(E) dated 23-6-2017]

56. Indian aircraft operating outside India- Where an aircraft registered in India is operating in a country outside India, the aircraft, or any of its components or items of equipment shall not be modified, repaired, replaced, inspected or overhauled except by or under the supervision of, and certified by -

(a) in the case of a Contracting State, a person who is approved for the purpose by the appropriate authority of Contracting State in accordance with the minimum requirements adopted in pursuance of the Convention and recognized by the Director-General as sufficient for the purpose;

(b) in the case of a country other than a Contracting State, a person who possesses qualifications which are recognized by the Director-General as sufficient for the purpose.

Note:- For the purpose of this rule, foreign aircraft falling under sub-rule(3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India.

[Substituted by GSR No. 1202 dated 23-7-1976 and urther amended by GSR No. 150(E) dated 04-03-2009]

57. Instruments and e uipment- (1) Every aircraft shall be fitted and equipped with the instrument and equipment including radio apparatus and special equipment as may be specified by the Director-General according to the use and circumstances under which the flight is to be conducted.

(2) Such instruments and equipment shall be of an approved type and installed in an approved manner and shall be maintained in a serviceable condition.

*[Substituted by GSR No. 1202 dated 23-7-1976; and
Amended by GSR No 721(E) dated 23-6-2017]*

58. Weight and balance- (1) Every aircraft shall be weighed and appropriately marked and centre of gravity determined. The weight schedule and the load sheet indicating the calculated centre of gravity position(s) relating to the required configuration(s) shall be displayed or carried on board an aircraft subject to such conditions as may be specified by the Director-General.

(2) (a) An aircraft shall not attempt to take off, fly or land at a weight in excess of the maximum permissible weight as specified in the certificate of airworthiness or as authorised by the Director-General.

(b) The load of an aircraft throughout a flight including take-off and landing shall be so distributed that the centre of gravity position of the aircraft falls within the limitations specified or approved by the Director-General :

Provided that the Director-General may, by special order in writing and subject to such conditions as may be specified in that order, exempt any aircraft from the operation of this rule.

[Substituted by GSR No. 1202 dated 23-7-1976]

59. Defects and defective parts- (1) A major defect in or a major damage to an aircraft registered in India shall be reported in the manner specified by the Director-General.

(2) When any part of an aircraft is revealed or suspected to be defective, the Director-General may require it to be delivered to a person or organization authorised by him, in this behalf for examination.

Note :- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

[Amended by GSR No. 20(E) dated 12-1-1994]

59A. Defects in a foreign aircraft- (1) When an aircraft registered outside India, whilst in Indian territory sustains major damage or a major defect is found, the Director-General, on ascertaining that fact, may prohibit the aircraft from flying.

(2) Where, in pursuance of sub-rule (1), the Director-General prohibits an aircraft from flying, he shall furnish to the appropriate authority of the country of registration of the aircraft information of the action which he has taken and a report of the damage suffered or defect found.

(3) The prohibition imposed in pursuance of sub-rule (1) shall not be removed until the appropriate authority of the country of registration of the aircraft notifies to the Director-General-

(a) that the damage or defect suffered or ascertained has been removed ;

(b) that the damage suffered or defect found or ascertained is not of such a nature as to prevent minimum requirements of safety adopted in pursuance of the Convention ; or

(c) that in the circumstances of a particular case, the aircraft should be permitted to fly without passengers to a place at which it can be restored to an airworthy condition.

(4) In removing the prohibition imposed in pursuance of sub-rule (1), the Director-General may impose such conditions on the operation of the aircraft as are notified to him by the appropriate authority of the country of registration of the aircraft.

Note :- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

[Inserted by GSR No. 1202 dated 23-7-1976] and amended by GSR No. 20(E) dated 12-1-1994]

60. Maintenance standards and certification- (1) In this rule, 'maintenance' refers to performance of all work necessary for the purpose of ensuring that the aircraft is airworthy and safe including servicing of the aircraft and all modifications, repairs, replacements, overhauls, processes, treatment, tests, operations and inspection of the aircraft, aircraft components and items of equipment required for that purpose.

(2) (a) The Director-General may, in respect of any aircraft, aircraft component and item of equipment, specify standards and conditions for continuing airworthiness of the aircraft and its maintenance.

(b) The Director-General shall notify the maintenance requirements and approve the maintenance system keeping in view—

- (i) the continued airworthiness of the aircraft and the maintenance facilities required;
- (ii) the period in terms of flight time, calendar time or any other basis, which may elapse with safety between inspections, tests, or overhauls or any other maintenance work;
- (iii) the content and period of preservation of the records kept in respect of maintenance.
- (iv) type of operation in which the aircraft is engaged;
- (v) any conditions like dust, salt-air climatic conditions or other factors and the routes flown or basis used which may have an effect upon airworthiness; and
- (vi) any other relevant considerations.

(3) Any aircraft engaged in public transport including aerial work and flying training shall not be flown unless-

- (a) it has been maintained in accordance with such requirements as may be specified by the Director-General;
- (b) maintenance of aircraft has been carried out by or under the supervision of a person licensed or authorised under rule 61, or authorised in writing by an approved maintenance organisation in accordance with the criterion specified by the Director-General; and
- (c) all maintenance carried out has been certified by appropriately licensed engineers or authorised persons within the period specified by means of such a 'certificate' as may be prescribed by the Director-General.

(4) The contents, form, period or validity, preservation of the certificate shall be in such form and manner as may be specified by the Director-General.

(5) No aircraft shall commence any flight if subsequent to the issue of a certificate in pursuance of this rule, it has suffered any damage or revealed any defect, other than items covered in the approved list of deficiencies, which would render the aircraft unsafe for flight and which would not, in accordance with the ordinary aeronautical practice, be remedied by the pilot or crew.

(6) Microlight, light sport aircraft, gyroplane, glider, balloon or an airship shall be certified by an aircraft maintenance engineer holding a licence in Category A or Category B1 or Category B3 or an authorised person subject to the requirements as specified by the Director-General.

Provided that the Director-General may, by general or special order and subject to such conditions as may be specified in that order, exempt any aircraft from the operation of this rule.

*[Substituted by GSR No. 1202 dated 23-7-1976;
Amended by GSR 911(E) dated 16-09-2016; and
GSR No. 1358 dated 01-11-2017]*

61. Licensing of Aircraft Maintenance Engineers – (1) The Central Government may grant licences or authorisations as provided in this rule, to persons who meet the requirements specified in this rule.

(2) The application for the grant of an Aircraft Maintenance Engineer's Licence or an authorisation, or for extension thereof, shall be made in the form and manner specified by the Director-General.

(3) The Aircraft Maintenance Engineer's licences may be granted in the following categories, namely:-

- (a) Category A
- (b) Category B1
- (c) Category B2
- (ca) Category B3
- (d) Category C

(4) The licences in categories A and B1, in relation to aeroplanes, helicopters, turbine and piston engines, may be granted in the following sub-categories, namely:-

- (a) A1 Aeroplanes Turbine
- (b) A2 Aeroplanes Piston
- (c) A3 Helicopter Turbine
- (d) A4 Helicopter Piston
- (e) B1.1 Aeroplanes Turbine
- (f) B1.2 Aeroplanes Piston
- (g) B1.3 Helicopter Turbine
- (h) B1.4 Helicopter Piston

(4A) Licences other than Category A shall be endorsed with the type of aircraft, the holder is entitled to exercise the privileges upon.

(5) An applicant for the grant of Aircraft Maintenance Engineer's Licence shall satisfy the following requirements, namely:-

- (a) he shall not be less than 18 years of age;
- (b) he shall have passed 10+2 examination with Physics, Chemistry and Mathematics from a recognised Board or University or its equivalent;
- (c) he shall have passed a written examination as specified by the Director-General:

Provided that the Director-General may, subject to such conditions as he may deem fit to impose, exempt any applicant from the written examination if the applicant holds a licence granted by a Contracting State to act in the capacity of an Aircraft Maintenance Engineer; and

- (d) he shall have the following minimum practical experience, namely:-
 - (i) for Category A, Sub-categories B1.2, B1.4 and Category B3— three years of practical aircraft maintenance experience on operating aircraft; and
 - (ii) for Sub-categories B1.1 and B1.3 and Category B2 – five years of practical aircraft maintenance experience on operating aircraft.”

Provided that the experience requirement specified at (i) and (ii) above shall be reduced by one year in case of an applicant who has satisfactorily completed

training in any training organisation approved under rule 133B or who has acquired a Degree in Aircraft Maintenance or Degree in Engineering from a recognised University:

Provided further that twelve years of practical aircraft maintenance experience acquired outside a civil aircraft maintenance environment in the relevant category supplemented by at least one year of recent experience in civil aircraft maintenance environment, shall be treated as equivalent to the requirements laid down in (i) and (ii) above;

(iii) for Category C with respect to large aircraft –

(A) three years of maintenance experience exercising privileges of Categories B1.1, B1.3 or B2 on large aircraft or as support staff in a base maintenance in an organisation approved under rule 133B or a combination thereof; or

(B) five years of maintenance experience exercising the privileges of Categories B1.2 or B1.4 on large aircraft or as support staff in base maintenance in an organisation approved under rule 133B, or a combination thereof;

(iv) for Category C with respect to aircraft other than large aircraft – three years of maintenance experience of exercising privileges of category B1 or B2 or support staff in an organisation approved under rule 133B, or a combination thereof;

(e) he shall demonstrate his skill to exercise the privileges of the licence for which an application has been made, in the manner specified by the Director-General.

(6) The applicant for grant of extension of Aircraft Maintenance Engineer's licence shall be required --

(a) to pass a written examination so as to demonstrate a level of knowledge in the appropriate subject modules as specified by the Director-General; and

(b) to undergo relevant training, acquire maintenance experience as specified by the Director-General, and demonstrate skill to exercise the privileges of the licence for which an application has been made, in a manner specified by the Director-General.

(7) An applicant who fails in any examination shall be permitted to appear again for such examination only after lapse of such other period as specified by the Director-General.

(8) The Central Government may grant authorisation to the holders of an Aircraft Maintenance Engineer's Licence to carry out maintenance of any new aircraft, engine or system which has been brought into the organisation and which is not within the scope of his licence, and to issue a certificate of release thereof, provided that the Director-General is satisfied that the applicant has sufficient knowledge, experience and training, and has passed such examinations as specified by the Director-General.

(9) Omitted

(10) Omitted

(11) Unless suspended, revoked or cancelled, –

(a) a licence shall remain valid for the period specified therein, subject to a maximum period of five years in each case, and may be renewed for another five years at a time on receipt of the application for renewal:

Provided that an expired licence shall be renewed only after the applicant has passed such examinations as may be specified by the Director-General;

(b) an authorisation shall remain valid for a period specified therein, subject to a maximum period of one year in each case, and may be renewed for another one year at a time on receipt of application for renewal, provided the applicant has engaged himself in the performance of the tasks for a period of three months in the preceding one year.

(12) The holders of various categories of Aircraft Maintenance Engineer's Licenses shall have the following privileges, namely:-

(i) Category A licence holder to issue certificates for release to service after minor scheduled line maintenance and simple defect rectification within the limits of maintenance tasks specifically endorsed on the authorisation issued by a maintenance organisation approved under rule 133B for the broad category of aircraft endorsed on the licence and the certification privileges shall be restricted to the work carried out by the licence holder himself in the maintenance organization that issues the authorisation.

(ii) Category B1 licence holder to issue certificates for release to service and act as support staff following the maintenance performed on aircraft structure, power-plant, mechanical and electrical systems, work on avionics system requiring simple tests to prove their serviceability and not requiring trouble shooting, in respect of an aircraft type endorsed on the licence.

Explanation.—

(a) Category B1 shall include the appropriate sub-category of Category A;

(b) Microlight, light sport aircraft, gyroplane, glider, balloon or an airship shall be certified by an aircraft maintenance engineer holding a licence in Category A or Category B1 or Category B3 or an authorised person subject to meeting the requirements as specified by the Director-General.

(iii) Category B2 licence holder to issue —

(a) certificates of release to service after maintenance on avionic and electrical systems, avionics and electrical system within engine and mechanical systems requiring only simple tests to prove their serviceability of aircraft type endorsed on the licence;

(b) certificates of release to service after minor scheduled line maintenance and simple defect rectification within the limits of tasks specifically endorsed on the certification authorisation issued by an approved maintenance organisation of aircraft type endorsed on the licence and this certification privilege shall be restricted to work that the licence holder has personally performed in the maintenance organisation which issued the certification authorisation and limited to the rating already endorsed on the licence.

(iv) Category B3 licence holders to issue certificates of release to service after maintenance on aeroplane structure, engine and mechanical and electrical systems, work on avionic systems requiring only simple tests to prove their serviceability and not requiring troubleshooting of 'piston-engine non-pressurised aeroplanes of 2000 kg Maximum Take-off Mass and below'

(v) Category C licence holders to issue certificates of release to service after base maintenance in respect of an aircraft of the type endorsed on the licence. The privileges apply to the aircraft in its entirety including all systems.

Explanation.—Simple test means a test described in approved maintenance data and such in nature that aircraft system serviceability is verified through aircraft controls, switches, Built-in Test Equipment (BITE), Central Maintenance Computer (CMC) or external test equipment not requiring special training.

(13) The certification privileges shall be exercised only if the holder of licence fulfills the conditions as specified by the Director-General.”

(14) (i) The holder of a valid Aircraft Maintenance Engineer's Licence on the date of coming into force of this rule may continue to exercise the privileges of his licence and shall be issued, with or without limitation and without further examination, an Aircraft Maintenance Engineer's Licence in the appropriate category under this rule subject to such conditions as may be specified by the Director-General:

Provided that exercise of such privileges shall not be continued beyond the date specified by DGCA.

(ii) Any person who has started a qualification process for obtaining an Aircraft Maintenance Engineer's Licence under the rules and procedures existing prior to the date of notification of this rule, may continue the process till 31 December, 2016 and may be issued an Aircraft Maintenance Engineer's Licence in the appropriate category.

(iii) Notwithstanding the amendment of this rule, the Director-General may issue the licenses as per the old format up to 31st December, 2016.

(15) Without prejudice to the provisions of sub-rule (3) of rule 19 of these rules, the Central Government may, after such inquiry as it may deem fit and after giving a reasonable opportunity of being heard, revoke, cancel, suspend or endorse any licence or authorisation granted under this rule or issue a warning or an admonition or debar a person from acquiring a licence temporarily or permanently, where it is satisfied that —

(a) the applicant had used unfair or fraudulent means during the qualification process; or

(b) the holder has obtained the certification privileges by adopting fraudulent means; or

(c) the holder has failed to carry out required maintenance resulting from own inspection combined with failure to report such fact to the organisation or person for whom the maintenance was intended to be carried out; or

(d) the holder has performed work or granted a certificate in respect of work which has not been performed in a careful and competent manner or was responsible in any manner that compromised airworthiness of the aircraft; or

(e) the holder has signed a certificate in respect of any matter in contravention of this rule; or

(f) the holder has issued a certificate of release to service knowing that the maintenance specified on the certificate of release to service has not been carried out or without verifying that such maintenance has been carried out; or

(g) the holder has falsified the maintenance records; or

(h) the holder has carried out maintenance or has issued a certificate of release to service while under the influence of alcohol or any other intoxicating or any psychoactive substance; or

(i) it is undesirable for any other reason that the holder should continue to exercise his privileges granted under this rule.

(16) The Central Government may withhold the grant or renewal of a licence or authorisation if, for reasons to be recorded in writing, it considers it expedient to do so in public interest.

*[Amended by - (i) GSR No. 1202 dated 23-7-1976,
(ii) GSR No. 218 dated 13-3-1991,
(iii) GSR No. 196(E) dated 1-4-1991,
(iv) GSR No. 1001(E) dated 22.12.2010,
(v) GSR 911(E) dated 16-09-2016, and
(vi) GSR No. 832(E) dated 30-06-2017, and
(vii) GSR No. 1358 dated 01-11-2017]*

61A. Validation of licences of foreign Aircraft Maintenance Engineers – When a licence to an Aircraft Maintenance Engineer has been granted by the duly competent authority in any Contracting State and is for the time being in force, the Central government may, subject to such conditions and limitations and for such period as it thinks fit, confer on such licence the same validity for the purpose of maintaining/certifying aircrafts registered in India as if it had been granted under these rules and a licence so validated shall be subject to provisions of rule 19, rule 19A and sub-rule(15) of rule 61.

Note:- For the purpose of this rule, foreign aircraft falling under sub-rule(3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India.

[Amended by GSR No. 156 [Inserted vide GSR No. 399 dated 18-7-2001 and amended vide GSR No 150(E) dated 04-03-2009 and GSR No. 832(E) dated 30-06-2017]

62. Fees.— (1) No certificate of any of the kinds specified in the Table herein below, shall be issued or validated unless in respect of such certificate there be paid a fee specified in the said Table, namely: —

TA E

(A) Issue of type certificate or restricted type certificate under rule 49 and 49A:

(i)	for an aircraft having maximum design take-off weight— (a) of 1,000 kilograms or less (b) exceeding 1,000 kilograms, for every 1000 kilograms or part thereof	Rs.40,000 Rs.20,000
(ii)	for engines— (a) Reciprocating (b) Turbine	Rs.4,00,000 Rs.20,00,000
(iii)	for helicopters having maximum design take-off weight— (a) of 1,000 kilograms or less (b) exceeding 1,000 kilograms, for every 1000 kilograms or part thereof	Rs 48,000 Rs 24,000
(iv)	for each propeller, when processed individually	Rs.4,00,000II;

(B) Validation of Type Certificate under rule 49B:

- (i) The fee for validation of Type Certificate for the purposes of operation shall be twenty five percent of the fee payable under item(A).
- (ii) The fee for validation of Type Certificate for the purposes of licensed production shall be fifty percent of the fee payable under item(A).

(C) Recognition of type certificate of an aeronautical product for operation in India under rule 49E:

The fee for acceptance of type certificate or similar document of an aeronautical product for the purpose of operation shall be twenty five percent of the fee payable under above item (B).

(CA) Type approval of an aircraft component, equipment, instrument and other similar part under rule 49H:

- (i) for each aircraft component, equipment, instrument and other similar part, when processed individually Rs.40,000

(CB) Acceptance of Design under rule 49-I:

The fee for acceptance of design shall be fifty percent of the fee payable under item (A).

(D) Issue or validation of certificate of airworthiness, special certificate of airworthiness, and issue or extension of airworthiness review certificate under rule 50:

(i)	Issue of Certificate of Airworthiness/ Special Certificate of Airworthiness for an aircraft having maximum permissible take-off weight—	
	(a) of 1,000 kilograms or less	Rs.20,000
	(b) exceeding 1 ,000 kilograms, for every 1,000 kilograms or part thereof	Rs.1,000
(ii)	Validation of Certificate of Airworthiness/ Special Certificate of Airworthiness	Fifty percent of the fees payable under sub-item(i).
(iii)	Issue or extension of Airworthiness Review Certificate or renewal of Special Certificate of Airworthiness	Fifty percent of the fees payable under sub-item (i)
(iv)	Issue of duplicate certificate of airworthiness or Airworthiness Review Certificate or special certificate of airworthiness	Ten percent of the fee payable under sub-item (i), as applicable.
(v)	Change in Category/ sub-Category in certificate of airworthiness or special certificate of airworthiness	Twenty five percent of the fee payable under sub-item (i), as applicable.
(vi)	Issue of Special Flight Permit	Ten percent of the fee payable under sub-item (i), as applicable.

(E) Issue, renewal or endorsement in the scope of a license, Authorisation, Approval or Certificate of Competency in respect of Aircraft Maintenance Engineers or Authorised persons or Approved persons or Certificate of Competency holders under rule 61:

(i)	(a) for normal examination	Rs.500 per paper.
	(b) for online examination	Rs 1500 per paper
(ii)	For issue or validation of license Or rating, Authorisation, Approval Or Certificate of Competency	Rs.5,000
(iii)	For renewal of license, rating, Authorisation, Approval or Certificate of Competency	Rs.2,500
(iv)	For issue of duplicate license, Rating, Authorisation, Approval or Certificate of Competency	Rs.500

(F) Issue of supplemental Type Certificate in respect of an aeronautical product—

(i)	For an aircraft having maximum design take-off weight-	
	(a) of 1,000 kilograms or less	Rs.10,000
	(b) exceeding 1,000 kilograms, for every 1,000 kilograms or part thereof	Rs. 5,000
(ii)	for engines -	
	(a) Reciprocating	Rs.100,000
	(b) Turbo prop	Rs.2,50,000
	(c) Turbo Jet	Rs.5,00,000
(iii)	For helicopters Fees specified against sub-item (i) plus twenty percent of such fee.	
(iv)	Propellers	Rs.100,000

(G) Recognition of Supplemental Type Certificate issued by an International Civil Aviation Organisation Contracting State whose airworthiness requirements are at least equal to the requirements established in accordance with the Indian law in respect of the type of aeronautical product registered in the Civil Aircraft Register of India.— The fee for recognition of Supplemental Type Certificate of an aeronautical product shall be twenty five percent of the fee payable under sub-items (i) to (iv) of item (F).

Note.— The maximum permissible take-off weight for the purposes of this rule shall be as indicated in the Flight Manual of the aircraft.

(H) An additional amount of one lakh fifty thousand rupees shall be payable if the inspection, examination or test specified in sub-rule (1) is required to be carried out at any place outside India.

(2) The fee shall be paid by crossed Indian Postal Order or Demand Draft drawn in favour of the Pay and Accounts Officer, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi-110 003.

(3) Where for any reason, the license or authorisation or certificate, is not issued renewed or validated, as the case may be, the Director-General may refund to the applicant such portion of the fees paid as represents the cost of any examination or test or inspection not carried out or any license, authorisation or a certificate not issued or renewed or validated, as the case may be.

*[Substituted by GSR No 97(E) dated 14-02-2014;
Amended by (i) GSR No. 997(E) dated 19-11-2016;
(ii) GSR No 721(E) dated 23-6-2017; and
(iii) GSR No 333(E) dated 04-04-2018]*

PART VII - RADIO TELEGRAPH APPARATUS

63. Aircraft for which radio apparatus is obligatory- (1) All aircraft registered in India and required to be operated in accordance with VFR/IFR condition shall be provided with communication equipment which is capable of conducting two-way communication at all times with those aeronautical stations and on those frequencies as prescribed by the appropriate authority. The communication equipment so provided shall be of a type approved by the airworthiness authority of the country of manufacture of aircraft and acceptable to the Director General.

2. An aircraft shall be provided with navigation equipment which will enable it to proceed:

(a) in accordance with the flight plan; and

(b) in accordance with the requirement of air traffic services, except when, if not so precluded by the appropriate authority, navigation for flights under the visual flight rules is accomplished by visual reference to landmarks at least every 110 kms (60 Nautical Miles).

Note :- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

*[Amended by GSR No. 20(E) dated 12-1-1994 and
GSR No.323(E) dated 21-3-1994]*

64. Deleted

[Deleted by GSR 481(E) dated 15-05-2017]

PART VIII - AERONAUTICAL BEACONS, GROUND LIGHTS AND FALSE LIGHTS

65. Aeronautical beacon and aeronautical ground lights - (1) No aeronautical beacon or aeronautical ground light shall be established or maintained within India nor shall the character of the light exhibited therefrom be altered except with the approval in writing of the Central Government and subject to such conditions as may be prescribed.

(2) No person shall willfully or negligently endanger or interfere with any aeronautical beacon or aeronautical ground light established or maintained by or with the approval of the Central Government or any light exhibited therefrom.

[Amended by GSR No. 610(E) dated 14-8-1984]

66. False lights - (1) Whenever in India any light is exhibited-

(a) in the vicinity of an aerodrome or an aeronautical beacon within a radius of 5 kilometers, so as to be liable to be mistaken for an aeronautical ground light or an aeronautical beacon; or

(b) which by reason of its liability to be mistaken for an aeronautical ground light or an aeronautical beacon is calculated to endanger the safety of an aircraft; or

(c) which being in the vicinity of an aerodrome is liable by reason of its glare to endanger the safety of an aircraft arriving at or departing from the aerodrome; or

(d) which may prevent or cause confusion by reason of its intensity, configuration or colour in the clear interpretation of visual aids for navigation denoting obstacles or restricted use areas;

the Central Government may serve a notice upon the owner or person in possession of the place where the light is exhibited or upon the person having charge of the light, directing that owner or person, within a reasonable time to be specified in the notice, to take effectual means for extinguishing or for effectually screening the light and for preventing for the future the exhibition of any similar light.

(2) The notice may be served either personally or by post, or by affixing the same in some conspicuous place near to the light to which the notice relates.

(3) An owner or person on whom a notice under sub-rule (1) has been served shall, in the absence of reasonable cause, the burden of proving which shall be upon him, comply with the directions contained in the notice.

(4) If any owner or person on whom a notice under this rule is served, neglects for a period of seven days to extinguish or effectually to screen the light mentioned in the notice, the Central Government may enter upon the place where the light is and forthwith extinguish the same, doing no unnecessary damage.

[Amended by GSR No. 610(E) dated 14-8-1984]

PART IX - LOG BOOKS

67. Log books and logs-(1) The following log books shall be kept and maintained in respect of all aircraft registered in India, namely:-

- (a) a journey log book;
- (b) an aircraft log book;
- (c) an engine log book for each engine installed in the aircraft;
- (d) a propeller log book for every variable pitch propeller installed in the aircraft;
- (e) a radio apparatus log bok for aircraft fitted with radio apparatus;
- (f) any other log book that may be required by the Director-General.

(2) The Director-General may require that a technical log or flight log be provided in respect of an aircraft and be maintained in such manner as may be specified by him.

(3) Log books shall be of such type and shall contain such information, entries and certification as may be specified by the Director-General. Log books and logs shall be preserved until such time as may be specified.

Explanation- For the purpose of this rule, the expression "journey log book" includes any other form or manner of recording the requisite information and acceptable to the Director General.

Note :- For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of rule 1 shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of rule 1 shall be deemed as aircraft not registered in India.

*[Amended by : (i) SRO No. 1019 dated 28-5-1952,
(ii) GSR No. 1304 dated 20-10-1961,
(iii) GSR No. 1238 dated 8-9-1962,
(iv) GSR No. 1202 dated 23-7-1976,
(v) GSR No. 540 dated 26-4-1980,
(vi) GSR No. 20(E) dated 12-1-1994, and
(vii) GSR No. 323(E) dated 21-3-1994.]*

67A. Log Books of Flight Crew Personnel and logging of flight time - (1) Every member of the Flight Crew licensed under these rules shall maintain a personal log book, in the form prescribed by the Director-General and all flight times shall be logged therein.

(2) All entries in log books shall be made in ink.

(3) Log Books shall be preserved for not less than 5 years after the date of the last entry therein.

(4) Every member of the Flight Crew shall certify the accuracy of the entries in his log book with respect to flight time at least at the end of each calendar month. The pilot-in-command during dual instruction shall certify entries with respect to flight time during such dual instruction. At the end of every quarter in a year, that is, at the end of March, June, September and December, log books shall be certified for correctness of entries therein –

- (a) by competent authorities, such as, the Operations Manager, Deputy Operations Manager, or Chief Pilot of the Air Transport Undertaking concerned, in the case of professional pilots,

- (b) by the Chief Flying Instructor, in the case of members of the Flying Training Organisation, and
- (c) by Officers designated by Director-General of Civil Aviation in the case of all other persons;

(5) Flight time during which a pilot is under dual instruction shall be entered in his log book as "dual" and the pilot giving instruction shall make entries in the log book of the pilot under instruction showing the nature of the instruction given.

(6) Flight time spent in performing, under supervision of a pilot-in-command, the duties and functions of a pilot-in-command may be logged as pilot-in-command provided the person is entitled and authorized to fly in command of that type of aeroplane by virtue of the ratings and privileges of his pilot's licence. In all other cases, such flight time shall be logged as co-pilot with appropriate indication in the remarks column.

(7) The holder of a Student Pilot's Licence may log as pilot-in-command only that portion of the flight time during which he is the sole occupant of an aircraft provided that, in the case of an aircraft which requires more than one pilot in accordance with sub (7) of rule 38A and rule 6B, he may log as pilot-in-command that portion of the flight time during which he acts as pilots-in-command of the aircraft.

(8) The holder of a Private Pilot's Licence may log as pilot-in-command only the flight time during which he acts as pilot-in-command.

(9) The holder of a Commercial or Airline Transport Pilot's Licence may log as pilot-in-command the flight time during which he acts as pilot-in-command. He shall log as co-pilot the flight time during which he acts as co-pilot.

(10) A Flight Instructor may log as pilot-in-command the flight time during which he acts as an Instructor but the log entries shall indicate in the remarks column that the flight time was flown as an Instructor.

(11) Instrument flight time may be logged by the pilot manipulating the controls of an aircraft in flight only when the aircraft is flown solely by reference to instruments, either under actual or simulated instrument flight conditions. Over-the-top flying shall not be logged as instrument flying time.

(12) Instrument ground time may be logged in full by the pilot while flying solely by reference to instruments, in any recognized synthetic device which simulates instrument flight conditions.

(13) A pilot who acts as Examiner may log as pilot-in-command the flight time during which he so acts, provided he is entitled and authorized to fly in command of that type of flying machine by virtue of the ratings and privileges of his pilot's licence.

(14) A Flight Navigator shall log the flight time as a Flight Navigator during which he is engaged in actual navigational duties. Flight time during which a Flight Navigator performs actual navigational duties under supervision of a licensed Flight Navigator shall be logged as a Flight Navigator with the indication "under supervision" in the remarks column.

(15) A Flight Engineer shall log the flight time as a Flight Engineer during which he is engaged in actual Flight Engineer's duties. Flight time during which a Flight Engineer performs a actual Flight Engineer's duties under supervision of a licensed Flight Engineer shall be logged as a Flight Engineer with indication "under supervision" in the remarks column.

(16) A Flight Radio Telephone Operator shall log the flight time during which he actually performs the duties of a Flight Radio Telephone Operator.

[Amended by GSR No. 1238 dated 8-9-1962, GSR No. 637 (E) dated 4-10-1993 and GSR No. 485 (E) dated 28-6-2001, GSR 481(E) dated 15-05-2017]

67AA. Log Books of Aircraft Maintenance Personnel — Every person holding an Aircraft Maintenance Engineer's Licence or in the process of qualifying for such licence under these rules shall maintain a personal log book, in the form and manner as specified by the Director General and record aircraft maintenance work carried out or supervised by him in such log book.

[Inserted by GSR 911(E) dated 16-09-2016]

67B - No person shall destroy, mutilate, alter or render illegible any entry made, or wilfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book referred to in rules 67, 67A and 67AA.

[Inserted by GSR No. 1238 dated 8-9-1962; and amended by GSR 911(E) dated 16-09-2016]



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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नई दिल्ली, बृहस्पतिवार, जुलाई 5, 2012/आषाढ़ 14, 1934

NEW DELHI, THURSDAY, JULY 5, 2012/ASADHA 14, 1934

नागर विमानन मंत्रालय

अधिसूचना

नई दिल्ली, 5 जुलाई, 2012

सा.का.नि. 535(अ).—चूंकि वायुयान नियम 1937 का और संशोधन करने के लिए वायुयान अधिनियम 1934 (1934 का 22), की धारा 14 की अपेक्षा अनुसार भारत सरकार, नागर विमानन मंत्रालय की अधिसूचना के द्वारा वायुयान (संशोधन) नियम, 2012 का प्रारूप तारीख 23 मार्च, 2012 की सा.का.नि. संख्या 245 (अ) के द्वारा भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (i) में प्रकाशित कर दिया गया था, इस तारीख से, जब भारत के राजपत्र की प्रतियां जिसमें उक्त अधिसूचना प्रकाशित की गई थी, तीस दिनों की अवधि की समाप्ति से पूर्व ऐसे सभी व्यक्तियों को जिनके उनसे प्रभावित होने की संभावना थी, उन्हें सार्वजनिक रूप से उपलब्ध करा दी गई थी;

और चूंकि उक्त अधिसूचना की प्रतियां 23 मार्च, 2012 को सार्वजनिक रूप से उपलब्ध करा दी गई थी;

और चूंकि प्रारूप नियमों पर उक्त अधिसूचना में विनिर्दिष्ट अवधि में किसी व्यक्ति से कोई आक्षेप या सुझाव प्राप्त नहीं हुए हैं;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 4 और 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वायुयान नियम, 1937 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. **संक्षिप्त नाम, विस्तार और प्रारंभ** - (1) इन नियमों का संक्षिप्त नाम वायुयान (दूसरा संशोधन) नियम, 2012 है।

(2.) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. वायुयान नियम, 1937 में,—

(क) नियम 3 में, ---

- (i) खंड (1) का लोप किया जाए;
- (ii) खंड (29) का लोप किया जाए;
- (iii) खंड (50क) का लोप किया जाए।

(ख) भाग X और X क का लोप किया जाए;

(ग) अनुसूची VI में, ---

- (i) प्रवर्ग 1 में, क्रम संख्या 7 और उससे संबंधित प्रविष्टियों का लोप किया जाए।
- (ii) प्रवर्ग iii में क्रम संख्या 10 और उससे संबंधित प्रविष्टियों का लोप किया जाए।

[फा. सं. एवी-11012/01/2011-डीजी]

जी. अशोक कुमार, संयुक्त सचिव

टिप्पणी :- मूल नियम तारीख 23 मार्च, 1937 की अधिसूचना सं. वी.26 के द्वारा भारत के राजपत्र में प्रकाशित किए गए थे और तारीख 03 फरवरी, 2012 को भारत के राजपत्र, असाधारण, भाग II, खंड (3), उपखंड (i) में प्रकाशित तारीख 03 फरवरी, 2012 की सा.का.नि. 64 (अ) के द्वारा अंतिम संशोधन किए गए थे।

MINISTRY OF CIVIL AVIATION

NOTIFICATION

New Delhi, the 5th July, 2012

G.S.R. 535(E).—Whereas the draft of Aircraft (Amendment) Rules, 2012 further to amend the Aircraft Rules, 1937, was published, as required by section 14 of the Aircraft Act, 1934 (22 of 1934), vide notification of the Government of India in the Ministry of Civil Aviation published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 245(E), dated the 23rd March, 2012, for inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the Gazette of India in which the said notification was published, were made available to public;

And whereas copies of the said notification were made available to the public on the 23rd March, 2012;

And whereas no objections or suggestions have been received from any person in respect of the draft rules within the period specified in the said notification;

Now, therefore, in exercise of the powers conferred by sections 4 and 7 of the said Act, the Central Government hereby makes the following rules further to amend the Aircraft Rules, 1937, namely:-

1. Short title and commencement. — (1) These rules may be called the Aircraft (02nd Amendment) Rules, 2012.

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

2. In the Aircraft Rules, 1937, —

(a) in rule 3, —

(i) clause (1) shall be omitted;

(ii) clause (29A) shall be omitted;

(iii) clause (50A) shall be omitted.

(b) Part X and XA shall be omitted;

(c) in Schedule VI, —

(i) in Category I, serial No. 7 and the entries relating thereto shall be omitted;

(ii) in Category III, serial No. 10 and the entries relating thereto shall be omitted.

[F. No. AV-11012/01/2011-DG]

G. ASOK KUMAR, Jt. Secy.

Note :— The principle rules were published in Gazette of India, vide notification number V-26, dated the 23rd March, 1937 and last amended vide G.S.R. 64(E) dated the 03rd February, 2012 published in the Gazette of India, Extraordinary, Part II, Section (3), Sub-section (i) dated the 03rd February, 2012.

अधिसूचना

नई दिल्ली, 5 जुलाई, 2012

सा.का.नि. 536(अ).—वायुयान अधिनियम, 1934 (1934 का 22), की धारा 14 की अपेक्षाअनुसार, भारत सरकार, नागर विमानन मंत्रालय की अधिसूचना के द्वारा वायुयान (दुर्घटना और घटना का अन्वेषण) नियम, 2012 का प्रारूप तारीख 23 मार्च, 2012 की सा.का.नि. संख्या 244 (आ) के द्वारा भारत के राजपत्र, असाधारण, भाग II, खंड 3 उपखंड (i) में प्रकाशित कर दिया गया था, इस तारीख से, जब भारत के राजपत्र की प्रतियां जिसमें उक्त अधिसूचना प्रकाशित की गई थी, तीस दिनों की अवधि की समाप्ति से पूर्व ऐसे सभी व्यक्तियों को जिनके उनसे प्रभावित होने की संभावना थी, उन्हें सार्वजनिक रूप से उपलब्ध करा दी गई थी;

और चूंकि उक्त अधिसूचना की प्रतियां 23 मार्च, 2012 को सार्वजनिक रूप से उपलब्ध करा दी गई थी;

और चूंकि प्रारूप नियमों के संबंध में प्राप्त आक्षेपों या सुझावों पर विनिर्दिष्ट अवधि में विचार किया गया है;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 4, 7 और 10 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम, विस्तार और प्रारंभ- ((1) इन नियमों को वायुयान (दुर्घटनाओं और घटनाओं का अन्वेषण) नियम, 2012 कहा जाएगा।

(2) ये नियम संपूर्ण भारत तक विस्तारित होंगे और निम्न पर भी लागू होते हैं -

(क) भारत के नागरिक चाहे वे कहीं भी हों;

(ख) भारत में पंजीकृत विमान और उन पर सवार व्यक्ति चाहे वे कहीं भी हों;

(ग) भारत से बाहर पंजीकृत किंतु घटना के समय भारत के भीतर या भारत के बाहर स्थित विमान और उनमें सवार व्यक्ति; और

(घ) ऐसे व्यक्ति द्वारा प्रचालित कोई विमान जो भारत का नागरिक नहीं है किंतु उसका प्रधान व्यवसाय स्थल या स्थायी निवास भारत में है।

(3) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं और निर्वचन - इन नियमों में, जब तक कि कोई भी बात विषय या संदर्भ में विरुद्ध न हो -

(क) "दुर्घटना" का तात्पर्य किसी विमान के प्रचालन से जुड़ी ऐसी घटना से होगा जो, -

(i) किसी मानव युक्त विमान के मामले में किसी भी व्यक्ति के उड़ान के आशय से विमान पर सवार होने के समय से लेकर ऐसे व्यक्तियों के उतरने के समय के बीच घटती है; अथवा

(ii) किसी मानव रहित विमान के मामले में, उड़ान के उद्देश्य से चलने के लिए तत्पर होने के समय से लेकर उड़ान के अंत में रुक जाने और प्रमुख प्रचालन प्रणाली के बंद किए जाने तक के बीच घटती है, जिसमें -

(क) कोई व्यक्ति निम्न के परिणामस्वरूप घातक अथवा गंभीर रूप से चोट ग्रस्त हुआ हो-

(i) विमान में सवार होना, या

(ii) विमान के किसी भी हिस्से, जिनमें विमान से अलग हो चुके हिस्से भी शामिल हैं, के साथ सीधा संपर्क, या

(iii) जेट विस्फोट से सीधा संपर्क।

उन स्थितियों को छोड़कर जब चोटें प्राकृतिक कारणों से, स्वयं द्वारा उत्पन्न की गईं अथवा अन्य व्यक्तियों द्वारा उत्पन्न की गई हों, अथवा चोटें छिपकर बिना किराये के यात्रा करने वाले उन यात्रियों को आई हो, जो यात्रियों अथवा कर्मियों के लिए सामान्यतः उपलब्ध क्षेत्रों से बाहर छिपे हों; अथवा

(ख) विमान को ऐसी क्षति या संरचनागत विफलता हुई हो जिससे -

- (i) विमान की संरचनागत शक्ति, निष्पादन या उड़ान संबंधी विशिष्टताएं कुप्रभावित होती हों, और
- (ii) जिसके लिए सामान्यतः प्रभावित पुर्जों की बड़ी मरम्मत या उसे बदलना अपेक्षित हो,

इंजन की विफलता या क्षति की ऐसी स्थिति को छोड़कर, जब क्षति सिंगल इंजन, (इसकी कॉलिंग्स या सहायक पुर्जे भी शामिल हैं), प्रोपेलरस, विंग टिप्स, एंटीना, प्रोब, वेनों, टायरों, ब्रेकों, पहियों, फेयरिंगों, पैनलों, लैंडिंग गेयर डोर, विंड स्क्रीनों, एयरक्राफ्ट स्किन् (जैसे छोटे डेंट या पंचचर होल आदि), या मेन रोटर ब्लेड, टेल रोटर ब्लेड, लैंडिंग गेयर को हुई मामूली क्षति और ओले पड़ने या पक्षी से टकराने के परिणामस्वरूप हुई मामूली क्षति (जिसमें रोडेम में हुए छिद्र शामिल हैं) तक सीमित हो; अथवा

(ग) विमान गुम हो गया हो या पूरी तरह से पहुंच से बाहर हो।

नोट I - इस खंड के प्रयोजनार्थ, विमान को हुई क्षति के निर्धारण के लिए मार्ग दर्शन अनुसूची ख में दिया गया है।

नोट II - इस खंड के प्रयोजनार्थ केवल मानव रहित विमान, जिसके लिए डिजाइन या प्रचालनिक अनुमोदन राज्य द्वारा प्रदान किया गया हो, पर विचार किया जाएगा।

(ख) "प्रत्यायित प्रतिनिधि" का तात्पर्य किसी ऐसे व्यक्ति से है, जिसे किसी अन्य राज्य द्वारा किए जाने वाले अन्वेषण में भागीदारी के उद्देश्य से, उसकी अर्हताओं के आधार पर, राज्य द्वारा नामित किया गया हो और जहां राज्य ने कोई दुर्घटना अन्वेषण प्राधिकरण स्थापित किया हो, वहां नामित प्रत्यायित प्रतिनिधि सामान्यतया उस का होगा है;

(ग) "अधिनियम" का तात्पर्य वायुयान अधिनियम 1934 (1934 का 22) से है;

(घ) "सलाहकार" का तात्पर्य किसी ऐसे व्यक्ति से है जिसे, उसकी अर्हताओं के आधार पर किसी अन्वेषण में राज्य के प्रत्यायित प्रतिनिधि को सहायता प्रदान करने के उद्देश्य से राज्य द्वारा नियुक्त किया गया हो ;

(ङ) "विमान" का तात्पर्य ऐसी मशीन से है जो वायुमंडल में, भू-सतह के विरुद्ध हवा की प्रतिक्रियाओं से इतर, हवा की प्रतिक्रियाओं से सहायता चालित कर सकती है ;

(च) "विमान दुर्घटना अन्वेषक" का तात्पर्य ऐसे व्यक्ति से है जिसे केन्द्रीय सरकार द्वारा, किसी दुर्घटना या गंभीर घटना या घटना के अन्वेषण के लिए, या तो नियम 11 के तहत अन्वेषण समिति द्वारा या नियम 12 के तहत औपचारिक अन्वेषण के उद्देश्य से नियुक्त किया गया हो; या ब्यूरो द्वारा नियम, 9 के उप नियम (1) अथवा नियम 7 के उपनियम (2) के तहत प्रारंभिक अन्वेषण करने के लिए प्राधिकृत किया गया हो;

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- (छ) "अनुबंध 13" का तात्पर्य 07 दिसंबर, 1944 को शिकागो में हस्ताक्षरित अंतरराष्ट्रीय नागर विमानन से संबंधित, और समय-समय पर यथा संशोधित, अभिसमय के अनुबंध 13 से है;
- (ज) "ब्यूरो" का तात्पर्य केन्द्रीय सरकार द्वारा नियम 9 के तहत गठित विमान दुर्घटना अन्वेषण ब्यूरो से है;
- (झ) "कारणों" का तात्पर्य ऐसी कार्रबाइयों, विलोपन, घटनाओं, स्थितियों या इनके संयोजन से है जिनके परिणामस्वरूप दुर्घटना या घटना हुई हो किंतु इनका अर्थ दोष तय करना अथवा प्रशासनिक, नागरिक या आपराधिक दायित्व का निर्धारण नहीं है;
- (ञ) "शिकागो अभिसमय" का तात्पर्य 07 दिसंबर, 1944 को शिकागो में हस्ताक्षरित अंतरराष्ट्रीय नागर विमानन से संबंधित, और समय-समय पर यथा संशोधित, अभिसमय से है;
- (ट) "महानिदेशक" का तात्पर्य नागर विमानन महानिदेशक से है;
- (ठ) "घातक चोट" का तात्पर्य ऐसी चोट से है जो किसी व्यक्ति को किसी दुर्घटना में लगी हो और जिसके परिणामस्वरूप दुर्घटना के तीस दिन के भीतर उसकी मृत्यु हो गई हो ;
- (ड) "अंतिम रिपोर्ट" का तात्पर्य केन्द्रीय सरकार द्वारा नियम 14 के उप नियम (2) के तहत सार्वजनिक की गई रिपोर्ट से है।
- (ढ) "फ्लाइट रिकार्डर" का तात्पर्य विमान में, दुर्घटना या घटना के अन्वेषण में सहायता प्रदान करने के उद्देश्य से संस्थापित किसी भी प्रकार के रिकार्डर से है;
- (ण) "इकाओ" का तात्पर्य 07 दिसम्बर, 1994 को शिकागो में हस्ताक्षरित अन्तराष्ट्रीय नागर विमानन से संबंधित अभिसमय के तहत सृजित अन्तरराष्ट्रीय नागर विमानन संगठन से है।
- (त) "घटना" का तात्पर्य दुर्घटना से भिन्न, किसी विमान के प्रचालन से जुड़ी, किसी ऐसी घटना से है जिससे प्रचालन की संरक्षा प्रभावित हुई हो या हो सकती हो ;
- (थ) "जांच अधिकारी" से तात्पर्य गंभीर घटना या दुर्घटना की जांच के लिए महानिदेशालय द्वारा नियम 13 के तहत नियुक्त किए गए व्यक्ति से है।

(द) "अन्वेषण" का तात्पर्य दुर्घटना की रोकथाम के उद्देश्य से आयोजित ऐसी प्रक्रिया से है, जिसमें कारणों, अंशदायी कारकों के निर्धारण सहित सूचना एकत्र करना और विश्लेषण, निष्कर्ष निकालना, और जहां उपयुक्त हो, संरक्षा संबंधी सिफारिशें किया जाना शामिल है;

(ध) "अधिकतम संहति" का तात्पर्य अधिकतम प्रमाणित टेक ऑफ मॉस से है;

(न) "गुमशुदा विमान" का तात्पर्य है जब आधिकारिक खोज पूरी हो गई हो और विमान के मलबे को ढूंढा न जा सका हो ;

(प) "प्रचालक" का तात्पर्य किसी विमान के प्रचालन में संलिप्त या संलिप्त होने के लिए प्रस्ताव करने वाले व्यक्ति, संगठन या उद्यम से है;

(फ) "प्रारंभिक रिपोर्ट" का तात्पर्य अन्वेषण की प्रारंभिक अवस्थाओं के दौरान प्राप्त किए गए आंकड़ों के त्वरित प्रसारण के लिए प्रयुक्त संचार से है;

(ब) "संरक्षा सिफारिश" का तात्पर्य निम्नलिखित से है-

(i) किसी अन्वेषण से उद्भूत सूचना के आधार पर, दुर्घटनाओं या घटनाओं को रोकने के आशय से, किसी दुर्घटना अन्वेषण प्राधिकरण द्वारा किये गये प्रस्ताव से है जिसका उद्देश्य, किसी भी स्थिति में, किसी दुर्घटना या घटना के लिए आरोप या दायित्व की धारणा बनाना न हो;

(ii) विविध स्रोतों और सुरक्षा अध्ययनों के परिणामस्वरूप की जाने वाली संरक्षा सिफारिश,

(भ) "अनुसूची" का तात्पर्य इन नियमों की अनुसूची से है;

(म) "गंभीर घटना" का तात्पर्य ऐसी घटना से है जिसमें ऐसी परिस्थितियां शामिल हों जो यह इंगित करती हो कि दुर्घटना की काफी अधिक संभावना थी और यह ऐसे विमान के प्रचालन से संबद्ध हो जो;

(i) मानवयुक्त विमान के मामले में किसी भी व्यक्ति के उड़ान के आशय से विमान पर सवार होने के समय से ऐसे व्यक्ति अथवा व्यक्तियों के उतरने के समय के बीच घटती है; या

(ii) मानव रहित विमान के मामले में, उड़ान के उद्देश्य से चलने के लिए तत्पर होने के समय से लेकर उड़ान के अंत में रुक जाने और प्रमुख नोदन प्रणाली के बंद किए जाने तक के बीच घटी हो,

नोट - गंभीर घटना के अन्वेषण अनुसूची क में यथा विनिर्दिष्ट हैं।

- (य) "गंभीर चोट" का तात्पर्य किसी व्यक्ति को दुर्घटना में लगी और किसी ऐसी चोट से है -
- (i) जिसमें चोट लगाने की तिथि से सात दिनों के भीतर 48 घंटों से अधिक समय के लिए अस्पताल में रहना अपेक्षित हो; या
 - (ii) जिसके परिणामस्वरूप कोई हड्डी टूट गई हो (अंगुलियों, अंगूठों या नाक के मामूल फ्रेक्चर को छोड़कर); या
 - (iii) जिसमें ऐसी चोटें आई हों जिनके कारण रक्तस्राव, स्नायु, मांसपेशी या नस को अत्यधिक क्षति हुई हो ;
 - (iv) किसी आंतरिक अंग को चोट लगी हो; या
 - (v) दूसरी या तीसरी डिग्री का ज्वलन, या शरीर की बाह्य संरचना को 5 प्रतिशत से अधिक प्रभावित करने वाले ज्वलन शामिल हों,
 - (vi) जिसमें संक्रामक वस्तुओं या घातक विकिरण से प्रमाणित संक्रमण शामिल हो;
- (र) "आरेखन से संबंधित देश" का तात्पर्य उस देश से है जिसके अधिकार क्षेत्र में विमान के टाइप डिजाइन के लिए उत्तरदायी संगठन आता हो ;
- (ल) "विनिर्माता देश" का तात्पर्य उस देश से है जिसके अधिकार क्षेत्र में विमान की फाइनल एसेम्बली के लिए उत्तरदायी संगठन आता हो;
- (व) "घटना संबंधी देश" का तात्पर्य उस देश से है जिसके प्रदेश में कोई दुर्घटना या घटना घटी हो;
- (श) "प्रचालक का देश" का तात्पर्य उस देश से है जिसमें प्रचालक का प्रधान कारोबार स्थल स्थित हो या, यदि ऐसा कोई कारोबार स्थल न हो, तो प्रचालक का स्थायी निवास हो;
- (ष) "पंजीकरण का देश" का तात्पर्य उस देश से है जिसके रजिस्टर में विमान की प्रविष्टि हुई हो;

स्पष्टीकरण - राष्ट्रीय आधार से इतर किसी अंतरराष्ट्रीय प्रचालनकर्ता एजेंसी के विमान के पंजीकरण के मामले में, एजेंसी को गठित करने वाले देश संयुक्त रूप से और भिन्न-भिन्न रूप से उन दायित्वों को निर्वहन करने को बाध्य होंगे जो अनुबंध के अंतर्गत, पंजीकरण के देश से जुड़े हैं।

3. दुर्घटनाओं और घटनाओं के अन्वेषण का उद्देश्य -

- (1) किसी दुर्घटना या घटना के अन्वेषण का एकमात्र उद्देश्य दुर्घटनाओं और घटनाओं की रोकथाम होगा न कि दोष या दायित्व प्रभाजित करना।
- (2) इन नियमों के उपबंधों के अनुसार किया गया कोई भी अन्वेषण दोष अथवा दायित्व प्रभाजित करने की किसी भी न्यायिक या प्रशासनिक कार्यवाही से पृथक होगा।

4. अधिसूचना - (1) जहां नियम 1 के उपनियम (2) के तहत आने वाले किसी विमान की दुर्घटना या घटना होती है, तो विमान का मुख्य पायलट या, यदि वह मृत या अक्षम हो चुका हो, वहां विमान का स्वामी, प्रचालक, भाड़े पर लेने वाले या किसी अन्य व्यक्ति जिसकी ओर से मुख्य पायलट विमान का प्रभारी था, या कोई संबंध व्यक्ति, जैसा भी मामला हो, उस दुर्घटना या गंभीर घटना से अवगत होने के बाद यथाशीघ्र औचित्यपूर्ण रूप से व्यवहार्य हो, परन्तु दुर्घटना या घटना की जानकारी प्राप्त होने के पश्चात किसी भी स्थिति में अधिकतम 24 घंटे में।

(क) इसकी सूचना अपने पास उपलब्ध त्वरिततम संचार साधनों द्वारा विमान दुर्घटना अन्वेषण ब्यूरो और नागर विमानन महानिदेशक को प्रेषित करेगा, और

(ख) भारत में घटित हुई किसी दुर्घटना के मामले में, इसकी सूचना दुर्घटना स्थल के जिलाधीश और निकटतम पुलिस स्टेशन के प्रभारी अधिकारी को देगा।

(2) अधिसूचना सादी भाषा में होगी और उसमें निम्नलिखित में से जितनी तुरंत उपलब्ध हो सके उतनी जानकारी शामिल होगी, अर्थात:-

(क) दुर्घटनाओं के लिए पहचान के लिए संक्षिप्त अक्षर एसीसीआईडी और गंभीर घटना के लिए आईएनसीआईडी;

(ख) विमान के विनिर्माता, मॉडल, राष्ट्रीयता और पंजीकरण चिह्न और विमान का अनुक्रमांक;

(ग) विमान के स्वामी, प्रचालक या उसे भाड़े पर लेने वाले, यदि कोई हो, का नाम,

(घ) मुख्य पायलट की अर्हता, तथा कर्मीदल और यात्रियों की राष्ट्रीयता;

(ङ) दुर्घटना या घटना की तिथि और समय ;

(च) प्रस्थान का अंतिम बिंदु और विमान का आशयित अवतरण स्थल;

(छ) आसानी से परिभाषित किसी भौगोलिक बिंदु और अक्षांश और देशांतर की दृष्टि से विमान की अवस्थिति;

(ज) विमान में सवार, मृत और गंभीर रूप से घायल, अन्य, मृत और गंभीर रूप से घायल कर्मीदल और यात्रियों की संख्या;

(झ) दुर्घटना या गंभीर घटना का विवरण और जहां तक ज्ञात हो विमान को हुई क्षति की सीमा;

(ञ) दुर्घटना या गंभीर घटना के क्षेत्र की भौगोलिक विशेषताएं, और साथ ही स्थल तक पहुंचने में आने वाली कठिनाइयों या विशेष आवश्यकताओं का कोई संकेत;

(ट) विमान में उड़ान के दौरान खतरनाक वस्तुओं की मौजूदगी और विवरण।

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(3) यदि उपनियम (2) में संदर्भित ब्यूरो या अन्य जात सूचना छूट जाए तो ऐसी सूचना भी यथासंभव शीघ्र प्रेषित की जाएगी।

(4) उप-नियम (2) में यथोपेक्षित अधिसूचना निम्नलिखित द्वारा भी ब्यूरो को प्रस्तुत की जाएगी:

(क) संबंधित एयरोड्रोम प्रचालन

(ख) हवाई यातायात नियंत्रण एकक का प्रभारी अधिकारी और हवाई यातायात नियंत्रण का निगरानी पर्यवेक्षण अधिकारी; और

(ग) नागर विमानन महानिदेशालय के क्षेत्रीय या उपक्षेत्रीय अधिकारी ।

(5) ब्यूरो, केन्द्रीय सरकार को सूचित करते हुए, भारतीय राज्य क्षेत्र, या भारत के राज्य क्षेत्र से बाहर समनुदेशित महासागरीय हवाई क्षेत्र में हुई दुर्घटना या गंभीर घटना के तथ्यों को निम्न को अधिसूचित करेगा, जिसमें उपनियम (2) में संदर्भित जितनी हो सके उतनी अधिक सूचना न्यूनतम विलंब के साथ और सर्वाधिक उपयुक्त और त्वरिततम उपलब्ध साधन के द्वारा उपलब्ध कराई जा सके,

(क) पंजीकरण का देश;

(ख) प्रचालक का देश;

(ग) आरेखन का देश;

(घ) विनिर्माता का देश; और

(ङ) यदि दुर्घटनाग्रस्त विमान 2250 किलोग्राम से अधिक अधिकतम टेक ऑफ मास का हो या टर्बोजेट पावर्ड विमान हो, तो अंतरराष्ट्रीय नागर विमानन संगठन।

(6) उप नियम (5) के अनुसार सूचना अधिसूचित करते समय ब्यूरो निम्नलिखित सूचना भी शामिल करेगा, नामतः:

(क) ऐसा संकेत कि किस सीमा तक अन्वेषण केंद्रीय सरकार द्वारा किया जाएगा या किस सीमा तक केंद्रीय सरकार द्वारा किसी अन्य वेग को प्रत्यायोजित किया जाएगा; और

(ख) मूल प्राधिकारी की पहचान और किसी भी समय भारत के दुर्घटना अन्वेषण प्रभारी से संपर्क के उपाय ।

(7) यदि वह देश, जहां दुर्घटना हुई है, भारतीय पंजीकृत विमान या भारतीय प्रचालक द्वारा प्रचालित विमान के साथ हुई गंभीर घटना से अवगत नहीं है, तो केन्द्रीय सरकार ऐसी घटना की अधिसूचना आरेखन के देश, विनिर्माता के देश और घटना के देश को अग्रेषित करेगी।

(5) अन्वेषण का दायित्व - (1) भारत के राज्य क्षेत्र में किसी विमान की दुर्घटना या किसी घटना की स्थिति में, इसके पंजीकरण के बावजूद :-

(क) केन्द्रीय सरकार दुर्घटना की परिस्थितियों के लिए अन्वेषण आरंभ करेगी और अन्वेषण करने के लिए उत्तरदायी होगी;

(ख) केन्द्रीय सरकार उस गंभीर घटना की परिस्थितियों के लिए भी अन्वेषण आरंभ करेगी जहां दुर्घटनाग्रस्त विमान 2250 किलोग्राम से ऊपर अधिकतम टेक ऑफ मास वाला या टर्बो-जेट विमान हो; या

(ग) महानिदेशक खंड (ख) के दायरे में न आने वाले विमान से संबंधित सभी घटनाओं और गंभीर घटनाओं की परिस्थितियों का अन्वेषण आरंभ करेगा।

(2) उपनियम (1) के खंड (ग) में निहित किसी भी बात के बावजूद, जहां केन्द्रीय सरकार को यह प्रतीत होता है कि उपनियम (1) के खंड (ग) के दायरे में आने वाली किसी भी घटना या गंभीर घटना की परिस्थितियों का अन्वेषण कराना समीचीन है, तो वह, आदेश द्वारा, किसी भी विमान की घटना या गंभीर घटना का अन्वेषण आरंभ कराएगी।

(3) केन्द्रीय सरकार द्वारा किसी भी घटना का दुर्घटना या गंभीर घटना या घटना के रूप में वर्गीकरण अंतिम तथा बाध्यकारी होगा।

(4) यदि भारतीय पंजीकृत विमान के साथ कोई दुर्घटना या गंभीर घटना ऐसे स्थान पर होती है जो किसी भी देश के राज्यक्षेत्र में नहीं है तो केन्द्रीय सरकार उस दुर्घटना या गंभीर घटना की परिस्थितियों का अन्वेषण आरंभ करेगी और अन्वेषण कराने के लिए उत्तरदायी होगी।

(5) यदि भारत में पंजीकृत न किए गए या किसी भारतीय प्रचालक द्वारा प्रचालित न किए जा रहे किसी विमान की अंतरराष्ट्रीय सामुद्रिक क्षेत्र में दुर्घटना के स्थल का निकटतम देश है, तो केन्द्रीय सरकार पंजीकरण वाले देश को अन्वेषण प्रारंभ करने की सलाह देगी और ऐसी स्थिति में केन्द्रीय सरकार यथासंभव सीमा तक सहायता प्रदान कराएगी और इसी प्रकार पंजीकरण वाले देश द्वारा किए गए अनुरोधों का प्रत्युत्तर देगी।

(6) भागीदारी - (1) यदि केन्द्रीय सरकार नियम 5 के अनुसार किसी दुर्घटना या किसी गंभीर घटना का अन्वेषण आरंभ कर चुकी है, तो उन प्रत्यायित प्रतिनिधियों को अन्वेषण में भाग लेने की अनुमति दी जाएगी, जिनकी नियुक्ति निम्न देशों द्वारा की जाती है, नामतः:-

(क) पंजीकरण का देश;

(ख) प्रचालक का देश;

(ग) डिजाइन का देश;

(घ) विनिर्माता का देश;

अन्वेषण में भाग लेने के लिए अनुमत होंगे।

(2) इस नियम के उपनियम (1) में संदर्भित देश अपने प्रत्यायित प्रतिनिधियों की सहायता के लिए एक या इससे अधिक सलाहकारों की नियुक्ति का भी हकदार होगा।

(3) उपनियम (1) में संदर्भित देशों को अनुबंध 13 के तहत अनुबद्ध मानकों के अनुसार भागीदारी का अधिकार प्राप्त होगा।

(4) ऐसे कोई वेग जिसका अपने नागरिकों के हताहत होने या उन्हें गंभीर चोटें आने के कारण किसी घटना में विशेष हित है को ऐसा विशेषज्ञ नियुक्त करने का हकदार होगा जिसके पास अनुबंध 13 के तहत अनुबद्ध मामलों के अनुसार अधिकार और पात्रताएँ होंगी।

(5) केन्द्रीय सरकार किसी अन्य देश के राज्य क्षेत्र में भारतीय पंजीकृत विमान की किसी दुर्घटना या गंभीर घटना की अधिसूचना प्राप्त होने पर, अन्वेषण में भाग लेने के लिए प्रत्यायित प्रतिनिधि और सलाहकार की नियुक्ति कर सकती है और इसकी सूचना घटना के देश को देगी।

7. साक्ष्य का परिरक्षण क्षतिग्रस्त विमान की अभिरक्षा, विमान को हटाया जाना और संरक्षण -

(1) किसी दुर्घटना या गंभीर घटना की स्थिति में, जिसे नियम 4 के तहत अधिसूचित किया जाना अपेक्षित हो, विमान को ब्यूरो के प्राधिकार के तहत किसी व्यक्ति को छोड़कर किसी अन्य द्वारा हटाया नहीं जाएगा या विमान के साथ अन्यथा छेड़छाड़ नहीं की जाएगी;

बशर्ते :-

(क) विमान या उसके भागों को या अंतर्वस्तुओं से उस सीमा तक छेड़छाड़ की जाएगी जहां तक खोज और बचाव प्रचालन करने के लिए प्राधिकृत व्यक्तियों द्वारा ऐसा किया जाना उसमें से जीवित या मृत व्यक्तियों या प्राणियों को निकालने, विमान और इसकी अन्तर्वस्तुओं को आग या किसी अन्य कारण से विनष्ट होने से बचाने या जनता या हवाई दिक्कालन या अन्य परिवहन को होने वाली किसी क्षति या अवरोध की रोकथाम के उद्देश्य से आवश्यक हो;

(ख) यदि विमान जल में नष्ट हुआ है तो विमान या उसके भागों को या अंतर्वस्तुओं को खोज और बचाव प्रचालन करने के लिए प्राधिकृत व्यक्तियों द्वारा उस सीमा तक हटाया जाएगा जहां तक उन्हें सुरक्षित स्थान तक लाया जाना आवश्यक हो;

(ग) वस्तुओं को ब्यूरो के किसी अधिकारी या ब्यूरो द्वारा प्राधिकृत किसी व्यक्ति के पर्यवेक्षण के तहत और उसकी सहमति से हटाया जाए;

(घ) यात्रियों और कर्मियों के व्यक्तिगत सामान को किसी पुलिस अधिकारी, मजिस्ट्रेट या ब्यूरो के किसी अधिकारी या ब्यूरो द्वारा प्राधिकृत किसी व्यक्ति के पर्यवेक्षण में विमान से हटाया जाए; और

(ङ.) डाक को किसी पुलिस अधिकारी, मजिस्ट्रेट, डाक तार विभाग के किसी अधिकारी या ब्यूरो के किसी अधिकारी या ब्यूरो द्वारा प्राधिकृत किसी व्यक्ति के पर्यवेक्षण में हटाया जाए।

(2) ब्यूरो, इन नियमों के तहत प्रारंभिक अन्वेषण सहित किसी भी जांच-पड़ताल या अन्वेषण के प्रयोजनार्थ, किसी भी व्यक्ति को निम्नलिखित के उपाय करने के लिए प्राधिकृत कर सकता है।

(क) साक्ष्यों का परिरक्षण करना और इसमें किसी भी ऐसे साक्ष्य का फोटोग्राफिक या अन्य तरीके से परिरक्षण शामिल है जिसे हटाया, क्षतिग्रस्त, गुम या नष्ट किया जा सकता हो;

(ख) विमान और उसकी अंतर्वस्तुओं की सुजित अभिज्ञा अनुरक्षित करना और इसमें अधिक क्षति, अनाधिकृत व्यक्तियों द्वारा पहुंच, उठाइगिरी और क्षय परिरक्षण भी शामिल होगा;

(ग) उतनी अवधि के लिए विमान का साक्ष्य जब तक अन्वेषण के प्रयोजनार्थ आवश्यक हो।

(3) उपनियम (2) के तहत ब्यूरो के द्वारा प्राधिकृत व्यक्ति या व्यक्तियों को विमान की जांच या अन्यथा कार्रवाई के लिए प्रवेग हासिल होगा।

(4) विमान का स्वामी या उसके नामित प्रतिनिधि को उपनियम (1) और (2) के तहत किसी भी परीक्षण या अन्य कार्रवाई के दौरान उपस्थित रहने का अधिकार होगा, बशर्त ब्यूरो किसी भी ऐसी कार्रवाई को स्थगित करने के लिए बाध्य नहीं होगा जिसे वह स्वामी या उसके प्रतिनिधि की उपस्थिति के कारण से इस नियम के तहत आवश्यक समझे।

(5) यदि प्रचालक के देश, आरेखन के देश या विनिर्माता के देश की ओर से कोई अनुरोध प्राप्त होता है कि विमान, इसकी अंतर्वस्तुएं और कोई अन्य साक्ष्य अनुरोधकर्ता देश के किसी प्रत्यायित प्रतिनिधि द्वारा निरीक्षण के लंबित रहते निर्विघ्न रहे, तो ब्यूरो जहां तक औचित्यपूर्ण रूप से व्यवहार्य हो और उपनियम (1) के प्रावधानों के अध्याधीन अन्वेषण के उपयुक्त संचालन के संगत हो, ऐसे अनुरोध के अनुपालन के लिए सभी आवश्यक कदम उठाएगी :

(6) उपनियम (1), (2) और (3) के उपबंधों के अध्याधीन, केन्द्रीय सरकार अन्वेषण के प्रयोजनार्थ आवश्यक न होने पर विमान, इसकी अंतर्वस्तुओं या इसके अन्य हिस्सों की, अभिरक्षा यथाशीघ्र, पंजीकरण के देश या प्रचालक के देश, जैसा लागू हो, द्वारा विधिवत रूप से नामित व्यक्ति या व्यक्तियों के पक्ष में कर देगी।

(7) उपनियम (6) के प्रयोजनार्थ, केन्द्रीय सरकार विमान, इसकी अंतर्वस्तुओं या इसके किसी भी हिस्से तक पहुंच सुगम बनाएगी,

परंतु विमान, इसकी अंतर्वस्तुएं या इसके कोई भी हिस्से यदि ऐसे क्षेत्र में पड़े हो जहां केन्द्रीय सरकार ऐसी पहुंच प्रदान करना अव्यवहार्य पाती है, तो यह स्वयं वहां तक हटवाएगी, जहां तक पहुंच प्रदान की जा सकती है।

8. विमान दुर्घटना अन्वेषण ब्यूरो - (1) नियम 5 के उपनियम (1), (2) और (4) में संदर्भित दुर्घटनाओं और गंभीर घटनाओं का अन्वेषण कराए जाने के प्रयोजनार्थ, केन्द्रीय सरकार नागर विमानन मंत्रालय में एक ब्यूरो गठित करेगी जिसे भारतीय विमान दुर्घटना अन्वेषण ब्यूरो के नाम से जाना जाएगा और इस ब्यूरो में उतनी संख्या में विमान दुर्घटना अन्वेषण क्रियाविधियों से परिचित अधिकारियों और अन्य व्यक्तियों की नियुक्ति करेगी, जैसा वह समय-समय पर उचित समझे।

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(2) विमान दुर्घटना अन्वेषण ब्यूरो भारत सरकार, नागर विमानन मंत्रालय के समग्र पर्यवेक्षण और नियंत्रण के अधीन कार्य करेगा।

(3) विमान दुर्घटना अन्वेषण ब्यूरो निम्नलिखित के संबंध में केन्द्रीय सरकार के दायित्वों का निर्वाह करेगा, नामतः:-

(क) नियम के उपनियम (1) या नियम 7 के उपनियम (2) के तहत प्रधिकृत किसी भी व्यक्ति या व्यक्तियों से प्रारंभिक रिपोर्ट प्राप्त करना

(ख) केन्द्रीय सरकार को इन नियमों के तहत जांच समिति के गठन, और औपचारिक अन्वेषण में सहायता प्रदान करना।

(ग) जहां कहीं आवश्यक हो, समितियों और न्यायालयों के अन्वेषण तथा प्रशासनिक कार्य को सुगम बनाना

(घ) केन्द्रीय सरकार द्वारा प्राप्त न्यायालयों और जांच समितियों की रिपोर्टों पर कार्रवाई करना, जिसमें अग्रेषित करना;

(i) नियम 14 के उपनियम (1) के तहत परामर्श के लिए देशों को रिपोर्टें अग्रेषित करना;

(ii) देशों को अग्रेषित करना जैसा कि अनुबंध 13 के तहत अपेक्षित है;

(iii) नियम 14 के उपनियम (2) के तहत केन्द्रीय सरकार द्वारा सार्वजनिक की गई रिपोर्ट इकामों को अग्रेषित करना, यदि दुर्घटना या घटना में शामिल विमान का 5,700 किलोग्राम से अधिक हो।

(ड.) न्यायालयों और जांच समितियों द्वारा की गई सिफारिशों पर अनुपालन कार्रवाई (फॉलोअप) और यह सुनिश्चित करना कि संबंधित एजेंसियों द्वारा इनका कार्यान्वयन हो;

(च) किसी सिफारिश के कार्यान्वयन के संबंध में केन्द्रीय सरकार द्वारा ब्यूरो और किसी भी एजेंसी के बीच विवादों के समाधान के लिए मामलों को प्रक्रियाधीनकरना;

(छ) संरक्षा अध्ययनों के आधार पर संरक्षा सिफारिशें निरूपित करना जिसमें समय-समय पर आयोजित संरक्षा संवर्धन के लिए नई प्रौद्योगिकियां शामिल किया जाना शामिल है;

(ज) अपनी घटना रिपोर्टिंग प्रणालियों सहित अन्य स्रोतों से प्राप्त वास्तविक या संभावित संरक्षा खामियों पर सूचना का प्रभावी विश्लेषण सुगम बनाने और कोई भी अपेक्षित निवारक कार्रवाई निर्धारित करने संबंधी डाटाबेस स्थापित और अनुरक्षण करना;

(झ) 07 दिसंबर, 1944 को शिकागो में हस्ताक्षरित अंतरराष्ट्रीय नागर विमानन से संबंधित और समय-समय पर यथा संशोधित, अभिसमय का अनुबंध 13 के तहत केंद्रीय सरकार के कर्तव्यों का निर्वहन करना; और

(ज) कोई अन्य कार्य, जिन्हें केन्द्रीय सरकार इन नियमों के तहत समय-समय पर ब्यूरो को निष्पादित करने को कह सकती है।

(4) विमान दुर्घटना अन्वेषण ब्यूरो सरकारी राजपत्र में अधिसूचना द्वारा और केन्द्रीय सरकार के पिछले अनुमोदन से, ऐसे विनियम बना सकता है, जो इन नियमों के प्रयोजनों और उप नियम

(3) में संदर्भित प्रकार्यों को पूरा करने के उद्देश्य से अधिनियम के उपबंधों के असंगत न हो।

(5) विशेष तौर पर, और पूर्वगामी शक्ति की सामान्यतः पर प्रतिकूल प्रभाव डाले बिना, ऐसे विनियम निम्नलिखित सभी या इनमें से किसी भी मामले के लिए प्रावधान कर सकते हैं, नामतः:-

(क) दुर्घटनाओं और घटनाओं को अधिसूचित करने के लिए अपेक्षित व्यक्ति;

(ख) अन्वेषण में भाग लेने के लिए अंतरराष्ट्रीय नागर विमान संगठन और देशों के लिए दुर्घटनाओं और गंभीर घटनाओं की अधिसूचनाओं के लिए क्रियाविधि;

(ग) विमान दुर्घटनाओं और गंभीर घटनाओं के अन्वेषण के लिए क्रियाविधि;

(घ) इन नियमों के तहत संचालित जांच-पड़ताल और औपचारिक अन्वेषण समिति की प्रारंभिक और अंतिम रिपोर्ट का प्रपत्र;

(ङ) जांच-पड़ताल और औपचारिक अन्वेषण समिति द्वारा की गई संरक्षा संबंधी सिफारिशों का, इन सिफारिशों को क्रियान्वित करने के लिए अपेक्षित एजेंसियों के साथ समेकन और अनुपालन तथा इन एजेंसियों से की गई कार्रवाई रिपोर्टें अपेक्षित करने के लिए क्रियाविधि;

(च) विमान दुर्घटना और घटना के अन्वेषण के लिए कोई अन्य अनुषंगी या प्रासंगिक मामला।

9. प्रारंभिक अन्वेषण: (1) ब्यूरो किसी दुर्घटना या घटना का प्रारंभिक अन्वेषण करने और दुर्घटना के वर्गीकरण का मूल्यांकन करने के लिए विनिर्दिष्ट प्रपत्र में ब्यूरो को प्रारंभिक रिपोर्ट प्रस्तुत करने और नियम 11 या 12 के अधीन विस्तृत अन्वेषण के लिए आवश्यक विशेषज्ञता

प्रदान करने के लिए ब्यूरो के अधिकारी सहित किसी व्यक्ति को प्राधिकृत कर सकता है, यदि केन्द्रीय सरकार द्वारा उचित विचार किया गया हो।

(2) प्रारंभिक अन्वेषण करने के लिए वह व्यक्ति प्राधिकृत होगा-

(क) जिसके पास विमान दुर्घटना अन्वेषक के नियम 10 के अधीन शक्तियां हों; और

(ख) उसके पास पहुंच जांच हो अन्यथा वह नियम 7 के उपनियम (3) के अधीन यथा उपबंधित विमान से संबंधित हो।

10. विमान दुर्घटना अन्वेषकों की शक्तियां - (1) दुर्घटनाओं और घटनाओं के अन्वेषण के प्रयोजनार्थ विमान दुर्घटना अन्वेषक के पास निम्न शक्तियां होंगी -

(क) अपने हस्ताक्षर के समन द्वारा किसी भी ऐसे व्यक्ति की उपस्थिति अपेक्षित करना जिसे वह उचित समझे व ऐसे प्रयोजनार्थ अपने समक्ष बुलाना और परीक्षण करना और ऐसी किसी भी जांच के उत्तर या विवरणियां अपेक्षित करना जिसे करना वह उचित समझे;

(ख) ऐसे व्यक्ति से उसके द्वारा दिए गए वक्तव्यों की सत्य प्रकृति से संबंधित घोषणा-पत्र बनवाना और हस्ताक्षर अपेक्षित करना;

(ग) ऐसी सभी पुस्तिकाओं, कागज-पत्र, दस्तावेजों और वस्तुओं की प्रस्तुति अपेक्षित और प्रवर्तित करना जिन्हें वह अन्वेषण के लिए आवश्यक समझे और अन्वेषण के पूरा होने तक ऐसी सभी पुस्तिकाओं, कागज-पत्र, दस्तावेजों और वस्तुओं को प्रतिधारित करना।

(घ) उसके पास दुर्घटना या घटना में शामिल किसी विमान या घटक तक पहुंच या जांच, वह स्थान या कोई अन्य स्थान जहां दुर्घटना या घटना हुई है वह प्रविष्टि और जांच जिससे लगता है कि अन्वेषक के प्रयोजन के लिए अन्वेषक को ऐसा करना आवश्यक है।

11. जांच समिति - (1) केन्द्रीय सरकार, अपने विवेकाधिकार से, किसी विमान दुर्घटना या किसी गंभीर घटना का अन्वेषण कराने के लिए दो या अधिक व्यक्तियों की जांच समिति नियुक्त कर सकती है और ऐसी समिति के पास वही शक्तियां होंगी जैसी नियम 10 के तहत एक विमान दुर्घटना अन्वेषक के पास होंगी।

(2) जांच निजी रूप से की जाएगी।

(3) केन्द्रीय सरकार जैसा उचित समझे उस तरीके से यह अधिसूचित कर सकती है कि एक जांच कराई जा रही है और ऐसी प्रत्येक सूचना में उल्लेख किया जाएगा कि ऐसा कोई भी व्यक्ति जो इस दुर्घटना की परिस्थितियों या कारणों से संबंधित अभ्यावेदन देना चाहता है, वह इस सूचना में विनिर्दिष्ट समय के भीतर लिखित में ऐसा कर सकता है।

(4) जब सरकारी के अधिकारी से भिन्न अन्य किसी व्यक्ति को जांच समिति के सदस्य के रूप में नियुक्त किया जाता है, तो उसे इस प्रकार का शुल्क और व्यय प्रदान किए जा सकते हैं जैसे केन्द्रीय सरकार द्वारा निर्धारित किए जाएं।

(5) इन नियमों के अनुसार गवाह के तौर पर जांच समिति द्वारा बुलाए गए प्रत्येक व्यक्ति को ऐसे व्यय अनुज्ञेय होंगे जो केन्द्रीय सरकार द्वारा समय-समय पर निर्धारित किए जाएं।

(6) जांच समिति अनुबंध 13 के संगत मानदंडों के आधार पर व्यूरो द्वारा निर्धारित प्रारूप में केन्द्रीय सरकार को रिपोर्ट देगी।

12. औपचारिक अन्वेषण - जहां केन्द्रीय सरकार को प्रतीत होता है कि किसी दुर्घटना का औपचारिक अन्वेषण कराया जाना समीचीन है, तो वह, चाहे नियम 11 के तहत कोई जांच की गई हो या नहीं, आदेश के द्वारा, औपचारिक अन्वेषण कराए जाने का निदेश दे सकती है और ऐसे किसी भी औपचारिक अन्वेषण के संबंध में निम्नलिखित उपबंध लागू होंगे, नामतः -

(1) केन्द्रीय सरकार एक सक्षम व्यक्ति (जिसे इसके पश्चात् "न्यायालय" कहा गया है) को अन्वेषण करने के लिए नियुक्त करेगी और एक या अधिक व्यक्तियों को, जिनके पास विधिक, वैमानिक, अभियांत्रिक या अन्य विशेष ज्ञान हो, निर्धारक के रूप में कार्य करने के लिए नियुक्त कर सकती है। वह यह निदेश भी दे सकती है कि न्यायालय और निर्धारक वह पारिश्रामिक प्राप्त करेंगे जो केन्द्रीय सरकार निर्धारित करे।

(2) न्यायालय की नियुक्ति पर, इन नियमों के तहत आदेशित अन्य सभी जांचों को िबंद के रूप में लिया जाएगा और विषय से संबंधित सभी संगत सामग्री को न्यायालय को सौंप दिया जाएगा। (3) न्यायालय खुले न्यायालय में ऐसे तरीके और ऐसी स्थितियों के तहत अन्वेषण करेगा जिन्हें वह दुर्घटना के कारणों और परिस्थितियों के मूल्यांकन के लिए और इससे एतद् पश्चात् उल्लिखित रिपोर्ट बनाने में सक्षम करने के लिए उचित समझे:-

परंतु यह तब जबकि न्यायालय का यह मत हो कि अन्वेषण कराए जाने से -

(क) किसी भी देश के हितों पर प्रतिकूल प्रभाव पड़ने की संभावना है; या

(ख) किसी ऐसे व्यक्ति की व्यक्तिगत सुरक्षा खतरे में पड़ने की संभावना हो सकती है जो कोई वक्तव्य या साक्ष्य प्रदान करने का इच्छुक है,

तो न्यायालय, समस्त अन्वेषण या इसका कुछ हिस्सा बंद कमरे में आयोजित करा सकता है।

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(4) न्यायालय के पास, अन्वेषण के प्रयोजनार्थ, दीवानी प्रक्रिया संहिता, 1908 (1908 का 5) के तहत एक दीवानी न्यायालय की सभी शक्तियां होंगी और इन शक्तियों पर प्रतिकूल प्रभाव डाले बिना न्यायालय :-

(क) किसी भी ऐसे स्थान या भवन में प्रवेश और निरीक्षण कर सकता है या किसी भी व्यक्ति को ऐसे स्थान में प्रवेश और निरीक्षण के लिए प्राधिकृत कर सकता है, जिसमें प्रयोग और निरीक्षण करना न्यायालय को अन्वेषण के प्रयोजनार्थ अपेक्षित प्रतीत हो; और

(ख) गवाहों की उपस्थिति को प्रवृत्ति कर सकता है और दस्तावेजों और भौतिक वस्तुओं की प्रस्तुति के लिए बाध्य कर सकता है, और न्यायालय की अपेक्षानुसार कोई भी सूचना प्रस्तुत किए जाने के लिए किसी भी व्यक्ति को भारतीय दंड संहिता (1860 का 45) की धारा 176 की परिभाषा के भीतर ऐसा करने के लिए बाध्य माना जाएगा।

(5) निर्धारकों को प्रवेश और निरीक्षण के लिए न्यायालय जैसी ही शक्तियां प्राप्त होंगी।

(6) न्यायालय के समक्ष गवाह के रूप में उपस्थित होने वाले प्रत्येक व्यक्ति को उन्हीं व्यक्तियों की अनुमति होगी जो न्यायालय को उचित लगे :

परंतु यह कि दुर्घटना से संबंधित किसी विमान के स्वामी या भाड़े पर लेने वाले व्यक्ति और उसके तहत नियुक्त किसी भी व्यक्ति, या दुर्घटना से संबंधित किसी भी अन्य व्यक्ति के मामले में, ऐसे किसी भी व्यक्ति की अनुमति वापस ली जा सकती है यदि न्यायालय, अपने विवेकाधिकार पर ऐसा निदेश देता है।

(7) न्यायालय अनुबंध 13 के संगत मानदंडों के आधार पर ब्यूरो द्वारा विनिर्दिष्ट प्रपत्र में केन्द्रीय सरकार को अंतिम रिपोर्ट प्रस्तुत करेगा।

(8) निर्धारक, आपत्तियों के साथ या आपत्तियों के बिना या तो रिपोर्ट पर हस्ताक्षर करेंगे, या रिपोर्ट के प्रति अपना असंतोष और ऐसे असंतोष के कारणों को लिखित में उल्लिखित करेंगे, और ऐसी आपत्तियों या असंतोष या कारण, यदि कोई हों, रिपोर्ट सहित केन्द्रीय सरकार को अग्रेषित किए जाएंगे और केन्द्रीय सरकार ऐसी रिपोर्ट और आपत्ति अथवा असंतोष तथा कारणों, यदि कोई हों, को, पूर्णतः या असंगत, जैसे उचित समझे वैसे तरीके से, सार्वजनिक करा सकती है।

13. घटना का अन्वेषण:- (1) महानिदेशक नियम 5 के उप-नियम (1) खंड (ग) के अधीन शामिल विमान की हुई कोई घटना या यांभीर घटना का अन्वेषण करने का आदेश दे सकता है

और बन्वेषण के प्रयोजनार्थ किसी सक्षम और अर्हता प्राप्त व्यक्ति को जांच अधिकारी नियुक्त कर सकता है।

(2) यदि केन्द्रीय सरकार नियम 5 के उपनियम (1) के खंड (ग) के अधीन शामिल किसी विमान में हुई घटना या गंभीर घटना का अन्वेषण करने का निर्णय लेती है तो महानिदेशक द्वारा उप नियम (1) के अधीन दिए गए आदेश से अन्वेषण बंद कर दिया जायेगा और केन्द्रगीय सरकार द्वारा नियुक्त न्यायालय या समिति को इसका अन्वेषण करने के लिए संगत विवरण हस्तांतरित कर दिये जायेंगे।

(3) उप-नियम (1) में संदर्भित अन्वेषण निजी रूप से कराया जायेगा। (4) नियम 10 के तहत विमान दुर्घटना निरीक्षण को प्रदत्त शक्तियों के समान जांच अधिकारी के पास भी वही शक्तियां होंगी। (5) अन्वेषण अधिकारी अनुबंध 13 के संगत मानदंडों के आधार पर ब्यूरो द्वारा निर्धारित प्रारूप में महानिदेशालय के लिये रिपोर्ट तैयार करेगा। (6) महानिदेशालय जांच अधिकारी की रिपोर्ट केन्द्रीय सरकार को ऐसी टिप्पणियों के साथ अग्रेषित करेगा जैसी महानिदेशालय उपयुक्त समझे और केन्द्रीय सरकार, अपने विशेषाधिकार से, ऐसी रिपोर्ट को समस्त अथवा इसके किसी भाग को ऐसे तरीके से सार्वजनिक कर सकता है, जैसा वह उचित समझे।

14. परामर्श और अंतिम रिपोर्ट:- ब्यूरो नियम 11 के उप-नियम (6) के तहत जांच समिति अथवा नियम 12 के उप-नियम (7) के तहत कोर्ट से प्राप्त रिपोर्ट की प्रत्येक प्रति को निम्न को प्रेषित कर सकता है:-

(क) पंजीकरण का देश, (ख) प्रचालन का देश, (ग) डिजाइन का देश, (घ) विनिर्माता का देश, और (ङ) वैसे राज्य जो नियम 6 के उप-नियम (4) के अनुसार अन्वेषण में शामिल हुआ हो, इसकी आवृत्ति के 60 दिनों के भीतर रिपोर्ट पर उनकी महत्वपूर्ण तथा विस्तृत टिप्पणियां आमंत्रित करना। (2) केन्द्रीय सरकार रिपोर्ट जारी होने के 60 दिनों के भीतर भद्र टिप्पणियों के तत्वों को शामिल करके रिपोर्ट में संशोधन कर सकती है या उस पर टिप्पणियों को संशोधित करके, यदि देश द्वारा ऐसा करना वांछित हो और यह ऐसी कोई अंतिम रिपोर्ट या आरक्षण तथा कारण, यदि कोई हो जिसे सार्वजनिक किया जाना है, पूर्णतः या आंशिक रूप से प्रस्तुत किया जाएगा, जैसा कि इसके उपयुक्त समझा जाये। (3) केन्द्रीय सरकार द्वारा सार्वजनिक की गई अंतिम रिपोर्ट उप राज्यों को अग्रेषित की जाएगी जो अनुबंध 13 के अंतर्गत ऐसी रिपोर्ट प्राप्त करने के लिए पात्र हैं। यह रिपोर्ट इकाओ को भी अग्रेषित की जाएगी, यदि दुर्घटना या घटना में शामिल विमान का वजन 5,700 किलोग्राम से अधिक हो।

15. अन्वेषण को फिर से प्रारंभ करना:- जहां केन्द्रीय सरकार को यह प्रतीत होता है कि नियम 11 या नियम 12, जैसा भी मामला हो, के तहत अन्वेषण पूरा होने के बाद कोई नया और ठोस साक्ष्य उपलब्ध हो गया है, तो यह आदेश द्वारा, इसको फिर से प्रारंभ करने का निदेश दे सकती है।

16. कार्यवाही में बाधा - (1) कोई भी व्यक्ति न्यायालय, निर्धारकों या जांच समिति के सदस्यों या इन नियमों के तहत किसी भी शक्ति या कर्तव्य का प्रयोग करने वाले व्यक्ति के कार्य में रुकावट या बाधा नहीं डालेगा।

(2) कोई भी व्यक्ति, बिना औचित्यपूर्ण कारण के, न्यायालय या जांच समिति या विमान दुर्घटना अन्वेषक या इन नियमों के तहत कोई अन्वेषण या जांच कर रहे किसी भी व्यक्ति के किसी भी समन या अधिग्रहण के अनुपालन में विफल नहीं होगा।

स्पष्टीकरण - इस नियम के प्रयोजनार्थ, जब यह प्रश्न उठता है कि क्या किसी व्यक्ति के पास औचित्यपूर्ण कारण है, तो यह सिद्ध करने का भार उसी पर होगा कि उसके पास कोई औचित्यपूर्ण कारण है।

(3) कोई भी व्यक्ति, जो कार्यवाही को अवरुद्ध या बाधित करता है, वह अधिनियम की धारा 10 की उप धारा (2) के उपबंधों के अनुसार दंड का पात्र होगा।

17. अभिलेखों को प्रकट न किया जाना - (1) निम्नलिखित अभिलेख (रिकार्ड), सरकार द्वारा यह निर्धारित किए जाने की स्थिति को छोड़कर, कि इनके प्रकटीकरण से उस अन्वेषण या किसी भावी अन्वेषण का प्रतिकूल आंतरिक या अंतरराष्ट्रीय प्रभाव काफी मात्रा में कम होता है, दुर्घटना के अन्वेषण से इतर प्रयोजनों के लिए प्रकट नहीं किए जाएंगे :

(क) अन्वेषण प्राधिकारियों द्वारा उनके अन्वेषण के दौरान व्यक्तियों से लिए गए सभी वक्तव्य;

(ख) विमान के प्रचालन में शामिल रह चुके व्यक्तियों के बीच हुए सभी संप्रेषण;

(ग) दुर्घटना या घटना में शामिल व्यक्तियों के बीच हुए सभी संप्रेषण;

(घ) काकपिट ध्वनि रिकार्डिंग और ऐसी रिकार्डिंग की प्रतिलिपि;

(ङ) हवाई यातायात नियंत्रण इकाइयों से की गई रिकार्डिंग और रिकार्डिंग की प्रतिलिपियां;

(च) कॉकपिट एयरबोर्न इमेज रिकार्डिंग और ऐसी रिकार्डिंग का कोई भाग या प्रतिलिपियां; और

(छ) उड़ान रिकार्डर सूचना सहित सूचना के विश्लेषण में अभिव्यक्त मत।

(2) उप नियम (1) में कोई उल्लिखित रिकार्ड अंतिम रिपोर्ट या इसके परिशिष्ट या किसी अन्य रिपोर्ट में तभी शामिल किया जाएगा जब वह दुर्घटना या घटना के विश्लेषण के लिए संगत हो और विश्लेषण से असंबद्ध रिकार्डों के हिस्से अंतिम रिपोर्ट में शामिल नहीं किए जा सकेंगे।

(3) अंतिम रिपोर्ट में दुर्घटना या घटना में शामिल व्यक्तियों के नाम को प्रकट नहीं किया जाएगा।

18. अनिवार्य घटना रिपोर्टिंग प्रणाली - (1) वायुयान दुर्घटना अन्वेषण ब्यूरो वास्तविक या संभावित सुरक्षा खामियों से संबंधित सूचना के एकत्र करने को सुगम बनाने के लिए एक अनिवार्य घटना रिपोर्टिंग प्रणाली स्थापित करेगा।

(2) अनिवार्य घटना रिपोर्टिंग प्रणाली में संगत व्यक्तियों, सेवा प्रदाताओं और स्टेकधारकों के लिए अपेक्षित होगा कि वे सभी दुर्घटनाओं, गंभीर घटनाओं और घटनाओं की बाबत सर्वाधिक उपयुक्त और तीव्रतम साधनों द्वारा, किंतु किसी दशा में 24 घंटे से अधिक नहीं, महानिदेशक को अधिसूचित करें।

(3) महानिदेशक नियम 4 के उप नियम (2) में यथा विनिर्दिष्ट सूचना में निहित सभी दुर्घटनाओं तथा घटनाओं की बाबत तत्काल ब्यूरो को अधिसूचित करेंगे।

(4) उपनियम (2) में विनिर्दिष्ट संगत व्यक्ति, सेवा प्रदाता और स्टेकधारक होंगे:-

(क) उस वायुयान का प्रचालक और कमांडर जिसे नागर विमानन महानिदेशालय द्वारा जारी उड़न योग्यता प्रमाण-पत्र जारी किया गया है;

(ख) भारत के लिए, से या यहां से होकर प्रचालित होने वाले किसी विदेशी वायुयान का प्रचालक और कमांडर;

(ग) वह व्यक्ति जो वायुयान के अनुरक्षण या आशोधन का कारोबार करता है, जिसे नागर विमानन महानिदेशालय द्वारा जारी उड़नयोग्यता प्रमाण-पत्र जारी किया गया है और वह व्यक्ति जो ऐसे किसी वायुयान के किसी उपकरण या कल पुर्जों के अनुरक्षण या आशोधन करने का कारोबार करता है;

(घ) वह व्यक्ति जो भारत में वायुयान का विनिर्माण या ऐसे वायुयान के किसी उपकरण या कलपुर्जों का कारोबार करता है;

(ङ.) वह व्यक्ति जो किसी वायुयान को ऐसे विमान की सेवा सौंपने के प्रमाण-पत्र पर हस्ताक्षर करता है, जिसके पास नागर विमानन महानिदेशालय द्वारा जारी उड़न योग्यता प्रमाण-पत्र हो,

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और ऐसा व्यक्ति जो उड़ान योग्यता प्रमाण-पत्र का ऐसे विमान के किसी उपकरण या भाग की सेवा सौंपने के प्रमाण-पत्र पर हस्ताक्षर करता है;

(च) किसी लाइसेंसशुदा एयरोड्रोम का लाइसेंस धारक या प्रबंधक या किसी हवाई अड्डे का प्रबंधक;

(छ) वह व्यक्ति जो हवाई यातायात नियंत्रक के रूप में कार्य निष्पादित करता है;

(ज) वह संगठन जो हवाई दिक्चालन सेवाएं मुहैया कराता है;

(झ) वह व्यक्ति जो हवाई यातायात नियंत्रण सेवा मुहैया कराने वाले किसी व्यक्ति द्वारा प्रयुक्त की जाने वाली हवाई दिक्चालन सुविधाओं की संस्थापना, आशोधन, अनुरक्षण, मरम्मत, ओवरहॉल, उड़ान-जांच या निरीक्षण से संबंधित कार्य निष्पादित करता है; और

(ञ) वह व्यक्ति जो किसी हवाई अड्डे पर विमान की ग्राउंड हैंडलिंग से संबंधित कार्य निष्पादित करता है जिनमें ईंधन भराई, सर्विसिंग, लोड-शीट की तैयारी, लोडिंग, डि आइसिंग और टोइंग शामिल हैं।

19. स्वैच्छिक घटना रिपोर्टिंग प्रणाली - (1) महानिदेशक, उन वास्तविक या संभावित संरक्षा खामियों, जो नियम 17 के तहत अनिवार्य घटना रिपोर्टिंग प्रणाली में शामिल नहीं हो सकती हों, से संबंधित सूचना के एकत्रण को सुगम बनाने के लिए स्वैच्छिक घटना रिपोर्टिंग प्रणाली स्थापित करेगा।

(2) उपनियम (1) के तहत स्थापित स्वैच्छिक घटना रिपोर्टिंग प्रणाली गैर-दंडनीय होगी और सूचना के स्रोतों को संरक्षण प्रदान करेगी और यदि केन्द्र सरकार द्वारा शीघ्र कार्य करने पर विचार किया जाएगा तो किसी बाहरी एंजेसी द्वारा भी सूचना एकत्रित की जा सकेगी।

20. दुर्घटना और घटना डाटाबेस का अनुरक्षण - (1) विमान दुर्घटना अन्वेषण ब्यूरो, हासिल की गई वास्तविक या संभावित खामियों से संबंधित सूचना के प्रभावी विश्लेषण को सुगम बनाने के उद्देश्य से एक दुर्घटना और घटना डाटाबेस का अनुरक्षण स्थापित करेगा और उसका अनुरक्षण करेगा और अपनी घटना रिपोर्टिंग प्रणाली से कोई निवारक कार्रवाई, यदि अपेक्षित हो, निर्धारित करेगा।

21. व्यावृत्ति - इन नियमों में शामिल किसी भी बात से वायुयान नियम 1937 के तहत जारी किसी लाइसेंस या प्रमाण-पत्र के रद्दकरण, निलंबन या पृष्ठांकन के संबंध में केन्द्रीय सरकार की शक्ति सीमित या अन्यथा प्रभावित नहीं होगी।

22. शास्तियां - कोई भी व्यक्ति जो इनमें से किसी भी नियम, या नियम 9 के उप-नियम (4) और (5) और नियम 15 के उप नियम (1) और (2) के तहत बनाए गए विनियमों का उल्लंघन करता है, या अनुपालन करने में विफल रहता है, अधिनियम की धारा 10 की उपधारा (2) के उपबंधों के अनुसार दंड का भागी होगा।

अनुसूची क [नियम 2 (म) देखें]

गंभीर घटनाएं

1. गंभीर घटना का तात्पर्य ऐसी घटना से है जिसमें ऐसी परिस्थितियां शामिल हों, जो यह इंगित करती हों कि दुर्घटना की भारी संभावना थी और वे एक ऐसे विमान के प्रचालन से संबंधित हो जो, मानवयुक्त विमान के मामले में, किसी भी व्यक्ति के उड़ान के उद्देश्य से विमान में सवार होने के समय से ऐसे सभी व्यक्तियों के उतरने के समय के बीच, और मानव रहित विमान के मामले में, विमान के उड़ान के प्रयोजनार्थ उड़ान भरने के लिए तैयार होने के समय से उड़ान समाप्त होने पर विराम-स्थिति तक पहुंच जाने और इसके प्राथमिक प्रोपल्शन सिस्टम के बंद हो जाने के समय के बीच घटती है।

2. निम्न सूचीबद्ध घटनाएं उन घटनाओं के प्रारूपिक दृष्टांत हैं जिनके गंभीर घटनाएं होने की संभावना होती है। यह सूची संपूर्ण नहीं है और यह गंभीर घटनाओं की परिभाषा के लिए केवल एक मार्गदर्शिका का काम करती है।

(क) लगभग टक्कर होने की घटना जिसमें किसी टक्कर या असुरक्षित स्थिति से बचने के लिए परिहार का प्रयास अपेक्षित हो या जब कोई परिहार कार्रवाई समुचित हो।

(ख) भू-भाग में उड़ान को नियंत्रित करने से केवल अंशतः बचा गया हो।

(ग) किसी बंद या सम्पृक्त रनवे, या किसी टैक्सी-वे (हेलीकॉप्टरों द्वारा प्राधिकृत प्रचालनों को छोड़कर) या असमनुदेशित रनवे से एबोर्टेड टेक-ऑफ।

(घ) किसी बंद या सम्पृक्त रनवे, या किसी टैक्सी-वे हेलीकॉप्टरों द्वारा प्राधिकृत प्रचालनों को छोड़कर) या असमनुदेशित रनवे से टेक-ऑफ।

(ङ) किसी बंद या सम्पृक्त रनवे, किसी टैक्सी-वे या असंपृक्त रनवे पर अवतरण या प्रचलित अवतरण का प्रयत्न किया गया हो।

(च) टेक-ऑफ या प्रारंभिक उड़ान भरने के दौरान संभावित निष्पादन हासिल करने में भारी विफलताएं।

(छ) यात्री कम्पार्टमेंट, कार्गो कम्पार्टमेंटों में आग और धुंआ या इंजन में आग, चाहे ऐसी आग का शमन अग्निशमनकारी एजेंटों द्वारा कर दिया गया हो।

(ज) उड़ान कर्मीदल द्वारा ऑक्सीजन के आपातकालीन उपयोग की अपेक्षा वाली घटनाएं।

(झ) विमान की संरचनागत विफलताएं या इंजन का विच्छेदन, जिसमें असम्मिलित टर्बाइन इंजन विफलताएं, शामिल हैं जो दुर्घटना के रूप में वर्गीकृत नहीं हैं।

- (ज) एक या अधिक विमान प्रणालियों का एकाधिक स्थितियों में ठीक से कार्य न करना, जिनसे विमान का प्रचालन गंभीरतापूर्वक प्रभावित होता हो।
- (ट) उड़ान में उड़ान कर्मियों की अक्षमता।
- (ठ) ईंधन की मात्रा जिसके लिए पायलट द्वारा आपातस्थिति की घोषणा अपेक्षित हो।
- (ड) रनवे पर आक्रमण, जिन्हें एक श्रेणी की गंभीरता के रूप में वर्गीकृत किया गया है। "रनवे पर आक्रमणों की रोकथाम संबंधी मैनुअल (डीओसी 9870) में गंभीरता के वर्गीकरण संबंधी सूचना निहित है।
- (ढ) उड़ान भरने या अवतरण की घटनाएं, जैसे अंडर-शूटिंग, ओवररनिंग या रनवे की साइड से रन ऑफ हो जाना।
- (ण) प्रणाली की खामियां, मौसम संबंधी घटनाएं, अनुमोदित उड़ान श्रेणी से बाहर के प्रचालन या अन्य घटनाएं जिनकी वजह से विमान को नियंत्रित करने में कठिनाइयां उत्पन्न हो सकती हैं।
- (त) उड़ान मार्गदर्शन और दिक्चालन के लिए अनिवार्य व्यतिरिक्त प्रणाली में एक से अधिक प्रणालियों की विफलता।

अनुसूची ख

(नियम 2 (ग) देखें)

विमान की क्षति के अवधारण के लिए दिशानिर्देश

1. यदि इंजन विमान से अलग हो जाता है, तो इस घटना को दुर्घटना के रूप में श्रेणीबद्ध किया जाता है, चाहे क्षति इंजन तक सीमित हो।
2. इंजन कोउल (फैन या कोर) या रिवर्सर कम्पोन्टों की क्षति जिसके परिणामस्वरूप विमान को और क्षति नहीं होगी, को दुर्घटना नहीं माना जाएगा।
3. ऐसी घटनाएं, जहां कंप्रेसर या टर्बाइन ब्लेड या इंजन के अन्य आंतरिक पुर्जे इंजन के टेल पाइप के जरिए बाहर निकल जाते हैं, को दुर्घटना नहीं माना जाता।
4. टूटे हुए या गुम रेडोम को दुर्घटना नहीं माना जाता जब तक कि अन्य संरचनाओं या प्रणालियों में संगत उल्लेखनीय क्षति न हो।
5. गुम हुए फ्लैप या अन्य लिफ्ट आगमेटिंग उपकरण, विंगलेट आदि जिन्हें कंफिगरेशन डेविषेशन लिस्ट (सीडीएस) के लिए परमिट नहीं किया जाता, को दुर्घटना नहीं माना जाता।
6. लैंडिंग गीयर लेग या व्हील अप्स लैंडिंग का रिट्रैक्शन जिसका परिणाम केवल स्किन एब्रेशन के रूप में होता है। यदि विमान को छोटी-मोटी मरम्मत या पैचिंग के बाद सुरक्षित रूप से डिसपैच किया जा सकता है और बाद में इसकी स्थायी मरम्मत के लिए व्यापक कार्य होती है, तो उसे इस घटना को दुर्घटना के रूप में वर्गीकृत नहीं किया जाता।
7. यदि संरचनागत क्षति ऐसी है कि विमान डिप्रेसराइज्ड हो जाता है, या इसे प्रेशराइज्ड नहीं किया जा सकता, तो इस घटना को दुर्घटना के रूप में वर्गीकृत किया जाना है।

8. किसी घटना, जैसे लो-स्पीड रनवे एक्सकर्सन के बाद अंडरकैरिज लेग को एहतियाती तौर पर हटाया जाना, जिसमें उल्लेखनीय कार्य शामिल हैं, के बाद निरीक्षण के लिए पुर्जों को हटाए जाने को तब तक दुर्घटना नहीं माना जाता तब तक कि उल्लेखनीय क्षति नहीं पाई जाती।
9. ऐसी घटनाएं, जिनमें आपातकालीन निकासी शामिल है, दुर्घटना नहीं मानी जाती, जब तक तक किसी को गंभीर चोटें न आई हों या विमान को अन्यथा उल्लेखनीय क्षति न हुई हो।

नोट - 1. जहां तक विमान को हुई ऐसी क्षति का संबंध है जिससे संरचनागत शक्ति, निष्पादन या उड़ान की विशेषताएं प्रभावित होती हैं, विमान सुरक्षित अवतरित हो सकता है, किंतु बिना मरम्मत के अगले सेक्टर तक सुरक्षित रखना नहीं किया जा सकता।

नोट - 2 यदि विमान को छोटी-मोटी मरम्मत के बाद सुरक्षित रूप से रखना किया जा सकता है और बाद में इसमें स्थायी मरम्मत के उद्देश्य से और व्यापक कार्य होते हैं, तो इस घटना को दुर्घटना के रूप में वर्गीकृत नहीं किया जाएगा। इसी प्रकार, यदि विमान को प्रभावित पुर्जों को हटाए जाने के बाद सीडीएल के तहत रखना नहीं किया जा सकता, प्रभावित पुर्जों को हटाए जाने, इनके गुम होने या अप्रचालनीकृत होने के साथ ऐसी मरम्मत को बड़ी मरम्मत नहीं माना जाएगा और परिणामस्वरूप घटना को दुर्घटना नहीं माना जाएगा।

नोट - 3 मरम्मत या अनुमानित हानि की लागत, जैसे बीमा कंपनियों द्वारा मुहैया कराई जा रही, वाहित क्षति का संकेत मुहैया करा सकती है, किंतु इसे इस आशय से एकमात्र मार्ग संदर्शिका के रूप में प्रयुक्त नहीं किया जाना चाहिए कि यह क्षति उस घटना को दुर्घटना के रूप में माने जाने के लिए पर्याप्त है या नहीं। इसी प्रकार किसी विमान को, 'हल लॉस' माना जा सकता है क्योंकि, वहन की गई उल्लेखनीय क्षति को दुर्घटना के रूप में वर्गीकृत किए बिना, इसकी मरम्मत किया जाना गैर-किफायती है।

[फा. सं. एवी-11012/01/2011-डीजी]

जी. अशोक कुमार, संयुक्त सचिव

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NOTIFICATION

New Delhi, the 5th July, 2012

G.S.R. 536(E).—Whereas the draft of Aircraft (Investigation of Accidents and Incidents) Rules, 2012, was published, as required by section 14 of the Aircraft Act, 1934 (22 of 1934), vide notification of the Government of India in the Ministry of Civil Aviation published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 244(E), dated the 23rd March, 2012, for inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the Gazette of India in which the said notification was published, were made available to public;

And whereas copies of the said notification were made available to the public on the 23rd March, 2012;

And whereas the objections or suggestions received in respect of the draft rules within the period specified have been taken into consideration;

Now, therefore, in exercise of the powers conferred by sections 4, 7 and 10 of the said Act, the Central Government hereby makes the following rules, namely :—

1. Short title, extent and commencement. — (1) These rules may be called the Aircraft (Investigation of Accidents and Incidents) Rules, 2012.

(2) These rules extend to the whole of India and applies also —

- (a) to citizens of India wherever they may be;
- (b) to, and to the persons on, aircraft registered in India wherever they may be;
- (c) to, and to the persons on, aircraft registered outside India but for the time being in or over India; and
- (d) to an aircraft operated by a person who is not a citizen of India but has his principal place of business or permanent residence in India.

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

2. Definitions and interpretations. — In these rules, unless there is any thing repugnant in the subject or context —

- (a) “**accident**” shall mean an occurrence associated with the operation of an aircraft which, —

- (i) in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked; or
- (ii) in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down, in which —
 - (a) a person is fatally or seriously injured as a result of —
 - (i) being in the aircraft, or
 - (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft, or
 - (iii) direct exposure to jet blast,
 except when the injuries are from natural causes, self-inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or
 - (b) the aircraft sustains damage or structural failure which —
 - (i) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
 - (ii) would normally require major repair or replacement of the affected component,
 except for failure of engine or damage, when the damage is limited to a single engine, (including its cowlings or accessories), to propellers, wing tips, antennas, probes, vanes, tires, brakes, wheels, fairings, panels, landing gear doors, windcreens, the aircraft skin (such as small dents or puncture holes), or for minor damages to main rotor blades, tail rotor blades, landing gear, and those resulting from hail or bird strike (including holes in the radome); or
 - (c) the aircraft is missing or is completely inaccessible.

Note 1.— For the purposes of this clause, the guidance for the determination of aircraft damage is at Scheduled B.

Note 2.— For the purposes of this clause, only unmanned aircraft which have design or operational approval given by a State to be considered.

- (b) **“accredited representative”** means a person designated by a State, on the basis of his or her qualifications, for the purpose of participating in an investigation conducted by another State and where the State has established an accident investigation authority, the designated accredited representative would normally be from that authority;
- (c) **“Act”** means the Aircraft Act, 1934 (22 of 1934);

- (d) **"adviser"** means a person appointed by a State, on the basis of his or her qualifications, for the purpose of assisting its accredited representative in an investigation;
- (e) **"aircraft"** means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the surface of the earth;
- (f) **"Aircraft Accident Investigator"** means a person appointed by the Central Government to investigate an accident or a serious incident or an incident either by Committee of Inquiry under rule 11, or Formal Investigation under rule 12, or authorised by Bureau to conduct preliminary investigation under sub-rule (1) of rule 9 or sub-rule (2) of rule 7;
- (g) **"Annex 13"** means Annex 13 to the Convention relating to International Civil Aviation signed at Chicago on the 7th day of December, 1944 as amended from time to time;
- (h) **"Bureau"** means Aircraft Accident Investigation Bureau set up by the Central Government under rule 9;
- (i) **"causes"** means actions, omissions, events, conditions, or a combination thereof, which led to the accident or incident but does not amount to assigning fault or determination of administrative, civil or criminal liability;
- (j) **"Chicago Convention"** means Convention relating to International Civil Aviation signed at Chicago on the 7th day of December, 1944 as amended from time to time;
- (k) **"Director-General"** means Director General of Civil Aviation;
- (l) **"fatal injury"** means an injury which is sustained by a person in an accident and which results in his or her death within 30 days of the date of the accident;
- (m) **"Final Report"** means the report made public by the Central Government under sub-rule (2) of rule 14.
- (n) **"flight recorder"** means any type of recorder installed in the aircraft for the purpose of assisting accident or incident investigation;
- (o) **"ICAO"** means International Civil Aviation Organisation created under the Convention relating to International Civil Aviation signed at Chicago on the 7th day of December, 1944;
- (p) **"incident"** means an occurrence, other than an accident, associated with the operation of an aircraft which affects or could affect the safety of operation;
- (q) **"Inquiry Officer"** means a person appointed by the Director-General under rule 13 to investigate a serious incident or an incident.
- (r) **"investigation"** means a process conducted for the purpose of prevention of accident which includes the gathering and analysis of information, the drawing of conclusion, including the determination of causes, contributing factors and, when appropriate, the making of safety recommendation;
- (s) **"maximum mass"** means maximum certificated take-off mass;

- (t) **"missing aircraft"** means when the official search has been terminated and the wreckage of the aircraft has not been located;
- (u) **"operator"** means a person, organization or enterprise engaged in or offering to engage in operation of an aircraft;
- (v) **"preliminary report"** means the communication used for the prompt dissemination of data obtained during the early stages of the investigation;
- (w) **"safety recommendation"** means —
 - (i) a proposal of an accident investigation authority based on information derived from an investigation, made with the intention of preventing accidents or incidents and which in no case has the purpose of creating a presumption of blame or liability for an accident or incident;
 - (ii) recommendations resulting from diverse sources and safety studies,
- (x) **"Schedule"** means a Schedule to these rules;
- (y) **"serious incident"** means an incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, —
 - (i) in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or
 - (ii) in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down;

Note.— The examples of serious incident are as specified in Schedule A.

- (z) **"serious injury"** means an injury which is sustained by a person in an accident and which —
 - (i) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
 - (ii) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
 - (iii) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
 - (iv) involves injury to any internal organ; or
 - (v) involves second or third degree burns, or any burns affecting more than 5 per cent of the body surface; or
 - (vi) involves verified exposure to infectious substances or injurious radiation;
- (za) **"State of Design"** means the State having jurisdiction over the organization responsible for the type design of the aircraft;

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(zb) "**State of Manufacture**" means the State having jurisdiction over the organisation responsible for the final assembly of the aircraft;

(zc) "**State of Occurrence**" means the State in the territory of which an accident or incident occurs;

(zd) "**State of the Operator**" means the State in which the principal place of business of the operator is located or, if there is no such place of business, the permanent residence of the operator;

(ze) "**State of Registry**" means the State on whose register the aircraft is entered.

Explanation.— In the case of the registration of aircraft of an international operating agency other than on a national basis, the States constituting the agency shall jointly and severally discharge the obligations which attach to a State of Registry under Annex 13.

3. Objective of the investigation of accidents and incidents. — (1) The sole objective of the investigation of an accident or incident shall be the prevention of accidents and incidents and not to apportion blame or liability.

(2) Any investigation conducted in accordance with the provisions of these rules shall be separate from any judicial or administrative proceedings to apportion blame or liability.

4. Notification. — (1) Where an accident or an incident occurs to an aircraft covered under sub-rule (2) of rule 1, then the pilot-in-command of the aircraft or, if he be killed or incapacitated, the owner, the operator, the hirer or other person on whose behalf he was in command of the aircraft, or any relevant person, as the case may be, shall, as soon as is reasonably practicable but in any case not later than 24 hours after he becomes aware of the accident or the incident:—

(a) send notice thereof to the Aircraft Accident Investigation Bureau and Director-General of Civil Aviation by the quickest means of communication available; and

(b) in the case of an accident occurring in India, give information to the District Magistrate and the Officer-in-charge of the nearest Police Station of the accident and of the place where it occurred.

(2) The notification shall be in plain language and contain as much of the following information as is readily available, namely :—

(a) for accidents the identifying abbreviation ACCID, for incidents INCID;

(b) manufacturer, model, nationality and registration marks, and serial number of the aircraft;

(c) name of owner, operator and hirer, if any, of the aircraft;

(d) qualification of the pilot-in-command, and nationality of crew and passengers;

(e) date and time of the accident or incident;

(f) last point of departure and point of intended landing of the aircraft;

- (g) position of the aircraft with reference to some easily defined geographical point and latitude and longitude;
- (h) number of crew and passengers; aboard, killed and seriously injured; others, killed and seriously injured;
- (i) description of the accident or incident and the extent of damage to the aircraft so far as is known;
- (j) physical characteristics of the accident or incident area, as well as an indication of access difficulties or special requirements to reach the site; and
- (k) presence and description of dangerous goods on board the aircraft,

but notification shall not be delayed due to the lack of complete information.

(3) If the details or, other known relevant information referred in sub-rule (2) are omitted, such information shall also be dispatched as soon as it is possible.

(4) The notification as required in sub-rule (2) shall also be submitted to the Bureau by the concerned –

- (a) aerodrome operator;
- (b) officer-in-charge of air traffic control unit and the watch supervisory officer of air traffic control; and
- (c) regional or the sub-regional officers of the Directorate General of Civil Aviation.

(5) The Bureau under the intimation to the Central Government shall notify the facts of the accident or serious incident in the Indian territory or in the assigned oceanic air space beyond the territory of India, containing as much of the information referred to in sub-rule (2) as may be available with a minimum of delay and by the most suitable and quickest means available, to—

- (a) the State of Registry;
- (b) the State of Operator;
- (c) the State of Design;
- (d) the State of Manufacture; and
- (e) ICAO when the aircraft involved is of a maximum mass of over 2,250 kg or is a turbojet-powered aeroplane.

(6) The Bureau while notifying information in accordance with sub-rule (5) shall also add the following information, namely—

- (a) an indication to what extent the investigation will be conducted by the Central Government or is proposed to be delegated by the Central Government to another State; and
- (b) identification of the originating authority and means to contact the investigator-in-charge and the accident investigation authority of India at any time.

(7) If the State of Occurrence is not aware of a serious incident to an Indian registered aircraft or an aircraft operated by Indian operator, the Bureau shall forward a notification of such an incident to the State of Design, the State of Manufacturer and the State of Occurrence.

5. Obligation to investigate. — (1) In case of accident or an incident to an aircraft in the territory of India notwithstanding its registration:-

- (a) the Central Government shall institute an investigation into the circumstances of the accident and shall be responsible for conducting the investigation;
- (b) the Central Government shall institute an investigation into the circumstances of the serious incident when the aircraft involved is of a maximum mass of over 2 250 kg or is a turbo-jet airplane;
- (c) the Director-General shall institute an investigation into the circumstances of all incidents and serious incidents to aircraft not covered by clause (b).

(2) Notwithstanding anything contained in clause (c) of sub-rule (1), where it appears to the Central Government that it is expedient to hold an investigation into circumstances of any incident or a serious incident covered by clause (c) of sub-rule (1), it may, by order, institute an investigation into circumstances of an incident or a serious incident to any aircraft.

(3) Classification by the Central Government of an occurrence as accident or serious incident or incident shall be final and binding.

(4) In case an accident or a serious incident to an Indian registered aircraft occurs at a location not being a territory of any State then the Central Government shall institute an investigation into the circumstances of the accident or serious incident and shall be responsible for conducting the investigation.

(5) In case India is the nearest State to the scene of an accident in international waters to an aircraft not registered in India or not operated by an Indian operator, then the Central Government shall advise the State of Registry to institute an investigation and the Central Government in such a case shall provide assistance to the extent it is able to and shall, likewise, respond to requests by the State of Registry.

6. Participation. — (1) In case the Central Government has instituted an investigation of an accident or a serious incident in accordance with rule 5, then accredited representatives, who are appointed by the following States, namely: —

- (a) the State of Registry;
- (b) the State of the Operator;
- (c) the State of Design; and
- (d) the State of Manufacture;

shall be permitted to participate in the investigation

(2) The States referred to in sub-rule (1) shall also be entitled to appoint one or more advisers to assist their accredited representatives.

(3) The States referred to in sub-rule (1) shall have the rights and entitlements in accordance with the standards stipulated under Annex 13.

(4) A State which has a special interest in an accident by virtue of fatalities or serious injuries to its citizens shall be entitled to appoint an expert who shall have rights and entitlements in accordance with standards stipulated under Annex 13.

(5) The Central Government, on receipt of a notification of an accident or a serious incident to an Indian registered aircraft in the territory of another State, may appoint accredited representative and advisors to participate in the investigation and intimate it to the State of Occurrence.

7. Protection of evidence, custody, removal and preservation of damaged aircraft.—

(1) In the case of an accident or a serious incident, which is required to be notified under rule 4, the aircraft shall not, except by a person under the authority of the Bureau, be removed or otherwise interfered with:

Provided that—

- (a) the aircraft or any parts or contents thereof may be removed or interfered with so far as may be necessary by persons authorised to conduct search and rescue operations for the purpose of extricating persons or animals dead or alive, or preventing the destruction of the aircraft and its contents by fire or other cause or of preventing any damage or obstruction to the public or to air navigation or to other transport;
- (b) if the aircraft is wrecked on water, the aircraft or any parts or contents thereof may be removed to such extent as may be necessary for bringing it or them to a place of safety by persons authorised to conduct search and rescue operations;
- (c) goods may be removed from the aircraft under the supervision and with the concurrence of an officer of the Bureau or a person authorised by the Bureau;
- (d) personal luggage of passengers' and crews' may be removed from the aircraft under the supervision of a Police Officer, a Magistrate, an Officer of the Bureau or a person authorised by the Bureau; and
- (e) mails may be removed under the supervision of a Police Officer, a Magistrate, an Officer of the Department of Posts and Telegraphs or an Officer of the Bureau or a person authorised by the Bureau.

(2) The Bureau may, for the purposes of any investigation including preliminary investigation under these rules, authorise any person or persons to take measures -

- (a) to protect the evidence and shall include the preservation, by photographic or other means, of any evidence which might be removed, effaced, lost or destroyed;
- (b) to maintain safe custody of the aircraft and its contents and shall include protection against further damage, access by unauthorized persons, pilfering and deterioration; and

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(c) for preservation of the aircraft for such a period as may be necessary for the purposes of an investigation.

(3) The person or persons authorised by the Bureau under sub-rule (2) may thereupon have access to examine or otherwise deal with the aircraft.

(4) The owner of the aircraft or his nominated representative shall have the right to be present during any examination or other action taken under sub-rules (1) and (2):

Provided that the Bureau shall not be bound to postpone any action which it may consider necessary under this rule by reason of the absence of the owner or his representative.

(5) If a request is received from the State of Registry, the State of the Operator, the State of Design or the State of Manufacture that the aircraft, its contents, and any other evidence remain undisturbed pending inspection by an accredited representative of the requesting State, the Bureau shall take all necessary steps to comply with such request, so far as this is reasonably practicable and compatible with the proper conduct of the investigation subject to the provisions of sub-rule (1).

(6) Subject to the provisions of sub-rules (1), (2) and (3), the Bureau shall release custody of the aircraft, its contents or any parts thereof as soon as they are no longer required for investigation, to any person or persons duly designated by the State of Registry or the State of the Operator, as the case may be.

(7) For the purpose of sub-rule (6), the Central Government shall facilitate access to the aircraft, its contents or any parts thereof:

Provided that, if the aircraft, its contents, or any parts thereof lie in an area within which the Central Government finds it impracticable to grant such access, it shall itself effect removal to a point where access can be given.

8. Aircraft Accident Investigation Bureau.— (1) For the purposes of carrying out investigation into accidents, serious incidents and incidents referred to in sub-rules (1), (2) and (4) of rule 5, the Central Government shall set up a Bureau in the Ministry of Civil Aviation known as the Aircraft Accident Investigation Bureau of India and appoint such number of officers familiar with aircraft accident investigation procedures and other persons, as it deems fit from time to time.

(2) The Aircraft Accident Investigation Bureau shall function under overall supervision and control of Government of India, Ministry of Civil Aviation.

(3) The Aircraft Accident Investigation Bureau shall discharge the following functions, namely:—

- (a) obtaining preliminary report under rule 9 from any person or persons authorised either under sub-rule (1) of rule 9 or under sub-rule (2) of rule 7;
- (b) assisting the Central Government in setting up of Committee of Inquiry and formal investigation under these rules;
- (c) to facilitate the investigation and administrative work of the Committees and Courts, whenever necessary.

(d) processing of the reports of Courts and Committees of Inquiry received by the Central Government, which includes -

(i) forwarding of the reports to the States for consultation under sub-rule (1) of rule 14;

(ii) forwarding the report made public by the Central Government under sub-rule (2) of rule 14 to the States as required under Annex 13;

(iii) forwarding the report made public by the Central Government under sub-rule (2) of rule 14 to ICAO if the mass of the aircraft involved in accident or incident is more than 5,700 kg;

(e) follow-up the recommendations made by Courts and Committees of inquiry and to ensure that are implemented by the concerned agencies;

(f) to process cases for a resolution by the Central Government of disputes between the Bureau and any agency regarding implementation of a recommendation;

(g) to formulate safety recommendation on the basis of safety studies, including induction of new technology to enhance safety, conducted from time to time.

(h) establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained, including that from its incident reporting systems, and to determine any preventive actions required;

(i) to process obligations of the Central Government under Annex 13 to the Convention relating to International Civil Aviation signed at Chicago on the 7th day of December, 1944 as amended from time to time; and

(j) any other functions, which the Central Government may ask the Bureau to perform from time to time under these rules.

(4) The Aircraft Accident Investigation Bureau may, by notification in the Official Gazette, and with the previous approval of the Central Government, make procedures, not inconsistent with the provisions of the Act to carry out the purposes of these rules and the functions referred to in sub-rule (3).

(5) In particular, and without prejudice to the generality of the foregoing power, such procedures may provide for all or any of the following matters, namely:—

(a) the persons required to notify the accidents and incidents;

(b) the notifications of accidents and serious incidents to International Civil Aviation Organisation and the States for participation in the investigation;

(c) the investigation of aircraft accident and incidents;

(d) the format of preliminary and reports of Committee of Inquiry and Formal Investigation conducted under these rules;

(e) the consolidation and follow-up of safety recommendations made by the Committee of Inquiry and Formal Investigation with the agencies required

to implement the recommendations and require action taken reports from these agencies; and

- (f) any other matter subsidiary or incidental to aircraft accident and incident investigation.

9. Preliminary Investigation.— (1) The Bureau may authorise any person including an officer of the Bureau to conduct a preliminary investigation to an accident or incident and to submit a preliminary report to the Bureau in a specified format to assess the classification of the occurrence and the expertise needed for detailed investigation under rules 11 or 12, if considered expedient by the Central Government.

(2) The person authorised to conduct the preliminary investigation shall —

- (a) have powers under rule 10 of Aircraft Accident Investigator; and
(b) have access examine or otherwise deal with the aircraft as provided under sub-rule (3) of rule 7.

10. Powers of Aircraft Accident Investigators.— (1) For the purposes of investigation of accidents and incidents an Aircraft Accident Investigator shall have power—

- (a) to require the attendance of any person, by summons under his hand, whom he thinks fit to call before him and examine for such purpose and to require answers or returns to any inquiries he thinks fit to make;
(b) to require any such person to make and to sign a declaration regarding the true nature of the statements made by him;
(c) to require and enforce the production of all books, paper, documents and articles which he may consider necessary for the investigation, and to retain any such books, papers, documents and articles until completion of the investigation;
(d) to have access to and examine any aircraft and its components involved in the accident or incident, the place where the accident or incident occurred or any other place, the entry upon and examination of which appears to the Investigator necessary for the purpose of the investigation.

11. Committee of Inquiry. — (1) The Central Government may, at its discretion, appoint a Committee of Inquiry composed of two or more persons to hold an inquiry into an aircraft accident or a serious incident and such a Committee shall have the same powers as an Aircraft Accident Investigator under rule 10.

(2) The Inquiry shall be held in private.

(3) The Central Government may notify in such manner as it may think fit that an inquiry is being held and every such notice shall state that any person who may desire to make representations concerning the circumstances or causes of the accident may do so in writing within the time specified in the notice.

(4) When a person other than an officer of Government is appointed as a member of the Committee of Inquiry he may be granted such fee and expenses as may be determined by the Central Government.

(5) Every person summoned by the Committee of Inquiry as a witness in accordance with these rules shall be allowed such expenses as the Central Government may from time to time determine.

(6) The Committee of Inquiry shall make a report to the Central Government in the format specified by the Bureau based on relevant standards of Annex 13.

12. Formal Investigation. — Where it appears to the Central Government that it is expedient to hold a formal investigation of an accident, it may, whether or not an inquiry has been made under rule 11, by order, direct a formal investigation to be held and with respect to any such formal investigation the following provisions shall apply, namely: —

(1) The Central Government shall appoint a competent person (hereinafter referred to as "the Court"), to hold the investigation, and may appoint one or more persons possessing legal, aeronautical, engineering, or other special knowledge to act as assessors. It may also direct that the Court and the assessors shall receive such remuneration as it may determine.

(2) On the appointment of the Court, all other investigations ordered under these rules shall be treated as closed and all relevant material on the subject shall be transferred to the Court.

(3) The Court shall hold the investigation in open court in such manner and under such conditions as the Court may think fit for ascertaining the causes and circumstances of the accident and for enabling it to make the report hereinafter mentioned:

Provided that where the Court is of opinion that holding the investigation is likely —

(a) to be prejudicial to the interests of any country; or

(b) to jeopardise the personal safety of a person who is willing to make any statement or give evidence,

the Court may, hold in camera, the whole or part of the investigation.

(4) The Court shall have, for the purpose of the investigation, all the powers of a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908) and without prejudice to these powers the Court may: —

(a) enter and inspect, or authorise any person to enter and inspect, any place or building, the entry or inspection whereof appears to the Court requisite for the purposes of the investigation; and

(b) enforce the attendance of witnesses and compel the production of documents and material objects; and every person required by the Court to furnish any information shall be deemed to be legally bound to do so within the meaning of section 176 of the Indian Penal Code (45 of 1860).

(5) The assessors shall have the same powers of entry and inspection as the Court.

(6) Every person attending as a witness before the Court shall be allowed such expenses as the Court may consider reasonable:

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Provided that, in the case of the owner or hirer of any aircraft concerned in the accident and of any person in his employment or of any other person concerned in the accident, any such expenses may be disallowed if the Court, in its discretion, so directs.

(7) The Court shall make a report to the Central Government in the format specified by the Bureau based on relevant standards of Annex 13.

(8) The assessors shall either sign the report, with or without reservations, or state in writing their dissent therefrom and their reasons for such dissent, and such reservations or dissent and reasons, if any, shall be forwarded to the Central Government with the report.

13. Investigation of incident.— (1) The Director-General may order an investigation of any incident or a serious incident involving an aircraft covered under clause (c) sub-rule (1) of rule 5, and may appoint a competent and qualified person as Inquiry Officer for the purpose of carrying out the investigation.

(2) In case the Central Government decides to investigate the incident or serious incident under sub-rule (2) of rule 5, the investigation ordered by Director-General under sub-rule (1) shall be closed and all relevant material shall be transferred to the Court or the Committee appointed by the Central Government for its investigation.

(3) The investigation referred to in sub-rule (1) be held in private.

(4) The Inquiry Officer shall have the same powers as an Aircraft Accident Investigator under rule 10.

(5) The Inquiry Officer shall make a report to the Director-General in the format specified by the Bureau based on relevant standards of Annex 13.

(6) The Director-General shall forward the report of the Inquiry Officer to the Central Government with such comments as the Director-General may think fit to make and the Central Government may, at its discretion, make the whole or part of any such report public in such a manner as it may consider fit.

14. Consultation and Final Report.— (1) The Bureau shall forward a copy each of the report received from either the Court under sub-rule (7) of rule 12 or Committee of Inquiry under sub-rule (6) of rule 11 to —

(a) the State of registry,

(b) the State of operator,

(c) the State of design,

(d) the State of manufacturer, and

(e) the State that participated in the investigation in accordance with sub-rule (4) of rule 6,

inviting their significant and substantiated comments on the report within sixty days of its issuance.

(2) The Central Government may either amend the report by inclusion of the substance of the comments received within sixty days of the issuance of the report or by appending the comments thereto if so desired by the State and may cause any such Final

Report and reservation or dissent and reasons, if any, to be made public, wholly or in part, in such manner as it thinks fit.

(3) The Final Report made public by the Central Government shall be forwarded the States entitled to receive such report under Annex 13. The report shall also be forwarded to ICAO, if the mass of the aircraft involved in the accident or incident is more than 5,700 kg.

15. Reopening of Investigation. — Where it appears to the Central Government that any new and material evidence has become available after completion of the investigation under rule 11 or rule 12, as the case may be, it may, by order, direct the reopening of the same.

16. Obstruction of proceedings. — (1) No person shall obstruct or impede the Court, Assessors or members of the Committee of Inquiry or any other person acting in the exercise of any powers or duties under these rules.

(2) No person shall without reasonable excuse fail to comply with any summons or requisition of a Court or a Committee of Inquiry or an Aircraft Accident Investigator or any other person holding an investigation or an inquiry under these rules.

Explanation. — For the purposes of this rule, when a question arises as to whether a person has a reasonable excuse, the burden of proving that he has a reasonable excuse is upon him.

(3) Any person, who obstructs or impedes the proceedings, shall be punishable in accordance with the provisions of sub-section (2) of section 10 of the Act.

17. Non-Disclosure of Records.— (1) The following records shall not be disclosed for purposes other than the investigation of the accident except when the Central Government determines that their disclosure outweighs the adverse domestic and international impact such action may have on that investigation or any future investigations:

- (a) all statements taken from persons by the investigation authorities in the course of their investigation;
- (b) all communications between persons having been involved in the operation of the aircraft;
- (c) medical or private information regarding persons involved in the accident or incident;
- (d) cockpit voice recordings and transcripts from such recordings;
- (e) recordings and transcriptions of recordings from air traffic control units;
- (f) cockpit airborne image recordings and any part or transcripts from such recordings; and
- (g) opinion expressed in the analysis of information, including flight recorder information.

(2) A record referred to in sub-rule (1) shall be included in a Final Report or its appendices, or in any other report only when it is relevant to the analysis of the accident or incident and parts of the records not relevant to the analysis shall not be included in the Final Report.

(3) The Final Report shall not disclose the names of the persons involved in the accident or incident.

18. Mandatory incident reporting system.— (1) The Aircraft Accident Investigation Bureau shall establish a mandatory incident reporting system to facilitate collection of information on actual or potential safety deficiencies.

(2) The mandatory incident reporting system shall require the relevant persons, service providers and stakeholders to notify all accidents and incidents by most suitable and quickest means to the Bureau and the Director-General but in any case not later than 24 hours.

(3) The Director-General shall immediately notify the Bureau about the accidents and incidents containing information as specified in sub-rule (2) of rule 4.

(4) The relevant persons, service providers and stakeholders specified in sub-rule (2) shall include —

- (a) the operator and the commander of an aircraft which has a certificate of airworthiness issued by the Directorate General of Civil Aviation;
- (b) the operator and the commander of a foreign aircraft operating to, from or through India;
- (c) a person who carries on the business of maintaining or modifying an aircraft, which has a certificate of airworthiness issued by the Directorate General of Civil Aviation, and a person who carries on the business of maintaining or modifying any equipment or part of such an aircraft;
- (d) a person who carries on the business of manufacturing an aircraft or any equipment or part of such an aircraft, in India;
- (e) a person who signs a certificate of release to service for an aircraft, which has a certificate of airworthiness issued by the Directorate General of Civil Aviation, and a person who signs a certificate of release to service for any equipment or part of such an aircraft;
- (f) a licensee or manager of a licensed aerodrome or a manager of an airport;
- (g) a person who performs a function as an air traffic controller;
- (h) the organisation which provides Air Navigation Services;
- (i) a person who performs a function concerning the installation, modification, maintenance, repair, overhaul, flight-checking or inspection of air navigation facilities which are utilized by a person who provides an air traffic control service; and

- (j) a person who performs a function concerning the ground-handling of aircraft, including fuelling, servicing, load-sheet preparation, loading, de-icing and towing at an airport.

19. Voluntary incident reporting system. — (1) The Aircraft Accident Investigation Bureau shall establish a voluntary incident reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory incident reporting system established under rule 18.

(2) The voluntary incident reporting system established under sub-rule (1) shall be non-punitive and afford protection to the sources of the information and if considered expedient by the Central Government, the information may be collected through any other agency.

20. Maintenance of an accident and incident database.— (1) The Aircraft Accident Investigation Bureau shall establish and maintain an accident and incident database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained and shall from its incident reporting system determine any preventive actions if required.

21. Saving.— Nothing in these rules shall limit or otherwise affect the power of the Central Government with regard to the cancellation, suspension or endorsement of any licence or certificate issued under the Aircraft Rules, 1937.

22. Penalties.— Any person who contravenes, or fails to comply with, any of these rules, or the regulations made under sub-rule (4) and (5) of rule 9, or sub-rules (1) and (2) of rule 15 shall be punishable in accordance with the provisions of the sub-section (2) of section 10 of the Act.

Schedule A

[See rule 2 (y)]

SERIOUS INCIDENTS

1. Serious incident means an incident involving circumstances indicating that there was a high probability of an accident and associated with the operation of an aircraft which, in the case of a manned aircraft, takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, or in the case of an unmanned aircraft, takes place between the time the aircraft is ready to move with the purpose of flight until such time as it comes to rest at the end of the flight and the primary propulsion system is shut down.

2. The incidents listed are typical examples of incidents that are likely to be serious incidents. The list is not exhaustive and only serves as guidance to the definition of serious incident.

- (a) Near collisions requiring an avoidance manoeuvre to avoid a collision or an unsafe situation or when an avoidance action would have been appropriate.
- (b) Controlled flight into terrain only marginally avoided.

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- (c) Aborted take-offs on a closed or engaged runway, on a taxiway (Excluding authorized operations by helicopters) or unassigned runway.
- (d) Take-offs from a closed or engaged runway, from a taxiway (Excluding authorized operations by helicopters) or unassigned runway.
- (e) Landings or attempted landings on a closed or engaged runway, on a taxiway or unassigned runway.
- (f) Gross failures to achieve predicted performance during take-off or initial climb.
- (g) Fires and smoke in the passenger compartment, in cargo compartments or engine fires, even though such fires were extinguished by the use of extinguishing agents.
- (h) Events requiring the emergency use of oxygen by the flight crew.
- (i) Aircraft structural failures or engine disintegrations, including uncontained turbine engine failures, not classified as an accident.
- (j) Multiple malfunctions of one or more aircraft systems seriously affecting the operation of the aircraft.
- (k) Flight crew incapacitation in flight.
- (l) Fuel quantity requiring the declaration of an emergency by the pilot.
- (m) Runway incursions classified with severity A. The *Manual on the Prevention of Runway Incursions* (Doc 9870) contains information on the severity classifications.
- (n) Take-off or landing incidents. Incidents such as under-shooting, overrunning or running off the side of runways.
- (o) System failures, weather phenomena, operations outside the approved flight envelope or other occurrences which could have caused difficulties controlling the aircraft.
- (p) Failures of more than one system in a redundancy system mandatory for flight guidance and navigation.

Schedule B

[See rule 2 (a)]

GUIDANCE FOR DETERMINATION OF AIRCRAFT DAMAGE

1. If an engine separates from an aircraft, the event is categorized as an accident even if damage is confined to the engine.
2. A loss of engine cowls (fan or core) or reverser components which does not result in further damage to the aircraft is not considered an accident.
3. Occurrences where compressor or turbine blades or other engine internal components are ejected through the engine tail pipe are not considered an accident.

4. A collapsed or missing radome is not considered an accident unless there is related substantial damage in other structures or systems.
5. Missing flap, slat and other lift augmenting devices, winglets, etc., that are permitted for dispatch under the configuration deviation list (CDL) are not considered to be an accident.
6. Retraction of a landing gear leg, or wheels-up landing, resulting in skin abrasion only. If the aircraft can be safely dispatched after minor repairs, or patching, and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident.
7. If the structural damage is such that the aircraft depressurizes, or cannot be pressurized, the occurrence is categorized as an accident.
8. The removal of components for inspection following an occurrence, such as the precautionary removal of an undercarriage leg following a low-speed runway excursion, while involving considerable work, is not considered an accident unless significant damage is found.
9. Occurrences that involve an emergency evacuation are not counted as an accident unless someone receives serious injuries or the aircraft has otherwise sustained significant damage.

Note 1.- Regarding aircraft damage which adversely affects the structural strength, performance or flight characteristics, the aircraft may have landed safely, but cannot be safely dispatched on a further sector without repair.

Note 2.- If the aircraft can be safely dispatched after minor repairs and subsequently undergoes more extensive work to effect a permanent repair, then the occurrence would not be classified as an accident. Likewise, if the aircraft can be dispatched under the CDL with the affected component removed, missing or inoperative, the repair would not be considered as a major repair and consequently the occurrence would not be considered an accident.

Note 3.- The cost of repairs, or estimated loss, such as provided by insurance companies may provide an indication of the damage sustained but should not be used as the sole guide as to whether the damage is sufficient to count the occurrence as an accident. Likewise, an aircraft may be considered a "hull loss" because it is uneconomic to repair, without it having incurred sufficient damage to be classified as an accident.

[F. No. AV-11012/01/2011-DG]

G. ASOK KUMAR, Jt. Secy.

PART XI – AERODROMES

78. Licensing of Aerodromes – (1) No aerodrome other than a defence aerodrome shall be used as a regular place of landing and departure by a scheduled air transport service or for a series of landings and departures by any aircraft carrying passengers or cargo for hire or reward unless --

(a) it has been licensed for the purpose, and save in accordance with the conditions prescribed in such licence; or

(b) it has been approved by the Director-General, subject to such conditions as he may deem fit to impose, for the purpose of operation of flights in the event of national or international crisis, natural calamities, emergencies or otherwise requiring such flights to carry material goods for relief purposes, or for giving joyrides for hire or reward:

Provided that any person already permitted and operating scheduled air transport services to an aerodrome before the commencement of the Aircraft (4th Amendment) Rules, 2004 may continue operation of such services till the aerodrome operator obtains the licence from the Director-General by the date to be notified by the Central Government.

(1A) A defence aerodrome shall not be used as a regular place of landing and departure by a scheduled air transport service, unless it has been certified as per the requirements specified by the Director-General:

Provided that nothing contained in this sub-rule shall apply to a defence aerodrome, for such a period as may be notified by the Central Government in the Official Gazette, if such scheduled air transport services are already operating to that aerodrome on the date of commencement of the Aircraft (Fourth Amendment) Rules, 2016.

(2) An aerodrome shall be licensed by the Central Government in one of the following categories, namely:- (a) for public use; (b) for private use, that this is to say, for use by the licensee and by individuals specifically authorized by the licensee.

(3) An aerodrome may be licensed for all types of aircraft or for certain specified types or classes of aircraft and the licence may specify the conditions on which the aerodrome may be used.

(4) No person shall operate or cause to be operated any flight from a temporary aerodrome or an aerodrome which has not been licensed or approved, as the case may be, under these rules unless it meets the minimum safety requirements laid down by the Director-General.

[Substituted by – GSR No. 732(E) dated 02-11-2004

Amended by GSR No. 977(E) dated 5-10-2016]

79. Qualifications of licensee. – A licence for an aerodrome shall not be granted to any person other than –

(a) a citizen of India; or

(b) a Company or a body corporate:

Provided that -

(i) it is registered and having its principal place of business in India;

(i) it meets the equity holding criteria specified by the Central Government from time to time; or

(c) the Central Government or a State Government or any company or any corporation owned or controlled by either of the said Governments; or

(d) a society registered under the Societies Registration Act, 1860. (21 of 1860).

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

80. Procedure for grant of licence. – (1) An application for the grant of licence for an aerodrome shall be made to the Director-General along with the Aerodrome Manual.

(2) The application under sub-rule (1) shall be in such form and contain such particulars as may be specified by the Director-General.

(3) The Director-General may, for disposal of the application, require the applicant to furnish any additional information which he considers necessary.

(4) The Director-General may also require the applicant to produce evidence in support of any information furnished in the application.

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

81. Aerodrome Manual.– (1) An Aerodrome Manual in the form as specified by the Director General shall be maintained by the licensee in respect of aerodrome, licensed under these rules.

(2) The Aerodrome Manual shall, in addition to any other relevant information, contain the following particulars, namely:-

(a) General. – General information including purpose and scope of the aerodrome manual, legal requirement for an aerodrome licence, conditions for the use of the aerodrome, availability of aeronautical information system, the system for recording aircraft movement and the obligation of the aerodrome operator;

(b) Particulars of the aerodrome site. – Information including a plan of the aerodrome showing the main facilities for the operation of the aerodrome, boundaries of the aerodrome, distance of the aerodrome from the nearest city and particulars of the title of the aerodrome site;

(c) Particulars of the aerodrome required to be reported to the aeronautical information service. – Information regarding name of the aerodrome, location of the aerodrome, geographical coordinates, aerodrome elevation, elevation of runway threshold, aerodrome reference temperature, aerodrome beacon, name of the aerodrome operator, address and telephone numbers and aerodrome dimensions and related information;

(d) Particulars of the Aerodrome Operating Procedures and safety measures. – Information regarding aerodrome reporting, access to the aerodrome movement area, aerodrome emergency plan, rescue and fire-fighting, inspection of the aerodrome movement area and obstacle limitation surface by the aerodrome operator, visual aids and aerodrome electrical system, maintenance of the movement area, aerodrome walls – safety, apron management, apron safety management, airside vehicle control, wildlife hazard management, obstacle control, removal of disabled aircraft, handling of hazardous material, low visibility operations and protection of sites for radar and navigational aids;

(e) Aerodrome administration and safety management system. – Information including aerodrome organization chart showing the names and positions of key personnel, including their responsibilities, the names, position and telephone numbers of the person who has overall responsibility for aerodrome safety, airport committees and Safety Management System.

(3) A copy of the Aerodrome Manual or such part of the Manual as may be specified by the Director-General, shall be made available by the licensee to all units of the aerodrome.

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

82. Inspection. – (1) Any person, authorised by the Director-General by general or special order in writing in this behalf, may, at all reasonable times or intervals, enter any place to which access is necessary and to inspect and carry out tests on the aerodrome facilities, services and equipment, inspect aerodrome operator's documents and records, and verify the aerodrome operator's safety

management system before the licence is granted or renewed and subsequently, at any other time, for the purpose of surveillance to ensure safety and order at the aerodrome.

(2) The aerodrome operator shall allow the person so authorised, access to any part of the aerodrome or any aerodrome facility, including equipment, records, documents and operator's personnel and shall co-operate in conducting the activities referred to in sub-rule (1)

*[Substituted by – GSR No. 732(E) dated 02-11-2004
Amended by GSR No. 1156(E) dated 15-12-2016.]*

83. Conditions governing the grant of licence. – (1) An aerodrome licence shall be granted or renewed subject to such conditions as the Director-General considers necessary to ensure compliance with the Convention and the safety of aircraft operations.

(2) While a licence is in force, no alterations to the landing area or to the buildings or other structures on the aerodrome which may affect the safety of aircraft shall be undertaken save with the previous approval of the Director-General and application for such approval shall be addressed to the Director-General and shall be accompanied by full particulars with plans of any such alterations including alterations to surrounding obstructions which may affect the safety of aircraft.

(3) The necessary approval may be granted or withheld and if granted may be granted subject to such conditions (including conditions involving a revision of the original conditions of licence) as the Director-General may think fit.

(4) If any alteration of the nature referred to in sub-rule (2) is undertaken without the previous approval of the Director-General, the licence may be cancelled.

(5) The licensee shall maintain the aerodrome in a fit state for use by aircraft and adequately marked to the satisfaction of the Director-General during the whole period of the currency of the licence and shall, if the aerodrome becomes unserviceable, immediately notify the Director-General.

(6) The Director-General may impose operating restriction on the license in the event of non-compliance with any condition imposed under sub-rule (1) or if any safety concern emerges during the aerodrome inspection and remains unresolved beyond the period specified by the Director-General.

*[Substituted by – GSR No. 732(E) dated 02-11-2004
Amended by GSR No. 1156(E) dated 15-12-2016.]*

84. Period of validity of licence. – An aerodrome licence may be granted for any period not exceeding twenty-four months, and on each occasion of renewal, may be renewed for any period not exceeding twenty four months.

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

85. Public aerodromes. – Every aerodrome which is licensed for public use or which is open to public use by aircraft registered in India upon payment of charges shall to the same extent and upon the same conditions, be open to use by aircraft possessing the nationality of a contracting State. Every such aerodrome shall be open to use by any aircraft in the service of the Central Government.

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

86. Tariff charges. – (1) At every aerodrome referred to in rule 85, there shall be exhibited in a conspicuous place a single tariff of charges, including charges for landing and length of stay, and such tariff shall be applicable alike to all aircraft whether registered in India or in any other contracting State.

(2) In the case of aerodromes belonging to the Authority, the charges mentioned in sub-rule (1) shall be levied by the Authority in accordance with section 22 of the Airports Authority of India Act, 1994. (55 of 1994).

(3) In the case of licensed public aerodromes, other than the aerodromes belonging to the Authority, the charges mentioned in sub-rule (1) shall be determined by the licensee in accordance with the principle of cost recovery as specified by the International Civil Aviation Organisation and such charges shall be notified with the approval of the Central Government or any authority constituted in this behalf by such Government.

(4) Notwithstanding anything contained in sub-rules (2) and (3), in the case of a major airport, the tariff of charges referred to in sub-rule (1) shall be such as may be determined under clause 9A) of sub-section (1) of section 13 of the Airports Economic Regulatory Authority of India Act, 2008.

Explanation. – For the purpose of this rule, "Authority" means the Airports Authority of India constituted under section 3 of the Airports Authority of India Act, 1994. (55 of 1994)

*[Substituted by – GSR No. 732(E) dated 02-11-2004
Amended by GSR No. 757 dated 14-10-2009]*

87. Fee. – (1) The fee chargeable for the grant of a licence for an aerodrome shall be –

- | | |
|---|--|
| (a) When the licence is granted for private use | Rs.1,00,000/- |
| (b) When the licence is granted for public use | Rs.5,00,000/- upto
runway length of
5,000 feet plus Rs 2,00,000/- for every 1,000 feet
or part thereof. |

(2) The fee chargeable for renewal of license of an aerodrome shall be fifty per cent of the fee for licence referred to in sub-rule (1).

(3) The fee shall be payable by Bank Draft drawn in favour of Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

*[Substituted by – GSR No. 732(E) dated 02-11-2004.
Amended by - GSR No. 101(E) dated 19-02-2009]*

88. Passenger Service Fee – The airport licensee may collect fees to be called the Passenger Service Fee from the embarking passengers at such rate as the Central Government may specify.

The airport licensee shall utilise the fees so collected for the infrastructure and facilitation of the passengers:

Provided that the rate of fees in respect of major airports shall be as determined under clause (1) of sub-section (1) of section 13 of the Airports Economic Regulatory Authority of India Act, 2008 (27 of 2008).

[Substituted by G.S.R. 166(E) dated 05-03-2014]

88A. Aviation security fees - (1) The Central Government, or any other authority designated by it in its behalf, may levy and collect aviation security fees on:

- (a) embarking passengers;
- (b) cargo transported out of an airport;

- (c) departing private aircrafts of general aviation;
- (d) chartered aircraft operations; and
- (e) any other dedicated civil aviation operations,

at such rate or rates, as the Central Government may specify from time to time, and different rates may be specified for different categories specified herein, to meet the expenditure on aviation security.

3. The aviation security fee shall be regulated and utilized in the manner as may be specified by the Central Government.

4. For the purposes of this rule -

(a) the expression "Civil Aviation Security" shall mean the protection of the civil aviation operations against the acts of unlawful interference;

(b) the expression "expenditure on aviation security" means any expenditure incurred on—

(i) deployment of any security agency designated by the Central Government for providing the 'Civil Aviation Security'; and

(ii) such other expenditure as may be decided by the Central Government from time to time.

[Inserted by G.S.R. 166(E) dated 05-03-2014]

88B. Regional Air Connectivity Fund.- The Central Government may establish the Regional Air Connectivity Fund for the purpose of providing viability gap funding to aircraft operators to promote regional air connectivity, or for any other purpose connected therewith, and the said fund shall be administered and utilised in the manner as may be specified by the Central Government.

[Inserted by GSR 994(E) dated 21-10-2016]

88C. Regional Air Connectivity Levy.- In order to fund the Regional Air Connectivity Fund, the Central Government may impose a levy on scheduled flights being operated within India at such rates as the Central Government may notify from time to time having regard to the seating capacity of the aircraft used for the scheduled flights and the routes on which such flights are operated and the overall requirement of Regional Air Connectivity Fund.

(2) Contributions to the Regional Air Connectivity Fund may also be made by the beneficiary State Governments in the manner and proportion as may be specified by the Central Government.

(3) Contribution to the Regional Air Connectivity Fund may also be made by crediting proceeds from any other source as may be specified by the Central Government.

Explanation. For the purposes of rules 88B and 88C, the expression "Regional Air Connectivity" shall mean operation of an air transport service between any two airports in India of which at least one has been declared by the Central Government as unserved or under-served.

[Inserted by GSR 994(E) dated 21-10-2016]

89. User Development Fee . — The licensee may, -

- (i) levy and collect at a major airport the User Development Fee at such rate as may be determined under clause (b) of sub-section (1) of section 13 of the Airports Economic Regulatory Authority of India Act, 2008;
- (ii) levy and collect at any other airport the User Development Fees at such rate as the Central Government may specify.

*[Substituted by – GSR No. 732(E) dated 02-11-2004
Amended by GSR No. 757 dated 14-10-2009]*

90. Entry into public aerodromes. –

(1) No person shall enter or be in the terminal building of any Government aerodrome or public aerodrome or part of such building or any other area in such aerodrome notified in this behalf by the Central Government unless he holds an admission ticket issued by the aerodrome operator or an entry pass issued by the Commissioner of Security (Civil Aviation) or any person authorized by the Central Government in this behalf.

(2) No person shall, without permission in writing, by general or special order, of the Central Government or any officer authorized in this behalf –

- (a) enter or remain or cause any other person to enter or remain in the Movement area;
- (b) leave or throw or cause to be thrown any animal, bird or property or object of any nature whatsoever in the Movement area;
- (c) permit any animal under his possession or control or otherwise to stray in the Movement area; and
- (d) operate any vehicle in the Movement area.

(3) sub-rules (1) and (2) shall not apply to –

- (a) any passenger embarking, disembarking or in transit who holds an air ticket; or
- (b) any person who is engaged on regular duty at an aerodrome and holds a Photo Identity Card issued by the Commissioner of Security (Civil Aviation) or any person authorized by the Central Government in this behalf.

(4) Notwithstanding anything contained in this rule, the officer incharge of an aerodrome or any person authorized by the Central Government in this behalf may, as the case may be, may if he is satisfied that it is necessary or expedient so to do for the maintenance of proper order or decorum –

- (i) refuse admission to any person into the terminal building or the Movement area, or
- (ii) require any person in such building or such area to leave the same.

[Substituted by – GSR No. 732(E) dated 02-11-2004.

Amended by – GSR No. 744(E) dated 09-10-2009]

91. Prohibition of slaughtering and flaying of animals, depositing of rubbish and other polluted or obnoxious matter in the vicinity of aerodrome. – No person shall slaughter or flay any animal or deposit or drop any rubbish, filth, garbage or any other polluted or obnoxious matter including such material from hotels, meat shops, fish shops and bone-processing mills which attracts or is likely to attract vultures or other birds and animals within a radius of ten kilometers from the aerodrome reference point:

Provided that the Director-General, a Joint Director General of Civil Aviation or a Deputy Director General of Civil Aviation may, if he is satisfied that proper and adequate arrangements have been made by the owners of hotels, meat shops, fish shops and bone processing mills so as to prevent attraction of vultures or other birds and animals, having regard to the vicinity of place of slaughter from the aerodrome, arrangements for disposal or deposit of carcass, rubbish and other polluted and obnoxious matter, grant permission in writing for the purpose.

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

92. Ground handling Services. – The licensee shall, while providing ground handling service by itself, ensure a competitive environment by allowing the airline operator at the airport to engage, without any restriction, any of the ground handling service provider, who are permitted by the Central Government to provide such services.

Provided that such ground-handling service provider shall be subject to the security clearance of the Central Government.

[Substituted by – GSR No. 732(E) dated 02-11-2004.]

PART XII - PERSONNEL OF AIR TRAFFIC SERVICES

93. Requirement of a licence for air traffic services personnel.— (1) No person shall engage himself in the provision of air traffic services in the Indian airspace or in any airspace outside the Indian territory for which India has, in pursuance of any international arrangement, undertaken to provide air traffic services, unless he holds a valid air traffic controller's licence issued under these rules.

(2) The designated military authority may provide the air traffic services to the civil aircraft in the airspace designated for military use in accordance with the provisions of this part and subject to the conditions specified by the Director-General:

Provided that any person already engaged in the provision of air traffic services before the commencement of the Aircraft (.....Amendment) Rules, 2010, may continue to provide such services in accordance with the procedure specified by the Director-General till such person obtains the licence or till a date to be notified by the Central Government, whichever is earlier.

[Inserted by GSR No 64(E) dated 3-2-2012]

94. Provision of Air Traffic Services at an aerodrome.— The Director- General may direct an aerodrome operator to make provision for air traffic services, aerodrome flight information service or a means of two-way radio communication or any other service, as deemed fit in the interest of safety of aircraft operations.

[Inserted by GSR No 64(E) dated 3-2-2012]

95. Licensing Authority.— (1) Subject to fulfilment of the requirements specified in this Part and Schedule III, the Central Government may grant or renew the following licences and ratings, namely:-

- (a) Student Air Traffic Controller's Licence
- (b) Air Traffic Controller's Licence
- (c) Aerodrome Control Rating
- (d) Approach Control Procedural Rating
- (e) Approach Control Surveillance Rating
- (f) Area Control Procedural Rating
- (g) Area Control Surveillance Rating
- (h) Flight Information Service Rating
- (i) Oceanic Control Rating

(2) Before grant or renewal of a licence or rating, the licensing authority shall satisfy itself that the applicant meets the requirements of age, qualification, medical standard, knowledge, experience, training and skill, as specified in Schedule III.

(3) The licence shall not be valid unless it bears the signature of the holder.

(4) The licence shall remain valid for the period indicated therein which shall not exceed the period specified in rule 104 unless suspended or cancelled earlier.

(5) The Central Government may withhold the grant or renewal of a licence or rating and may cancel, suspend or vary any licence or rating if it is satisfied that there is a reasonable ground to do so:

Provided that no such licence or rating shall be cancelled or suspended without giving a show cause notice, in writing, informing the holder of the licence or rating the ground on which it is proposed to suspend or cancel the licence or rating and giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice and, if that person so desires, of being heard.

(6) Notwithstanding anything contained in sub-rule (5), if the Central Government is of the opinion that in the interest of public safety it is necessary so to do, it may, for the reasons to be recorded in writing, summarily suspend the licence or rating with a view to making further enquiry.

[Inserted by GSR No 64(E) dated 3-2-2012]

96. Requirement for Radio Telephony Operator's Certificate.— A Student Air Traffic Controller's or an Air Traffic Controller's Licence shall be valid only if the licence holder possesses a certificate or authorisation for operating the radio telephony equipment in accordance with the provisions of the Indian Telegraph Act, 1885 (13 of 1885) and rules made thereunder.

[Inserted by GSR No 64(E) dated 3-2-2012]

97. Requirement of rating and unit endorsement.— (1) No person shall perform duty as an air traffic controller in an air traffic services unit unless his licence contains the ratings for the said purpose;

Provided that the holder of an Student Air Traffic Controller's Licence or an Air Traffic Controller's Licence may perform duty in a particular air traffic services unit without the relevant rating, for the purpose of qualifying for endorsement of such rating in his licence, under the direct supervision of a person holding the rating for that particular air traffic services unit and authorised by the Director General to act as an instructor.

(2) A licence may contain ratings for one or more air traffic services units.

(3) Notwithstanding anything contained in sub-rule (1), the Director-General may authorise deployment of an air traffic controller to perform air traffic control duties temporarily at an airport without endorsement of that airport on his licence, provided he holds similar ratings for another airport with higher air traffic density and is assessed as fit for such duties by an air traffic controller holding the rating for the airport of temporary duty.

[Inserted by GSR No 64(E) dated 3-2-2012]

98. Unit Training Plan.— Every air traffic service unit shall prepare a Unit Training Plan, detailing the syllabus for on the job training, examination and procedures to meet the requirement for ratings as specified in Schedule III and obtain the approval of the licensing authority for the same.

[Inserted by GSR No 64(E) dated 3-2-2012]

99. Fees and other charges.— (1) The candidate who applies for the licence, its renewal, validation and ratings or the issue of duplicate licence and for the test and examination for such licence and ratings shall pay the following fees, namely:-

(i) for tests and examination for licence and ratings : Rs. 500/- per paper

(ii) for issue of a Student Air Traffic Controller's Licence	: Rs. 1,000/-
(iii) for renewal of a Student Air Traffic Controller's Licence	: Rs. 500/-
(iv) for issue or validation of a licence other than Student Air Traffic Controller's Licence or endorsement of a rating	: Rs. 5,000/-
(v) for renewal of a licence other than Student Air Traffic Controller's Licence or a rating.	: Rs. 2,500/-
(vi) for issue of duplicate Student Air Traffic Controller's Licence	: Rs. 250/-
(vii) for issue of duplicate licence other than Student Air Traffic Controller's Licence.	: Rs. 500/-
(viii) for issue of duplicate result sheet of examination	: Rs. 500/-

(2) The applicant shall be required to bear all charges in respect of the assessment, if any, and if a government examiner is associated during the assessment, a fee of ten thousand rupees shall be payable for each assessment.

(3) The fee shall be paid by crossed Indian Postal Order or Demand Draft drawn in favour of the Pay and the Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

(4) When in any case the licence or rating is not issued, validated or renewed or a duplicate licence or rating is not issued, the Central Government may order the refund to the applicant of a proportionate part of the sum paid as fees, or adjust the amount to be refunded against fees required to be paid by the candidate for a future examination.

[Inserted by GSR No 64(E) dated 3-2-2012]

100. Minimum educational qualification for holding a licence.— No person shall be granted a licence under this Part unless he possesses the educational qualification as specified in Schedule III.

[Inserted by GSR No 64(E) dated 3-2-2012]

101. Minimum age for holding a licence.— The minimum age of a person who is otherwise qualified and to whom a licence may be granted shall be as specified in Schedule III.

[Inserted by GSR No 64(E) dated 3-2-2012]

102. Maximum age limit for holding licence or rating.— No person shall exercise the privileges of the licence granted under this Part after he has attained the age of sixty years.

[Inserted by GSR No 64(E) dated 3-2-2012]

103. Medical standards- (1) No licence or rating granted under this Part shall be issued or renewed unless the applicant holds a medical fitness assessment issued by the Director-General after undergoing a medical examination with an approved medical authority and satisfying the medical standards as specified by the Director-General for the purpose:

Provided that if in the opinion of the approved medical authority, the condition of the applicant is not such as to introduce any hazard either of sudden incapacity or of inability to perform his duties safely during the period of validity of his licence or rating and failure to attain the requirement is capable of being compensated and the Director-General has satisfactory evidence that the applicant has already acquired and demonstrated his ability, skill and experience which compensate for his deficiency, the assessment may be issued with any limitation as deemed fit, and the licence or rating may be renewed or endorsed with such limitation.

Explanation.— For the purposes of this sub-rule, approved medical authority means a medical authority approved by the Director-General.

(2) The Director-General may require the holder of a licence to undergo a medical examination by any medical authority at any time if, in his opinion, such examination is necessary in the interest of safety of operations.

[Inserted by GSR No 64(E) dated 3-2-2012]

104. Period of validity of licences and medical fitness assessment.—

(1) A Student Air Traffic Controller's Licence shall remain valid for a maximum period of three years from the date of issue and shall not be renewed.

(2) An Air Traffic Controller's Licence shall be valid for maximum period of five years from the date of issue and may be renewed for a further period of five years on each occasion.

(3) The maximum period of validity of a medical fitness assessment shall be two years from the date of medical examination.

(4) The period of validity of medical fitness specified in sub-rule (1), shall be reduced to half after the holder of the licence has attained the age of fifty years.

(5) (a) The period of validity of a licence shall commence from the date of issue.

(b) In case of renewal, the period of validity shall commence from the date following the date of expiry of the previous validity, irrespective of the date of renewal, provided the application for renewal has been submitted within a period of thirty days preceding the date of expiry and all the requirements for renewal are met on the date of application.

(c) In any other case, the validity of renewal of licence shall commence from the date of renewal.

(6) (a) The period of validity of initial medical fitness assessment shall commence from the date of the medical examination.

(b) In case of renewal, the period of validity shall commence from the date following the date of expiry of the previous validity, irrespective of the date of renewal, provided the application for renewal has been submitted within a period of thirty days preceding the date of expiry and all the requirements for renewal are met on the date of application.

(c) In any other case, the validity of renewal of medical fitness assessment shall commence from the date of renewal.

[Inserted by GSR No 64(E) dated 3-2-2012]

105. Licence not valid without valid medical fitness assessment.— A licence granted under this Part shall not be valid unless it is accompanied by a valid medical fitness assessment and the holder shall not exercise the privileges of the licence in the absence of a valid medical fitness assessment.

[Inserted by GSR No 64(E) dated 3-2-2012]

106. Decrease in medical fitness .— (1) The holder of a licence shall not exercise the privileges of his licence and ratings during any period when he is aware that his physical condition has deteriorated and the medical fitness has decreased below the standard required for that category of licence.

(2) The holder of a licence shall not exercise the privileges of his licence without being declared fit after a fresh medical examination in the event of his having suffered from a sickness or injury rendering him incapable of discharging his duties for a continuous period of more than twenty days, or which is likely to cause incapacity or impair his efficiency in the discharge of his duties.

(3) The licence holder or his employer shall immediately notify all the relevant details of the sickness or injury to the Director-General.

(4) The licence of a person rendered incapable under sub-rule (2), shall be deemed to be invalid until the holder undergoes a fresh medical examination.

[Inserted by GSR No 64(E) dated 3-2-2012]

107. Maintenance of validity of ratings and endorsements.— (1) The holder of an Air Traffic Controller's Licence shall not exercise the privileges of the licence and the rating endorsed on the licence unless he meets the competency and recency requirements and the rating is valid for—

- (a) the air traffic services unit or place at which he so acts;
- (b) the sector on which or the operational position at which he so acts; and
- (c) the surveillance equipment, if any, with which he so acts.

(2) Even when a person ceases to act as an air traffic controller at a particular unit, he may keep his rating current by complying with the recency requirement specified in Schedule III.

[Inserted by GSR No 64(E) dated 3-2-2012]

108. Licence holder's obligation to notify change of unit.— When a rating ceases to be valid for a unit or operational position, the holder of the licence shall forthwith inform the person-in-charge of the air traffic service of that place and shall not work in that position till such rating is revalidated.

[Inserted by GSR No 64(E) dated 3-2-2012]

109. Disqualification from holding or obtaining a licence.—(1) Where the licensing authority is satisfied, after giving him an opportunity of being heard, that any person –

- (a) is habitually intemperate in the use of alcohol, or is addict of narcotics, drugs and the like, or

- (b) has, by his previous conduct as Air Traffic Controller, shown that he is irresponsible in the discharge of his duties connected with his employment or is likely to endanger the safety of the aircraft or any person, in the air or on ground; or
- (c) is a habitual criminal or has been convicted by a court in India for an offence involving moral turpitude or an offence which amounts to heinous crime; or
- (d) has obtained the licence or rating, by suppression of material information or on basis of wrong information, or
- (e) has unauthorisedly varied or tampered with the particulars entered in a licence or rating or any other relevant document,

the licensing authority may, for reasons to be recorded in writing, make an order disqualifying that person for a specified period from holding a licence or from obtaining a licence under this Part.

(2) The Central Government may, debar a person permanently or temporarily from holding any licence mentioned in this Part if in its opinion it is necessary to do so in the public interest.

(3) (a) Upon the issue of any order under sub-rule (1) or sub-rule (2), the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority, if the licence has not already been surrendered.

(b) The licensing authority shall keep the licence until the expiry of the period for which the person has been disqualified or debarred, or if he has been debarred permanently, for a period of five years.

[Inserted by GSR No 64(E) dated 3-2-2012]

110. Renewal of expired licence or rating.— If, on the date of application for renewal, the licence or rating has expired, the applicant shall be required to undergo on the job training and qualify the examinations and skill assessment tests as may be specified by the Director-General to assess the applicant's competency to hold that licence or rating.

[Inserted by GSR No 64(E) dated 3-2-2012]

111. Proof of competency.—(1) An applicant for grant and renewal of any licence and ratings shall produce proof of having acquired the competency and having passed satisfactorily the tests and examinations specified in Schedule III in respect of the licence or rating.

(2) The Director General may, exempt a person who is a qualified Air Traffic Controller from Indian Air force or Indian Navy and who produces satisfactory evidence to show that he possesses the necessary experience, competency and standard of physical fitness as required under these rules from all or any of the examinations and medical or other technical examinations.

(3) The Director-General may, on examination of the syllabi, determine the relative equivalence of examinations for granting exemptions to such applicants from passing the examinations required under Schedule III.

(4) The Director-General may, require any candidate or training organisation to produce for examination all relevant training records, including the syllabi, certificates, mark-sheets, on-the-job training test reports, assessments, etc., in respect of the candidate who has undergone a course of training, with such training establishment.

[Inserted by GSR No 64(E) dated 3-2-2012]

112. Tests, assessment and examination – (1) The Director-General may, conduct examinations to test the level of knowledge specified in Schedule III, fix examination centres within India, appoint invigilators and specify the procedure for conducting the examinations.

(2) The Director-General shall, specify the detailed syllabi for the examinations for issue of the licences and ratings.

(3) (a) The Director-General may, appoint examiners for carrying out examinations and assessment required under Schedule III and may also appoint a Board to conduct oral examinations and assessment, wherever necessary.

(b) The examiners shall be selected on the basis of criteria specified for the purpose by the Director-General and the examination and assessment reports shall be submitted to the licensing authority in respect of any examination and assessment conducted for issue or renewal of a licence or endorsement of a rating on a licence.

(4) The Director-General may determine the manner in which the assessment and proficiency checks shall be carried out.

(5) The Director-General may, debar permanently or temporarily a person from any assessment or examination if, in his opinion, the person has adopted unfair means during the assessment or examination.

(6) (a) The Director-General may, declare any examination or assessment conducted by an authorised person or a Board null and void, if in his opinion, the examination or assessment has not been carried out to his satisfaction, and require the examination or assessment to be carried out again by another authorised person or a Board.

(b) The Director-General may also take such action against such authorised person or Board as he may deem fit.

[Inserted by GSR No 64(E) dated 3-2-2012]

113. Use of radio call signs of air traffic services units.— A licence holder using two-way radio communication shall not use or cause or permit to be used any call sign for a purpose other than the purpose for which that call sign has been notified.

[Inserted by GSR No 64(E) dated 3-2-2012]

114. Approved training organization.— (1) The Director-General, on being satisfied, may approve a training organisation for conducting an approved training course for students to enable them to attain the level of competency required for obtaining a licence or rating specified in rule 95.

(2) The training organisation shall submit a Training and Procedures Manual containing the information specified by the Director-General for approval and the simulator training in such organisations shall be undertaken only on the simulators approved by the Director-General.

(3) Approval of a training organisation shall be valid for a period of five years and may be renewed for a period not exceeding two years at a time subject to the terms and conditions specified by the Director-General.

(4) (a) For the grant of approval, a training organization shall pay, a fee of one lakh rupees and fifty thousand rupees for renewal on each occasion.

(b) The fee shall be paid by a demand draft drawn in favour of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

(5) The approved training organisation shall not impart any training which is not included in its scope and has not been duly approved by the Director-General.

(6) The training records of the organisation shall be maintained in a manner specified by the Director-General and shall be produced on demand to the Director-General or any other officer authorised by him in this behalf.

[Inserted by GSR No 64(E) dated 3-2-2012]

115. Record of experience and logging of on-watch period – (1) Every licence holder shall maintain a personal log book in the form specified by the Director-General and log the actual watch period during which he has performed any duty for exercising the privileges of his licence or ratings, or for on-the-job-training.

(2) All entries in log books shall be made either in ink or logged electronically.

(3) Log books shall be preserved for not less than five years after the date of the last entry therein.

(4) (a) Every licence holder shall certify the accuracy of the entries in his log book with respect to the watch period at least at the end of each calendar month.

(b) At the end of every quarter, the log books shall be certified for correctness of entries therein by the in-charge of the air traffic services unit, or any other person authorised to do so by the Director-General.

(5) The watch time during which a licence holder is under on-the-job training shall be entered in his log book as “on the job training” and the instructor shall also countersign the entries in the log book of the licence holder indicating the nature of the training given.

(6) The instructor shall log as watch period in his log book the period during which he acts as an Instructor and the log entries shall indicate in the remarks column that the time was logged for instructional purpose.

[Inserted by GSR No 64(E) dated 3-2-2012]

116. Watch duty time limitations.— Every holder of a licence issued under this Part shall follow the watch duty time limitations specified by the Director-General.

[Inserted by GSR No 64(E) dated 3-2-2012]

117. Aeronautical station operator.— Every aeronautical station operator forming a part of Flight Information Service shall operate in accordance with the requirements specified by the Director-General.

[Inserted by GSR No 64(E) dated 3-2-2012]

118. Validation of foreign licences.— (1) When a licence has been granted by the competent authority of a Contracting State and is for the time being in force, the Central Government may, subject to such conditions and limitations and for such period as it shall think fit, confer on such licence the same validity for the purpose of provision of air traffic service in India as if it had been granted under these rules.

(2) The validation granted under sub-rule(1) shall –

(a) not extend beyond the period of validity of the licence

(b) cease to be valid if the licence upon which it was issued is revoked or suspended; and

(c) be subject to the provisions of rule 19.

[Inserted by GSR No 64(E) dated 3-2-2012]

118A. State employees.—Nothing contained in rules 93 to 118 shall apply to employees of the Airports Authority of India, being State employees, and such employees may be engaged in provision of air traffic services without possessing an air traffic controller's licence, provided they meet the requirements laid down for this purpose in Annex 1 to the Convention.

Explanation.—For the purpose of this rule, "State" means India as a signatory to the Convention.

[Inserted by GSR No 295(E) dated 1-5-2017]

PART XII-A—AERONAUTICAL TELECOMMUNICATION

119. Certification of communication, navigation and surveillance equipment or air traffic management facilities.— (1) No person shall permit or cause to be permitted any communication, navigation and surveillance of air traffic management equipment facility to be established or used unless it has been certified by the Director-General:

Provided that the Director-General may approve a facility for temporary use subject to such conditions as he may deem fit to impose, for the purpose of operation of air traffic services or aircraft operation or navigation in the event of national crisis, natural calamities, emergencies or otherwise requiring operation of such facilities:

Provided further that any person already permitted and operating communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station before the commencement of these rules may continue operation of such services till he obtains the certificate from the Director-General by the date to be notified by the Central Government.

(2) This rule shall not apply in respect of any communication, navigation, surveillance or air traffic management facility, whose establishment and operation –

(a) is under the control of military authorities and is primarily for the military use;

(b) is for testing purposes and not used for supporting air traffic services or not used for aircraft operation or navigation.

(3) Nothing in this rule shall exempt any person from the provisions of the Indian Telegraph Act, 1885 (13 of 1885) and the rules made thereunder for establishment and operation of communication, navigation, surveillance or air traffic management facility for air traffic services and aircraft operation at an aeronautical telecommunication station.

120. Eligibility for grant of certificate.— A certificate for communication, navigation, surveillance or air traffic management facilities to be established or used at an aeronautical telecommunication station in support of air traffic services or aircraft operation shall be granted –

(a) to a company or a body corporate set up for the purpose of providing communication, navigation, surveillance or air traffic management facility by the Central Government or to an air navigation service provider approved for the purpose by the Director-General;

(b) to an aerodrome licence holder for establishing a navigational facility primarily for use as landing aid to support instrument let down procedure.

121. Procedure for grant of certificate.— (1) An application for the certification for communication, navigation, surveillance or air traffic management facility to be established or used at an aeronautical telecommunication station in support of air traffic service or aircraft operation or navigation shall be made to the Director-General along with the communication, navigation and surveillance manual.

(2) The application under sub-rule (1) shall be in such form and contain such particulars as may be specified by the Director-General.

(3) The Director-General may, for disposal of the application, require the applicant to furnish any additional information which he considers necessary.

(4) The Director-General shall certify a communication, navigation, surveillance or air traffic management facility, subject to any conditions as may be considered necessary.

122. Communication, navigation, surveillance or air traffic management facility manual.— (1) Every holder of certificate shall have a communication, navigation and surveillance manual in the form as specified by the Director-General containing the information provided in item 2 of Schedule IV and

approved copy of the manual shall be maintained by the holder of certificate in respect of all communication, navigation, surveillance or air traffic management facilities, certified under these rules.

(2) A copy of the manual or such part of the manual as may be specified by the Director-General shall be made available by the holder of certificate to all units.

123. Period of validity of Certificate.— The Director-General may grant the certification of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station for a period not exceeding sixty months, and on each occasion may be renewed for any period not exceeding twenty four months.

124. Fee.—(1) No certificate of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall be granted unless there shall be paid the fees specified in the following Table, namely:

TABLE

(A)	Communication Facility	Fee in rupees
	(i) Standalone Very High Frequency Transmitter or Receiver, Digital Automatic Terminal Information System, High Frequency Transmitter or Receiver, Data Links (including standby frequency) in operation.	50,000 (50,000 upto five frequencies and 20,000 for each frequency)
	(ii) Automatic Message Switching System Air Traffic Services Message Handling System	50,000
	(iii) Master Clock System	15,000
	(iv) Stations equipped with Voice Controlled Communication System with Very High Frequency Transmitter/or Receiver, High Frequency Transmitter/ or Receiver, inter unit communication and other accessories for capacity :	
	(a) Up to 50 Controller work stations	50,000
	(b) for each additional work stations above 50	5,000
(B)	Navigation Systems	
	(i) Non-Directional Beacon or Locator, Marker	50,000

	(ii) Distance Measuring Equipment	50,000
	(iii) Very High Frequency Omni-Range or Doppler Very High Frequency Omni -Range	100,000
	(iv) Instrument Landing System or Distance Measuring Equipment	200,000
	(v) Co-located (VOR/DVOR/DME)	125,000
(C)	Very high frequency omni range, Surveillance Facility	
	(i) Airport Surveillance Radar	200,000
	(ii) Air Route Surveillance Radar	200,000
	(iii) Monopulse Surveillance Secondary Radar	200,000
	(iv) Surface Movement Radar without multi-lateration	200,000
	(v) Automatic Dependent Surveillance-Broadcast or Contact	200,000
(D)	Air traffic management facility	
	(i) Air traffic management automation system with facilities like Radar Data Processing system, Flight Data Processing system, Automatic Self Briefing System	1,000,000
	(ii) Advanced Surface Movement Guidance Control System (Surveillance and Multi-lateration components)	3,00,000
	(iii) Ground Based Augmentation System	300,000
	(iv) Satellite Based Augmentation System.	500,000

(2) The fee for renewal of certification of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall be fifty per cent, of the fee payable under sub-rule (1).

(3) The fee payable under sub-rule (1) shall be paid by Demand Draft drawn in favour of the Pay and Accounts Officer, Directorate General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

125. Conditions governing the grant of Certificate.– (1) Certification of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall be granted or renewed subject to such conditions as the Director-General considers necessary to ensure compliance with the Convention relating to International Civil Aviation signed at Chicago and the safety of Air Traffic Services or aircraft operation or navigation.

(2) While certification is in force, except required for the purpose of maintenance, no change in the system of equipment or configuration, shall be undertaken save with the previous approval of the Director-General and application for such approval shall be addressed to the Director-General which shall be accompanied with full particulars of such change.

(3) The necessary approval may be granted or withheld, and, if granted, may be subject to such conditions as the Director-General may consider necessary.

(4) The holder of the certificate shall maintain communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station in a serviceable state as per the provision of certificate for use by air traffic services or aircraft operation or navigation.

126. Notification on availability of facility.—The person in charge of communication, navigation, surveillance or air traffic management facilities at an aeronautical telecommunication station shall notify type and availability of facility or any service which is available for use by air traffic services or aircraft operation and navigation in the manner specified by the Director-General.

127. Information on the operational status of navigational aids.— While a radio navigation aid is in operation, information on its operational status shall be made available by the holder of the certificate to the concerned Air Traffic Services unit giving the following details, namely:

(i) services for the aerodrome where the radio navigation aid is located; and

(ii) en-route services using that radio navigation aid.

128. Automatic recording of voice communications, signal and data.— (1) The holder of certificate of any communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station and any associated facility required thereto shall, make provision for recording and replaying the messages, voice communication, signals and data transmitted or received through equipment and maintain such records for such period and in such manner as may be specified by the Director-General.

(2) If any recording facility provided in compliance with sub-rule (1) ceases to be capable of recording the matters required by that sub-rule, it shall be ensured that, as far as practicable, a record of the following is kept in writing —

(a) a summary of voice communications exchanged between the Aeronautical Telecommunication Station and aircraft by Air Traffic control unit; and

(b) voice communication, message exchanged with other Aeronautical Telecommunication Station.

(3) If any recording facility provided in accordance with sub rule (1) becomes unserviceable, the person in charge of communication, navigation, surveillance or air traffic management facility at an Aeronautical Telecommunication Station shall ensure that the apparatus is rendered serviceable again as soon as possible within reasonably practicable time.

(4) The person in charge of communication, navigation and surveillance of air traffic management facility at an Aeronautical Telecommunication Station shall preserve every record for a period of thirty days from the date on which the terms or content of the message, data or signal were recorded for the purpose of investigation or for such longer period as may be specified by the Director-General.

(5) The person in charge of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall produce such record to investigating official or to any other person authorised by Director-General.

129. Aeronautical telecommunication equipment calibration and check.—(1) The holder of certificate shall establish a procedure for calibration of the equipment in accordance with the specifications laid down by the Director-General.

(2) The holder of certificate shall check and accurately record the operating condition of any aeronautical telecommunication equipment that may have been used by an aircraft involved in an accident or serious incident and make such record available for the investigation purpose.

(3) The air calibration of navigation facilities shall be carried out by an entity approved by the Director-General.

130. Time in air traffic services.— (1) Air traffic service units shall be equipped with clocks indicating the time in hours, minutes and seconds.

(2) Clocks and other time recording devices shall be checked periodically to ensure correctness of time to within plus or minus thirty seconds of coordinated universal time.

(3) Wherever data link communications are utilised by an air traffic services unit, clocks and other time-recording devices shall be checked periodically to ensure correctness of time within one second of coordinated universal time.

(4) The correct time shall be obtained from a standard time station, or if not possible, from another unit which has obtained time from such station.

131. Protection of critical and sensitive areas.—Any critical and sensitive area around an aeronautical facility required to be protected for the operational efficiency of the equipment, shall be —

(a) clearly identified on the site drawings for the aeronautical facility;

(b) physically protected by suitable signposts at the site; and

(c) protected by aerodrome operator or holder of certificate, as appropriate, through barriers or otherwise to ensure that site restrictions are not infringed in any form.

132. Suspension, cancellation or withdrawal of a certificate.— (1) The Director-General may, by giving notice in writing to the holder of a certificate, impose any condition or suspend or cancel the certificate, if there are reasonable grounds to believe that —

(a) there has been a breach of any condition to which the certificate is subject; or

(b) the facilities, operations or maintenance are not of the standard necessary in the interests of the safety of air traffic services or air navigation.

(2) The Director-General shall give a show cause notice to the holder of certificate before suspending or cancelling a certificate stating —

(a) the facts and circumstances which justify the suspension or cancellation; and

(b) ask the holder of the certificate to submit explanation in writing, within thirty days from the date of receipt of the show cause notice.

(3) The Director-General shall, before taking a decision take into account all facts and pass an appropriate order.

(4) If the holder of a certificate wishes to surrender a certificate, the holder shall give not less than sixty days' notice in writing of the date on which the holder wishes the certificate to be surrendered.

[Inserted by – GSR No. 31(E) dated 14-1-2015]

PART XII-B - REGULATORY PROVISIONS

133A. Directions by Director-General- (1) The Director-General may, through Notices to Airmen (NOTAMS), Aeronautical Information Publication, Aeronautical Information Circulars (AICs), Notices to Aircraft Owners and Maintenance Engineers and publication entitled Civil Aviation Requirements, issue special directions not inconsistent with the Aircraft Act, 1934 (22 of 1934) or these rules, relating to the operation, use, possession, maintenance or navigation of aircraft flying in or over India or of aircraft registered in India.

(2) The Civil Aviation Requirements under sub-rule(1) shall be issued after placing the draft on the website of the Directorate General of Civil Aviation for a period of thirty days for inviting objections and suggestions from all persons likely to be affected thereby;

Provided the Director General may, in the public interest and by order in writing, dispense with the requirements of inviting such objections and suggestions or reduce the period for submitting such objections and suggestions.

(3) Every direction issued under sub-rule(1) shall be complied with by the person or persons to whom such direction is issued.

(4) The Director-General may, by general or special order in writing, exempt any aircraft or class of aircraft or any person or class of persons from the operation of the directions given in the publication entitled 'Civil Aviation Requirements' under this rule, either wholly or partially, subject to such conditions, if any, as may be specified in such order.

*[Amended by - (i) GSR No. 559 dated 14-5-1960,
(ii) GSR No. 1202 dated 23-7-1976,
(iii) GSR No. 80(E) dated 22-2-1993,
(iv) G.S.R. 813(E) dated 21-11-2008,
(v) GSR No.167 (E) dated 13-03-2009, and
(vi) GSR No. 832(E) dated 30-06-2017]*

PART XII-C - ENGINEERING, INSPECTION AND MANUAL REQUIREMENTS FOR ORGANISATIONS OTHER THAN OPERATORS

133B. Approved Organisations- (1) (a) In this part 'organisation' refers to an organisation or a person engaged in one or more of the following activities, namely :-

- (i) design and manufacture of aircraft, aircraft components and items of equipment including materials, forging, castings, standard parts;
- (ii) maintenance, overhaul, modification, repair, inspection, treatment, processing of aeronautical products and continuing airworthiness management of an aircraft;
- (iii) manufacture, storage, distribution and supply of aircraft fuel, lubricants, special products;
- (iv) laboratories and tests to be carried out therein;
- (v) training organisations for all aviation subjects except those covered under rules 41B and 114.

(b) In this part 'manual' means Quality Manual, Maintenance Organisation Exposition, Continuing Airworthiness Management Exposition, Maintenance Organisation Manual, Production Organisation Exposition, Design Organisation Exposition, Training Manual, required to be provided by an organisation under sub-rule (4).

(2) An organisation shall have adequate facilities including qualified and trained staff and necessary equipment for tests and inspection aids.

(3) Where considered necessary, an organisation or a person engaged in one or more of the activities listed under clause (a) of sub-rule (1) shall operate under a system of approval as specified by the Director-General. The request for such approval shall be made to the Director-General in such form and manner as may be specified and on receipt of request, the Director-General may grant the approval on being satisfied that the applicant has complied with specific requirements. The approval shall be subject to such terms and conditions as may be specified.

(3A) The approval granted under sub-rule (3), unless suspended or cancelled, shall remain valid for a period not exceeding five years and on being satisfied, the Director General may renew the approval for a further period of five years.

(3B) An approved organization or a person may approach to the Director-General at any time for extension of the scope of his work and the Director-General, on being satisfied that the specified requirements have been complied with, may grant approval for extension of scope as requested, or to a specific level, as deemed fit. The approval of the extension of scope, if any, granted under this sub-rule, shall be valid only up to the date of validity of the original approval.

(4) (a) An approved organisation shall provide, for the use and guidance of its personnel, manuals which shall contain details of information concerning policies, procedures, practices and quality control methods relating to activities of that organization and as may be specified by the Director-General.

(b) A complete copy of the manual or such portions of the manual as the Director-General may direct shall be submitted to the appropriate regional office of the Directorate General of Civil Aviation for approval.

(c) An approved organization shall revise its manuals from time to time whenever necessary as a result of changes in its operations, aircraft equipment or practices or experience with the existing aircraft equipment or practices. Any revision of practices and procedures which affect the airworthiness or safety of the aircraft or equipment shall be subject to the prior approval of the Director-General.

(5) Copies of the manual and amendments thereto shall be furnished by the approved organization to such of its personnel as considered necessary, to the Director General and to such other person associated with the work of the organization, as the Director-General may specify.

(6) Members of the organisation shall comply with all the instructions relating to their duties as contained in the manual(s).

(7) An organisation shall ensure that provision is made for imparting necessary instructions to its personnel who are authorised to certify for proper discharge of their duties and responsibilities.

(8) An organisation shall maintain complete records of its activities and such other records as may be required by the Director-General. The records, reports, logs, drawings, shall be made available to the Director-General for inspection and check and at such times as he directs. The records shall be kept for such period as may be specified by the Director-General.

(9) An organization shall comply with such requirements as may be specified in the publication 'titled' Civil Aviation Requirements.

(10) Without prejudice to the provisions of any rules, the Director-General may, after giving a show cause notice to an organisation or a person and after making such enquiry as he may deem fit, cancel, suspend or endorse any authorisation or approval or issue a warning or an admonition to the organisation or the person, where he is satisfied that:-

(a) the conditions stipulated by the Director-General under this rule or under the civil airworthiness requirements are not being complied with;

(b) the organisation or the person has performed work or granted a certificate in respect of work which has not been performed in a careful or competent manner or has performed work beyond the scope of it or his approval or failed to make proper entries and certification thereof or for any other reason considered by the Director-General as sufficient to cancel, suspend or endorse an authorisation or approval granted under this rule, or to issue a warning or an admonition".;

*[Inserted by GSR No. 1202 dated 23-7-1976, and
Amended by (i) GSR No. 1005 dated 19-11-1983,
(ii) GSR No. 181(E) dated 20-03-2006,
(iii) GSR No. 813(E) dated 21-11-2008,
(iv) GSR No. 97(E) dated 14-02-2014,
(v) GSR No. 32(E) dated 13-01-2015,
(vi) GSR 909(E) dated 27.11.2015, and
(vii) GSR 66(E) dated 18.01.2017]*

133BA. Acceptance of foreign approved organisation. – (1) Notwithstanding anything contained in rule 133B, the Director-General may accept a foreign approved organisation for the purpose of maintenance of aircraft, engine and components or training in accordance with the requirements specified by the Director-General in this behalf.

(2) The acceptance granted under sub-rule (1), unless suspended or cancelled, shall remain valid for a period not exceeding two years, and on being satisfied, the Director General may renew it for a further period not exceeding two years at a time.

(3) Without prejudice to the provisions of these rules, the Director-General may, after making such enquiry as he may deem fit, and after giving a show cause notice to the organisation referred to in sub-rule (1), cancel, suspend or endorse any acceptance or issue a warning or an admonition to the said organisation, where he is satisfied that –

(a) the requirements stipulated by the Director-General are not being complied with; or

(b) the organisation has not performed work or granted a certificate in respect of work which has not been performed in a careful or competent manner or has performed work beyond the scope of its acceptance or failed to make proper entries and certification thereof or for any other

reason considered by the Director-General as sufficient to cancel, suspend or endorse an acceptance granted under this rule, or to issue a warning or an admonition.

[Inserted by GSR No. 832(E) dated 30-06-2017]

133C. Fees- (1) The following fee shall be payable for any inspection, examination or test to be conducted for grant of approval under rule 133B, in respect of an organization having –

- | | |
|--|---------------|
| (i) fifty employees : | Rs.2,00,000/- |
| (ii) more than fifty and upto two hundred employees: | Rs.4,00,000/- |
| (iii) more than 200 employees : | Rs.8,00,000/- |

(2) The fee for renewal or extension of scope of approval under rule 133B or acceptance of approval or extension of acceptance under rule 133BA shall be fifty per cent. of the fee payable under sub-rule (1).

(2A) An additional amount of two lakh fifty thousand rupees or cost of travel including per diem, whichever is higher shall be payable if the inspection, examination or test mentioned in sub-rule (1) is required to be carried out at any place outside India.

(2B) An additional amount of two lakh fifty thousand rupees or cost of travel including per diem, whichever is higher, shall be payable if inspection, audit or surveillance in respect of acceptance of approval or extension of acceptance under rule 133BA is required to be carried out at any place outside India.

(3) No fee shall be charged from an organisation or person under this rule for storage, distribution and supply of aircraft fuel, lubricants and similar other products intended to be used for its own aircraft.

(4) The fee shall be paid in the manner specified by the Director-General.

*[Inserted by GSR No. 578 dated 8-5-1980, and
Substituted by (i) GSR No. 485(E) dated 7-6-1985,
(ii) GSR No. 181(E) dated 20-03-2006,
(iii) GSR No. 813(E) dated 21-11-2008,
(iv) GSR No. 101(E) dated 19-02-2009,
(iv) GSR 745(E) dated 12th October 2009
(v) GSR 66(E) dated 18.01.2017, and
(vi) GSR No. 832(E) dated 30-06-2017]*

PART XIII - AIR TRANSPORT SERVICES

134. Scheduled Air Transport Services- (1) No person shall operate any Scheduled air transport service from, to, in, or across India except with the permission of the Central Government, granted under and in accordance with and subject to the provisions contained in Schedule XI :

Provided that any person already permitted and operating scheduled air transport services before commencement of the Aircraft (Second Amendment) Rules, 1994, or any successor to such person under section 3 of the Air Corporation (Transfer of Undertaking and Repeal Ordinance, 1994 (Ord. 4 of 1994), may continue operation of such services subject to the provisions of sub-rule (1A).

(1A) The Central Government may, with a view to achieving better regulation of air transport services and taking into account the need for air transport services of different regions in the country, direct, by general or special order issued from time to time, that every operator operating any scheduled air transport service shall render service in accordance with the conditions specified in such order including any condition relating to their due compliance.

(2) The Central Government may permit any air transport undertaking of which the principal place of business is in any country outside India to operate a scheduled air transport service from, to, or across India in accordance with the terms of any agreement for the time being in force between the Government of India and the Government of that country, or, where there is no such agreement, of a temporary authorization by the Government of India.

[Substituted by SRO No. 768 dated 2-4-1955 and

amended by GSR 1087 dated 19-7-1965,

GSR No. 117(E) dated 25-2-1994, and

GSR No 643(E) dated 29-7-2010.]

134A. Non-Scheduled Air Transport Services – (1) No air transport service, other than a scheduled air transport service, shall be operated by any air transport undertaking of which the principal place of business is in any country outside India except with the special permission of the Central Government and subject to such terms and conditions as it may think fit to impose in each case.

(2) No air transport service, other than a scheduled air transport service, shall be operated by an Indian air transport undertaking unless it holds a Non-Scheduled Operator's Permit granted by the Central Government.

(3) The application for grant of Non-Scheduled Operator's Permit shall be made to the Central Government in such form and such manner, and shall contain such particulars or documents as may be specified by the Director-General.

(4) The Non-Scheduled Operator's Permit granted under sub-rule(2) shall, unless suspended or cancelled, remain valid for a period not exceeding two years, which may be renewed for a period not exceeding two years at a time.

(5) The Central Government may, if it is satisfied that ,–

(a) any of the conditions of the Non-Scheduled Operator's Permit has not been complied with and the failure is due to any wilful act or default on the part of the holder of such Non-Scheduled Operator's Permit or by any of his servants or agents, irrespective of whether or not such wilful act or default of the servant or agent was with the knowledge or approval of the holder of the Non-Scheduled Operator's Permit, or

(b) the holder of the Non-Scheduled Operator's Permit has failed to establish a safe, efficient and reliable service, or

(c) the Non-Scheduled Operator's Permit was obtained by suppressing any information or by giving wrong information,

cancel or suspend the Non-Scheduled Operator's Permit for such period as it thinks fit:

Provided that no such Non-Scheduled Operator's Permit shall be cancelled or suspended without giving a show cause notice, in writing, informing the holder of Non-Scheduled Operator's Permit the ground on which it is proposed to suspend or cancel the Non-Scheduled Operator's Permit and giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice and, if that person so desires, of being heard.

(6) Notwithstanding anything contained in sub-rule (5), if the Central Government is of the opinion that in the interest of public safety it is necessary so to do, it may, for the reasons to be recorded in writing, summarily suspend the Non-Scheduled Operator's Permit with a view to make further enquiry.

[Inserted by GSR No 643(E) dated 29-7-2010.]

134B. Aerial Work – No operator shall undertake any aerial work unless he holds a valid Non-Scheduled Operator's Permit granted under sub-rule (2) of rule 134A.

[Inserted by GSR No 643(E) dated 29-7-2010.]

134C. Fees – (1) The following fees shall be payable for application, grant and renewal of Non-Scheduled Operator's Permit:-

- (i) for application : Rs. 1,75,000/-
- (ii) for grant of Non-Scheduled Operator's Permit : Rs. 5,00,000/-
- (iii) for renewal of Non-Scheduled Operator's Permit : Rs.2,50,000/-

(2) The fee shall be paid in a manner specified by the Director General.

[Inserted by GSR No 643(E) dated 29-7-2010]

Amended by GSR No. 490(E) dated 18-05-2017]

135. Tariff – (1) Every air transport undertaking operating in accordance with sub-rule (1) and (2) of rule 134, shall establish tariff having regard to all relevant factors, including the cost of operation, characteristics of service, reasonable profit and the generally prevailing tariff.

(2) Every air transport undertaking shall cause to be published the tariff established by him under sub-rule (1) in his website or two daily newspapers, and shall display such tariff in a conspicuous part of his office and in the office of his agent, if any.

(2A) The tariff to be published under sub-rule (2) or advertised in any other way shall show the following particulars, namely:-

- (a) the total amount payable by a passenger; and
- (b) a complete break-up of the total amount, indicating the fare, tax, fees or any other charge, if any, separately.

Explanation. – For the purposes of this sub-rule, –

- (a) tax means the amount payable to the Government; and

(b) fees means the amount payable to the service providers for provision of any service or facility to the passengers.

(2B) The particulars mentioned in sub-rule (2A) shall also be mentioned in the passenger ticket.

(3) Every air transport undertaking shall maintain all records relating to tariff established by him under sub-rule (1) in such manner and in such form as may be specified by the Director-General, and on demand by the Director-General shall produce such records before the Director-General for inspection.

(4) Where the Director-General is satisfied that any air transport undertaking has established excessive or predatory tariff under sub-rule (1) or has indulged in oligopolistic practice, he may, by order, issue directions to such air transport undertaking.

(5) Every direction issued under sub-rule (4) shall be complied with by such air transport undertaking.

[Omitted by SRO No. 768 dated 2-4-1955 and reintroduced by GSR No. 324 dated 17-2-1972 and amended by GSR No. 2386 dated 26-8-1975 and GSR No. 636 dated 22-09-2004 and amended vide Notification No. GSR 254(E) dated 16-04-2009]

135A. Deleted

135B. Deleted

135C. Deleted

140. Minimum requirements to be complied with by the operators-All aircraft owners and operators shall comply with the engineering, inspection and manual requirements contained in Part XIII-A and with the safety requirements in respect of air routes, aircraft and aircrew, as may be specified by the Director-General.

[Substituted by SRO No. 768 dated 2-4-1955 and again substituted by GSR No. 1202 dated 23-7-1976]

140A. Director-General's sanction to introduction of any new routes or alteration in any existing routes of scheduled air transport services- Before operating a scheduled air transport service on a new route or making a substantial alteration in, or effecting the discontinuance of, any of the existing routes of such services, or introducing a new time-table for such service, the Operator shall obtain the concurrence of the Director-General, in so far as such operation or, as the case may be, such discontinuance affects, or is likely to affect, the air route or aerodrome facilities, and give at least seven days' previous notice to the Director-General before the date proposed for the operation of the new route, or for the substantial alteration of an existing route or for the introduction of a new time-table or, as the case may be, for the discontinuance of an existing route.

[Inserted by SRO No. 768 dated 2-4-1955 and

amended by GSR No. 172 dated 22-1-1971.]

140B. Operations Manual- (1) An Operations Manual in the form approved by the Director-General, shall be maintained by the every operator engaged in air transport services.

(2) The Operations Manual shall, in addition to any other relevant information, contain the following that is to say :-

(a) instructions outlining the responsibilities of operations personnel pertaining to the conduct of flight operations,

(b) the flight crew for each stage of all routes to be flown including the designation of the succession of command,

- (c) in-flight procedure,
- (d) emergency flight procedure,
- (e) the minimum safe flight altitude for each route to be flown,
- (f) the circumstances in which a radio listening watch is to be maintained,
- (g) a list of the navigational equipment to be carried.

(3) A copy of the Operations Manual, or such part of the Manual as may be prescribed by the Director-General, shall be carried in all aircraft engaged in air transport services.

[Inserted by SRO No. 768 dated 2-4-1955,

amended by GSR No. 1087 dated 19-7-1965 and

GSR No. 413 dated 23.7.2001]

140C. Route Guide- All aircraft engaged in scheduled air transport services shall carry a Route Guide, which shall, in addition to any other relevant information, contain the following that is to say:-

- (a) communication facilities, navigation aids and a list of aerodromes, available on the route to be flown,
- (b) instrument 'let down' procedure for aerodromes on the route, or those likely to be used as 'alternates',
- (c) meteorological minima for each of the aerodromes on the route to be flown and that are likely to be used as regular or alternate aerodromes, and
- (d) specific instructions for computation of the quantities of fuel and oil to be carried on each route, having regard to all circumstances of the operation, including the possibility of the failure of one or more engines of the aircraft.

[Inserted by SRO No. 768 dated 2-4-1955]

141. Duties of Pilot-in-Command- (1) Subject to the provisions of clause (b) of sub-rule (2) of rule 140B, the operator shall designate for each flight one pilot as Pilot-in-command, who shall supervise and direct the other members of the crew in the proper discharge of their duties in the flight operations.

(2) In addition to being responsible for the operation and safety of the aircraft during flight time, the Pilot-in-command shall be responsible for the safety of the passengers and cargo carried and for the maintenance of flight discipline and safety of the members of the crew.

(3) The Pilot-in-command shall have final authority as to the disposition of the aircraft while he is in command.

[Omitted by SRO No. 768 dated 2-4-1955 and

reintroduced by GSR No. 1370 dated 4-6-1979.]

Rules 142, 143, 144, 145, 146, 147, 147A, 148, 148A, 148B, 149, 150, 151 and 152 omitted by SRO No. 768 dated 2-4-1955.

153. Carriage of Mails- Every operator engaged in scheduled air transport services shall carry by such services such mails as may, from time to time, be required to be carried from one place to another by the Director-General, Posts and Telegraphs, or any person authorised by him in this behalf.

[Substituted by SRO No. 768 dated 2-4-1955, and

GSR 413 dated 23-7-2001]

PART III-A - ENGINEERING, INSPECTION AND MANUAL REQUIREMENTS - OWNERS OR OPERATORS

114. Definitions -(a) In this Part "Engineering and Inspection" refer to performance of all work necessary for ensuring airworthiness and safety of the aircraft, including overhaul, maintenance, modification, repair, replacement, manufacture, assembly, testing, treatment, inspection and certification.

(b) In this part, 'manual' refers to 'Operators' Maintenance System Manual' or 'Operators' Quality Control Manual' or any other manual covering such requirements as the case may be.

[omitted by SR No. 768 dated 2-4-1955,

reintroduced by GSR No. 1202 dated 23-7-1976 and

substituted by GSR No. 1005 dated 19-11-1983.]

115. Private aircraft owners- (1) A private aircraft, aircraft components and items of equipment shall be maintained as may be specified by the Director-General.

(2) An owner shall maintain complete record of aircraft, aircraft components and items of equipment as included in the approved manual, of total time flown, the time flown since last overhaul and time flown since last inspection and any other data as may be specified by the Director-General. The records shall be made available for inspection and check and shall be maintained for such period as may be specified by the Director-General.

(3) An owner shall comply with the engineering, inspection and manual requirements, as may be specified in expanded Civil Aviation Requirements.

[omitted by SR No. 768 dated 2-4-1955,

reintroduced by GSR No. 1202 dated 23-7-1976

substituted by GSR No. 1005 dated 19-11-1983, and

Amended by G.S.R. 813(E) dated 21-11-2008.]

115A. Operators-(1) An operator shall have access to an adequate organization, including qualified and trained staff together with workshop and other equipment, facilities and inspection aids as may be found necessary.

(2) All operators, other than private aircraft owners, shall operate under an approved maintenance system providing a basis of operation under a delegated system of airworthiness control for the safety of their aircraft and persons they carry on board the aircraft. For grant or issue of approval for operation under the approved maintenance system and its continued validity, the operators shall comply with the requirements as specified by the Director-General.

(3) (a) An operator shall provide, for the use and guidance of its personnel, manuals which shall contain details of information concerning policies, procedures, practices and quality control

methods relating to activities of that operator and containing such further information as may be specified by the Director-General.

(b) A complete copy of the manual or such portions of the manual as the Director-General may direct shall be submitted to the appropriate regional Office of the Civil Aviation Department for approval.

(c) An approved operator shall revise its manuals from time to time and whenever found necessary as a result of changes in its operations, aircraft equipment or practices or experience with the existing aircraft, equipment or practices. Any revision of practices and procedures which affect the airworthiness or safety of the aircraft or equipment shall be subject to the prior approval of the Director-General.

(4) Copies of the manual and the revisions thereof shall be supplied by an approved operator to such of its personnel and to such other persons associated with the work of that operator, as the Director-General considers necessary.

(5) Employees of an approved operator shall comply with all the instructions relating to their duties as contained in the manual(s).

(6) An approved operator shall ensure that provision has been made for imparting instructions to its personnel authorised to certify as may be considered necessary for the proper discharge of their duties and responsibilities.

(7) Every operator including an approved operator shall maintain complete records of the total time flown since last overhaul and the time flown since last inspection of all airframes, engines, instruments, radio apparatus, equipments and accessories as included in the approved manual. They shall also maintain such other records as may be specified by the Director-General to whom these records shall be made available, for inspection and check, whenever required by him. The records shall be kept for such period as may be specified by the Director-General.

(8) Every operator including an approved operator shall comply with the engineering, inspection and manual requirements, as may be specified in the civil aviation requirements.

(9) Without prejudice to the provisions of any rule, the Director-General may, after giving a show-cause notice to an operator or a person and after making such enquiry as he may deem fit, cancel, suspend or endorse any authorisation or approval or issue warning or admonition to the operator or the person, where he is satisfied that :-

(a) the conditions specified by the Director-General under this rule and the Civil Aviation requirements are not being complied with and

(b) the operator or the person has performed work, or granted a certificate in respect of the work which has not been performed in a careful or competent manner or has performed work beyond the scope of its or his approval or failed to make proper entries and certification thereof or for any other reason considered by the Director-General to be sufficient to cancel, suspend or endorse authorisation or approval granted under this rule, or to issue a warning or an admonition.

[Inserted by GSR No. 1202 dated 23-7-1976]

Amended by G.S.R. 413 dated 23.7.2001 and GSR 813(E) dated 21-11-2008]

PART XIV – GENERAL

156. Inspection.— (1) The Director-General, or any officer of the Directorate General of Civil Aviation authorised by him by general or special order in writing, may inspect an aircraft or aviation facility for the purpose of granting an approval or a certificate under these rules, and subsequently to carry out surveillance including unannounced inspections to ensure continued compliance with these rules.

(2) The Director-General may authorise any person, subject to such conditions as may be specified by the Director-General, for the purpose of examining, and testing any person or aircraft or inspecting any document or aviation facility for the purpose of grant of a licence or a certificate or an approval under these rules or the provisions of the Aircraft Act, 1934 (22 of 1934) and such authorisation shall specify the functions of the person so authorised to perform on behalf of the Director-General and the said authorisation shall be for a period as specified therein.

(3) The persons so authorised under sub-rules (1) and (2) shall be issued credentials and shall perform the functions as assigned to them in the authorisation.

(4) The Director-General or the person referred to in sub-rule (1) and sub-rule (2) –

(a) shall have unrestricted and unlimited access to aircraft and aviation facilities, as applicable, for the performance of their functions and duties under these rules;

(b) may enter, inspect and search any aircraft or any aviation facility, including air navigation services, and also interact with any personnel, and inspect documents and records for the purpose of securing compliance with these rules and the provisions of the Aircraft Act, 1934 (22 of 1934).

(5) The owner or operator of aircraft, organisation or air navigation facility shall allow the Director-General, or the person referred to in sub-rules (1) and (2), access to any part of the aircraft, organisation or air navigation facility including equipment, records, documents and personnel, and shall co-operate in conducting the activities referred in sub-rules (1) and (2).

*[Substituted by GSR No. 1202 dated 23-7-1976
Amended by GSR No. 812(E) dated 21-11-2008
Substituted by GSR No. 832(E) dated 30-06-2017]*

157. Fraudulent of Documents- No person shall fraudulently lend any licence, certificate, authorisation or approval issued under these rules or allow it to be used by any other person.

[Substituted by GSR No. 1202 dated 23-7-1976]

158. Foreign military aircraft- No person shall fly or land, or assist in flying or landing, any foreign military aircraft over or in India except on or with the invitation or permission in writing of the Central Government and on such conditions as may be specified in the invitation or permission.

158A. Aircraft registered in or belonging to a foreign State- Except as provided in rules 134 and 158, no aircraft registered in, or belonging to a foreign State, shall be flown into, over, across or within India except with the prior permission of the Director-General and except in accordance with such terms and conditions as he may think fit to impose while granting such permission:

Provided that the Director-General may, by general or special order, exempt any aircraft or class or aircraft either generally or in respect of any specified flight from the provisions of this rule.

Note:- For the purpose of this rule, foreign aircraft falling under sub-rule(3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India.

[Inserted by GSR No. 83, dated 1-1-1966 and further amended vide GSR No. 150(E) dated 04-03-2009]

159. Obstruction of authorized persons- No person shall voluntarily obstruct any person acting in the exercise of his powers or in the discharge of his duties under these rules.

160. General Power to exempt- The Central Government may, by general or special order in writing, exempt any aircraft or class of aircraft or any person or class of persons from the operation of these rules, either wholly or partially, subject to such conditions, if any, as may be specified in such order.

161. Penalties- (1) Any person who has contravened or failed to comply with any of these rules or any direction issued under rule 133A shall, where no punishment is provided for such contravention in the Aircraft Act, 1934 (22 of 1934), be punishable to the extent laid down in Schedule VI of these rules.

(2) It shall be a defence to any proceedings for contravention of or failure to comply with these rules if the contravention or failure is proved to have been due to accident, stress of weather or other unavoidable cause; and it shall be a defence to any proceedings under these rules against the owner, hirer, operator, pilot or commander of an aircraft that the alleged contravention took place without his actual fault or privity.

[Amended vide GSR No. 167(E) dated 13-03-2009]

Schedule I

Areas over which flight by aircraft is prohibited

(See rule 12)

Sl. No.	Area	Extent of Prohibition
<hr/>		
(1)	The area included within a radius of one mile from the Towers of Silence on Malabar Hills, Bombay. <i>[Amended by GSR. No. 1567 dated 16-11-1962]</i>	Absolute
(2)	The area near Baroda aerodrome bounded by the following co-ordinates : <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 220 17' N730 12' E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 220 15' N730 08' E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 220 10' N730 10' E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 220 12' N730 18' E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 220 17' N730 17' E</div>	Absolute
	extending vertically from ground level to an unlimited upper level. <i>[Inserted by GSR No. 1655 dated 12-11-1964]</i>	
(3)	The Area around Rashtrapati Bhavan bounded by the following coordinates:- <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 283700 N771145 E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 783700 N771230 E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 283545 N711230 E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 283545 N771145 E</div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 283700 N771145 E</div>	Absolute
	extending vertically from ground level to an unlimited upper level. <i>[Inserted by GSR No. 604 dated 1-6-1985 and amended by GSR No. 498 dated 3-6-1988]</i>	
(4)	The Area included within a radius of ten kilometers from Mathura Refineries located :- <div style="display: flex; justify-content: space-between; margin-top: 5px;"> 2723 N07742 E</div>	Absolute
	extending vertically from ground level to an unlimited upper level. <i>[Inserted by GSR No. 498 dated 3-6-1988].</i>	

Sl. No.	Area	Extent of Prohibition
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(5) The Area near Bhubaneshwar bounded by the following coordinates :-

2030 N	8600 E	
2030 N	8548 E	
2034 N	8545 E	
2044 N	8545 E	
2044 N	8600 E	
2030 N	8600 E	Absolute
extending vertically from ground level to upper level of 50,000 feet.		
[Inserted by GSR No. 498 dated 3-6-1988]		

(6) The Area included within a radius of ten kilometers from
Kalpakkam nuclear installation located:-

12° 33' 55" N 80° 10' 3" E Absolute

extending vertically from ground level upto an upper
level of 10,000 feet.

[Inserted by GSR No. 126(E) dated 23-02-2009].

SCHEDULE II

Section A General

1. Educational Qualification— (a) The minimum educational qualification for the following licences shall be a pass in Class Ten from a recognised Board or its equivalent examination:

- (i) Student Pilot's Licence (Aeroplanes/Helicopters/Gyroplanes/ Gliders/Balloons/Microlight aircraft and light sport aircraft);
- (ii) Private Pilot's Licence (Aeroplanes);
- (iii) Private Pilot's Licence (helicopters);
- (iv) Pilot's Licence (Gliders/Balloons/Gyroplanes/ Microlight aircraft/ Light sport aircraft);
- (v) Flight Radio Telephone Operator's Licence.

(b) The minimum educational qualification for the following licences shall be a pass in class Ten plus Two, with Physics and Mathematics, from a recognised Board/university or its equivalent examination:

- (i) Commercial Pilot's Licence (Aeroplanes);
- (ii) Commercial Pilot's Licence (Helicopters);
- (iii) Senior Commercial Pilot's Licence (Aeroplanes);
- (iv) Airline Transport Pilot's Licence (Aeroplanes);
- (v) Airline Transport Pilot's Licence (Helicopters);
- (vi) Student Navigator's Licence;
- (vii) Flight Navigator's Licence;
- (viii) Student Flight Engineer's Licence;
- (ix) Flight Engineer's Licence; and
- (x) Flight Radio Telephone Operator's Licence.

*[Amended by GSR No 721(E) dated 23-6-2017;
GSR 1358(E) dated 01-11-2017]*

2. Flying Experience — (a) The evidence normally required as proof of flying experience shall consist of the production of a personal log book certified by the appropriate authority specified in Sub-Rule (4) of Rule 67A, or of a certified extract therefrom in the form which may be prescribed by the Director-General. Such flying experience shall be to the satisfaction of the Director-General.

(b) The flying experience required for the issue of Private Pilot's Licence and Commercial Pilot's Licences shall be acquired under the supervision of a Flight Instructor and shall be on aircraft having valid Certificate of Airworthiness, maintained in accordance with Rules 57-60 except Rule 59A and entered in the Aircraft Rating of Pilot's licence currently held by him.

Provided that the flying experience on an aircraft having a valid special certificate of airworthiness issued by the Director-General, may also be counted if so provided in the relevant section of this Schedule and subject to conditions specified therein.

(c) The flying experience required for issue of Private Pilot's and Commercial Pilot's Licences shall be acquired at the flying training organisations approved/recognised by the Director-General except in respect of the applicants qualifying for exemption under Rule 41.

(d) The flying experience acquired for the issue of various categories of flight crew licences shall be counted in the manner set out in Rule 67A.

(e) Flying training shall be completed in accordance with the syllabus prescribed by the Director-General.

(f) A holder of a Private pilot's licence (Aeroplanes) who has availed of any credit for flying done on a microlight/ glider/ light sport aircraft as per the provisions of Section E shall be entitled to get full credit for the same for the issue of next higher pilot licence.

[Amended by GSR No 721(E) dated 23-6-2017]

3. Air Navigation experience — The evidence of air navigation experience acquired in para (e) of Section V of this Schedule must be produced in the form of personal log book certified by a specified authority, or a certified extract therefrom in the prescribed form and navigation logs and charts. Such air navigation experience shall be to the satisfaction of the Director-General.

4. Flight by night— Flight by night for the purpose of this Schedule, except where otherwise stated, means a flight performed between the period of half an hour after sunset and half an hour before sunrise.

5. Cross-country flight— (a) A cross-country flight for the purpose of Sections J, K, L, M and N of this Schedule, unless otherwise stated, means a flight to a point beyond a radius of one hundred nautical miles from the aerodrome of departure whether over land or sea.

(b) A cross-country flight, for the purpose of Sections E, F, G & IB of this Schedule, shall mean a flight to a point beyond a radius of fifty nautical miles from the aerodrome of departure.

Amended by GSR 1358(E) dated 01-11-2017

6. Flying tests— (a) The flying tests, prescribed in this Schedule may be carried out in any order by an Examiner approved by the Director-General.

(b) The flying tests shall, nevertheless be carried out only after the pilot under test has passed the examination in Aircraft and Engines on the type appropriate to the category of licence.

(c) Stalling and spinning manoeuvres shall be carried out only on the type of aeroplane approved and the recovery from such manoeuvres completed at the minimum height above the ground or obstruction as laid down in the flight manual of the aeroplane or as specified by the Director-General and in no case below two thousand feet above the ground or obstruction.

(d) the holder of a current Commercial Pilot's Licence (Aeroplanes/Helicopters), Senior Commercial Pilot's Licence, issued by the Director-General, shall not be required to undergo general flying test for the issue of Airline Transport Pilot's Licence (Aeroplanes/Helicopters), provided that the aircraft/helicopter is entered in the Aircraft Rating of his licence and the applicant is in current flying practice on the type.

6A Language Proficiency.— (a) An applicant for the following licences shall have the ability to speak and understand the English language used for radiotelephony communications to the level of proficiency specified by the Director General:—

- (i) Private Pilot's Licence (Aeroplanes);
- (ii) Private Pilot's Licence (Helicopters);
- (iii) Commercial Pilot's Licence (Aeroplanes);
- (iv) Commercial Pilot's Licence (Helicopters);
- (v) Airline Transport Pilot's Licence (Aeroplanes);
- (vi) Airline Transport Pilot's Licence (Helicopters);
- (vii) Flight Engineer's licence,
- (viii) Flight Navigator's Licence, and
- (ix) Pilot's Licence (Microlight aircraft/Light sport aircraft/Gyroplanes).

(b) The level of proficiency shall be evaluated in accordance with the procedures laid down by Director General.

(c) The licencing authority shall indicate the level of proficiency in the licence.

*[Inserted by – GSR 722(E) dated 6.10.2008,
further amended by GSR No. 94(E) dated 12-02-2009;and
GSR 1358(E) dated 01-11-2017]*

7. Examination — (a) The technical and other examinations for the issue of a licence, rating or type rating under this Schedule shall be completed within a period of two and a half years immediately preceding the date of application for the issue of the licence or rating, except for issue of Commercial Pilot's Licence (CPL) and Airline Transport Pilot's Licence (ATPL), and for issue of CPL and ATPL, such period shall be five years.

(b) In case the technical and other examinations and /or tests expire on a holiday, they shall be deemed to be valid till the next working day.

(c) All oral examinations under this Schedule shall be conducted by a board constituted and approved by the Director-General.

(d) An applicant who fails in any subject of the technical examinations specified in this Schedule shall not be permitted to appear for re-examination within a period of six weeks from the date of examination or such lesser period as may be specified by the Director- General.

(e) The candidates shall, on demand by the Examiner/Supervisor furnish proof of identity before each test of examination.

[Amended by GSR No. 297(E) dated 8-04-2010]

8. Applications for a licence or a rating — (a) Applications for issue/validation of a licence and/or a rating shall be made to the Director-General of Civil Aviation, New Delhi and for renewal/revalidation of a licence and/or a rating shall be made either to the Director-General of Civil Aviation, New Delhi or to any other authority designated by him in this behalf on a prescribed form.

(b) Licence and Ratings specified in this Schedule shall be issued in the name as entered in the Class X Certificate of a recognised Board or its equivalent.

(c) Class Ten Certificate of a recognised Board or its equivalent or the Birth Certificate issued by a Municipal Corporation/Committee shall be the documents acceptable as proof of age.

(d) Application for the issue of a licence and/or rating shall be accompanied by :-

- (i) an assessment of medical fitness issued by the Director-General;
- (ii) Three unmounted photographs, of size 3 CMs X 4 CMs, of the applicant's head (uncovered) and shoulders in front view;
- (iii) proof of age as prescribed in para (c) ;
- (iv) a crossed bank/Indian Postal Order/Treasury receipt towards the payment of the prescribed fee, payable in the manner prescribed by the Director-General.
- (v) any other information as required by the Director-General.

(e) The date of application, shall be the date of receipt of application in the office of the Director-General.

(f) An aircraft type to be included in the Aircraft Rating of a Pilot's licence shall be the aircraft type on the Indian Register of Civil Aircraft and in respect of which a valid Certificate of Airworthiness or Special Certificate of Airworthiness is in force.

Provided that an aircraft type having a special certificate of airworthiness shall be entered in the aircraft rating of a pilot's licence relating to that aircraft.

[Amended by GSR No 721(E) dated 23-6-2017]

8A. Enrolment for training. – To enrol a person for undergoing the pilot training, the training organisation shall obtain a report of verification of character and antecedents of the trainee from the concerned government agency. Such verification report shall be submitted to the Director-General at the time of submission of the application for issue of the licence.

[Inserted by GSR No 721(E) dated 23-6-2017]

9. Privileges – No person holding a current pilot's licence shall exercise the privileges of his licence and rating unless he has satisfactorily undertaken a 'Flight Review' in the preceding twenty four months, to show that he maintains the requisite competency and knowledge, in accordance with the procedure laid down by the Director-General in this behalf:

Provided that the requirement of 'Flight Review' shall be deemed to have been met in case the holder of the pilot's licence or rating has satisfactorily undergone any one of the following flying tests or checks in the preceding twenty four months, namely:-

- (a) the skill test required for issued or renewal of the relevant licence or extension of the rating;
- (b) the proficiency checks laid down in the paragraphs specifying the privileges in various Sections of this Schedule relating to pilot's licences; and
- (c) the skill tests required for issue of renewal of Assistant Flight Instructors' Rating or Flight Instructors' Rating, or a competency check required for renewal of these ratings.

Section B
Student Pilot's Licence
(Aeroplanes /Helicopters/Gliders/Light sport aircraft/ Gyroplanes)

1. Requirements for issue of licence — An applicant for a student Pilot's Licence (Aeroplanes/Helicopters/ Gliders/Light sport aircraft/ Gyroplanes) shall satisfy the following requirements:

- (a) **Age**— The applicant shall be not less than sixteen years of age on the date of application.
- (b) **Educational Qualification**— He shall have passed Class Ten or its equivalent examination from a recognised Board.
- (c) **Medical fitness** — He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39 B.
- (d) **Knowledge** — He shall pass oral examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engines as per the syllabus prescribed by the Director-General unless he previously held a pilot's licence of a higher category, or is able to produce evidence in the manner prescribed by the Director-General that he is well-versed with the aforesaid subjects.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed for a period not exceeding twelve months from the date of fresh medical examination as specified in para 1(C) subject to the total validity of the licence not exceeding twenty four months from the date of issue.

4. Aircraft Rating— The licence shall indicate the class and the types of aeroplanes or helicopters or gliders the holder is entitled to fly. Only those types of aircraft may be entered in the licence in respect of which the candidate has passed the examination in Aircraft and Engines mentioned in para 1(d).

5. Privileges— Subject to the validity of aircraft ratings in the licence and compliance with the relevant provisions of Rules 39B, 39C and 42, the privileges of the holder of a Student Pilot's Licence shall be to fly within Indian territory only, as Pilot-in-Command of any aeroplane, helicopter, glider or light sport aircraft or gyroplane entered in the aircraft rating of his licence :

Provided that :

- (a) he shall fly at all times under the authority and supervision of a Flight Instructor or an Approved Examiner;
- (b) he shall fly under Visual Flight Rules only ;
- (c) he shall not carry passengers, animals and goods or fly for hire, reward or remuneration of any kind;
- (d) he shall not undertake cross-country flights unless he has a minimum of ten hours of solo flight time and has passed the examinations in Air Navigation and Aviation Meteorology.

Note — The Student Pilot's Licence shall be issued by a Flying Club/Government Flying Training School specifically authorised in this regard and subject to the conditions as laid down by the Director-General.

*[Amended by GSR No 721(E) dated 23-6-2017; and
GSR 1358(E) dated 01-11-2017]*

Section C

Student Pilot's Licence (Microlight Aircraft)

1. Requirements for the issue of Licence— An applicant for a Student Pilot's Licence (Microlight Aircraft) shall satisfy the following requirements:

- (a) Age— He shall be not less than sixteen years of age on the date of application.
- (b) Educational Qualification— He shall have passed Class Ten Examination or its equivalent examination from a recognised Board.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of Physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medial fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.
- (d) Knowledge— He shall pass oral examination in Air Regulation, Air Navigation, Aviation Meteorology and Aircraft and Engines as per the syllabus prescribed by the Director-General, unless he holds a valid pilot's licence of a higher category, or is able to produce evidence in the manner prescribed by the Director-General that he is well-versed with the aforesaid subjects.
- (e) Security Clearance— Security clearance for the Student Pilot/Pilot will be obtained from the concerned State Police authorities by the Flying Club/Government Flying Training School before commencement of flying training and furnished to the Director-General.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed for a period not exceeding twelve months from the date of fresh medical examination as specified in para 1(c) subject to the total validity of the licence not exceeding twenty four months from the date of issue of the licence.

4. Aircraft Rating — The licence shall indicate the class and the types of microlight aircraft, the holder is entitled to fly. Only those types of microlight aircraft may be entered in respect of which the candidate has furnished the proof of his having thoroughly familiarised himself with the flight controls, speed profiles, systems, engines and limitations of the aircraft with an Examiner, Flight Instructor or a Pilot authorised by the Director-General.

5. Privileges— Subject to the validity of aircraft rating in the licence, and compliance with relevant provisions of Rules 39B, 39C and 42, the privileges of the holder of a Student Pilot's Licence (Microlight) shall be to fly within the Indian territory only, as Pilot in Command of any microlight aircraft entered in the aircraft rating of his licence:

Provided that :

- (a) he shall fly at all times under the authority and supervision of a flight Instructor or an Examiner approved by the Director-General.
- (b) he shall fly under visual Flight Rules only.
- (c) he shall not carry passengers, animals and goods or fly for hire, reward or remuneration of any kind;
- (d) a pilot who has not been exempted from the provisions of Clause (c) of paragraph-1, shall not undertake cross-country flights unless he has a minimum of ten hours of solo flight time on microlight aircraft and has passed the examinations in Air Navigation and Aviation Meteorology.

Note— The student Pilot's Licence shall be issued by a Flying Club/Government Flying Training School specifically authorised in this regard and subject to the conditions as laid down by the Director-General.

Section D
Student Pilot's Licence (Balloons)

1. Requirements for issue of licence— An applicant for a Student Pilot's Licence (Balloons) shall satisfy the following requirements:

- (a) Age— He shall be not less than sixteen years of age on the date of application.
- (b) Educational Qualification— He shall have passed Class Ten or equivalent Examination from a recognised Board.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B.
- (d) Knowledge— He shall pass an oral examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Instruments as per the syllabus prescribed by the Director-General.
- (e) Security Clearance— Security clearance for the Student Pilot/Pilot will be obtained from the concerned State Police authorities by the Flying Club/Government Flying Training School before the commencement of flying training and furnished to the Director-General.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed for a period not exceeding twelve months from the date of fresh medical examination as specified in para-1(b) and subject to the total validity of the licence not exceeding twenty four months from the date of issue of the licence.

4. Privileges— Subject to compliance with relevant provisions of Rules -39B, 39C and 412 the privileges of the holder of a Student Pilot's Licence (Balloons) shall be to fly within the Indian territory only as Pilot-in-Command of a Balloon.

Provided that :

- (a) he shall fly at all times under the authority and supervision of a Flight Instructor or an Examiner approved by the Director-General;
- (b) he shall fly only under Visual Flight Rules.
- (c) he shall not carry passengers, animals and goods or fly for hire, reward or remuneration of any kind.

Note— The Student Pilot's Licence shall be issued by a Flying Club/Government Flying Training School specifically authorised in this regard and subject to the conditions as laid down by the Director-General.

Section E
Private Pilot's Licence (aeroplanes)

1. Requirements for issue of licence— An applicant for Private Pilot's Licence shall satisfy the following requirements:

(a) Age— He shall not be less than seventeen years of age on the date of application.

(b) Educational Qualification— He shall have passed Class Ten or equivalent Examination from a recognised Board.

(c) Medical Fitness— He shall produce on a prescribed proforma, a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.

(d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engines as per the syllabus prescribed by the Director-General.

Provided that an applicant in possession of a valid Private Pilot's Licence (Helicopters) or a Commercial/Airline Transport Pilot's Licence (Helicopters) shall pass an examination in Aircraft and Engines only.

(e) Experience— He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane not less than forty hours of flight time which shall include—

(i) not less than ten hours of solo flight time;

(ii) not less than five hours of cross-country flight time in accordance with para 5(b) of Section A as the sole occupant of an aeroplane including a flight of not less than one hundred and fifty nautical miles in the course of which full stop landings at two different aerodromes shall have been made;

(iii) not less than five hours of solo flight time completed within a period of twelve months immediately preceding the date of application for the issue of licence;

(iv) fifty percent of the total flying experience on microlight aircraft or on a glider acquired during the preceding twenty four months from the date of application subject to a maximum of ten hours may be counted towards the total experience required for the issue of the licence;

(v) solo flight time completed on light sport aircraft within the preceding twenty four months from the date of application, subject to maximum of twenty hours, may be counted towards the total experience required for the issue of the licence

Provided that not more than twenty hours of credit shall be given to an applicant under sub-clauses (iv) and (v) put together.

(f) Flying Training— He shall have completed flying training in accordance with the syllabus prescribed by the Director-General.

(g) Skill— He shall have demonstrated his competency to perform as a Pilot-incommand or a Co-pilot of an aeroplane, the procedures and manoeuvres prescribed in the syllabus, to the satisfaction of an Examiner, on the type of aeroplane to which the application for the licence relates, within a period of six months immediately preceding the date of application.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1(C); and

(b) having satisfactorily completed not less than five hours of flight time as Pilot-in-command of an aeroplane within a period of twelve months immediately preceding the date of application for renewal or in lieu thereof, having satisfactorily completed the flying test as laid down in para 1(g) within a period of six months immediately preceding the date of application.

4. Ratings— (a) Aircraft Rating— The licence shall indicate the class and the types of aeroplanes the holder is entitled to fly. An open rating for all single piston engine types of aeroplanes having an all-up weight not exceeding one thousand five hundred Kgs. may also be granted if he has completed not less than two hundred and fifty hours as Pilot-in-command and has at least four different types of aeroplanes entered in the aircraft rating of his licence :

Provided that the privileges of the open rating shall be exercised only after having undergone a ground and flight familiarisation with a Flight Instructor or an approved Examiner for the type of aircraft and a certificate to this effect shall be recorded by the Flight Instructor/Examiner in the Pilot's Log Book before the Pilot is released to exercise the privileges of his open-rating.

(b) Night Rating— Night Rating entitles the holder of the licence to carry passengers at night. Conditions for the issue of this rating are detailed below:

(i) he must have completed not less than fifty hours of flight time as Pilot-in-command and as sole manipulator of the controls including not less than five hours by night, which must include a minimum of five take-offs and five landings carried out within the preceding six months of the date of application;

(ii) he must have completed a dual cross-country flight by night of at least one hundred nautical miles before he can be permitted to undertake sole cross-country flights by night, and

(iii) he must have completed not less than five hours of dual instructions in instrument flying which may include not more than two and a half hours on an approved synthetic flight trainer.

(c) Instrument Rating— Instrument rating entitles the holder of the licence to fly under the Instrument Flight Rules. The standard of medical fitness and conditions for issue of the rating are laid in Section O.

5. Extension of Aircraft Rating— For extension of Aircraft Rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of —

(a) having passed written examination in Aircraft and Engines as mentioned in para 1(d);

(b) having undergone adequate dual instructions and solo flying to gain competency on the type;

(c) having satisfactorily completed the flight test as laid down in para 1(g) on the type within a period of six months immediately preceding date of application for the extension of Aircraft Rating.

6. Privileges— Subject to the validity of endorsements and ratings in the licence and compliance with the relevant provisions of Rules 39-B, 39-C and 42, the privileges of the holder of a Private Pilot's Licence shall be to act, but not for remuneration, as Pilot-on-command or as Co-pilot of any aeroplane which is entered in the Aircraft Rating of his licence and carry passengers therein :

Provided that —

(i) no flight is undertaken for hire or remuneration of any kind, whatsoever;

(ii) the passengers are carried by night only when the holder of licence is in possession of a valid night rating and has carried out not less than five take-offs and five landings by night as Pilot-in-command within a period of six months immediately preceding the date of intended flight; and

(iii) no flight shall be undertaken under the Instrument Flight Rules without being in possession of a valid Instrument Rating.

[Amended by GSR No 721(E) dated 23-6-2017]

Section F

Private Pilot's Licence (Helicopters)

1. Requirements for issue of Licence— An applicant for a Private Pilot's Licence (Helicopters) shall satisfy the following requirements namely :

(a) Age— He shall not be less than seventeen years of age on the date of application.

(b) Educational Qualification— He shall have passed Class Ten or equivalent examination from a recognised Board.

(c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.

(d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engine as per the syllabus prescribed by the Director-General;

Provided that an applicant in possession of a valid Private Pilot's Licence (Aeroplanes) or a Commercial/Senior Commercial/Airline Transport Pilot's Licence (Aeroplanes) shall pass an examination only in Aircraft and Engines.

(e) Experience— He shall produce evidence of having satisfactorily completed as a Pilot of a helicopter not less than forty hours of flight time, which shall include—

(i) not less than fifteen hours of solo flight time of which not less than ten hours shall have been completed within a period of twelve months immediately preceding the date of application.

(ii) not less than five hours of cross-country flight time as the sole occupant of helicopter or helicopters including a flight of not less than one hundred nautical miles in the course of which full stop landings at two different points shall have been made. This flight time may be included in the flight time required under sub-clause (i).

Provided that a person who has satisfactorily completed not less than three hundred hours of flight time as Pilot-in-command of an aeroplane shall be required to complete on a helicopter not less than twenty hours of total flight time, dual and solo, which shall include not less than ten hours of solo flight time completed within a period of twelve months immediately preceding the date of application for a licence.

(f) Flying Training— He shall have completed flying training in accordance with the syllabus prescribed by the Director-General.

(g) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an Examiner, on the type of helicopter to which the application for the licence relates, within a period of six months immediately preceding the date of application.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1(c); and

(b) having satisfactorily completed not less than five hours of flight time as Pilot-in-command of a helicopter within a period of six months immediately preceding the date of application for

renewal or in lieu thereof; having satisfactorily completed the flight test as laid down in para 1(g) within a period of six months immediately preceding the date of application.

4. Ratings— (a) Aircraft Rating :

(i) The licence shall indicate the class and the types of helicopter the holder is entitled to fly. An open rating for all single piston engine type of helicopters having an all-up-weight not exceeding one thousand five hundred Kgs. may also be granted if he has completed not less than two hundred and fifty hours as Pilot-in-command and has at least four different types of helicopters entered in the aircraft rating of his licence :

Provided that the privileges of the open rating shall be exercised only after having undergone a ground and flight familiarisation with a Flight Instructor or an approved Examiner for the type of helicopter. A certificate to this effect shall be recorded by the Examiner/Flight Instructor in the Pilot's Log Book before the pilot is released to exercise the privileges of the open rating.

(b) Night Rating— Night Rating entitles the holder to carry passengers at night. Conditions for the issue of this rating are as follows :—

(i) he must have completed not less than 50 hours of flight time as Pilot-in-command of a helicopter and as sole manipulator of the controls, including not less than ten take-offs and ten landing patterns by night within a period of six months immediately preceding the date of application; and

(ii) he must have completed not less than five hours of dual instructions in night flying.

(c) Instrument Rating— Instrument rating entitles the holder to fly under the Instrument Flight Rules. The standard of medical fitness and conditions for issue of this rating are laid down in Section P

5. Extension of Aircraft Rating— For extension of Aircraft Rating, to include an additional type of helicopter, an applicant shall be required to produce evidence of —

(a) having passed written examination in Aircraft and Engines as laid down in para 1(d);

(b) having undergone adequate dual instructions and acquired sufficient solo flying experience to gain competency on the type; and

(c) having satisfactorily completed the flying test as laid down in para 1(g) on the type within a period of six months immediately preceding the date of application for extension of Aircraft Rating ;

6. Privileges— Subject to the validity of endorsement and ratings in the licence and compliance with the relevant provisions of rules 39B, 39C and 42, the privileges of the holder of a Private Pilot's Licence (Helicopters) shall be to act, but not for remuneration, as Pilot-in-Command or as a Co-Pilot of any helicopter which is entered in the Aircraft Rating of his licence and carry passengers therein: Provided that :—

(a) no flight shall be undertaken for hire or remuneration of any kind, whatsoever;

(b) the passengers are carried by night only when the holder of licence is in possession of a valid night rating and has carried out not less than five take-offs and five landings patterns by night as Pilot-in-Command within a period of six months immediately preceding the date of intended flight; and

(c) no flight shall be undertaken under the Instrument Flight Rules without being in possession of a valid Instrument Rating.

Section G
Pilot's Licence (Microlight)

1. Requirements for the Issue of Licence— An applicant for a Pilot's Licence Microlight aircraft shall satisfy the following requirements :—

- (a) Age— He shall not be less than seventeen years of age on the date of application.
- (b) Educational Qualification— He shall have passed Class Ten or equivalent Examination from a Recognised Board.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B.
- (d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engines as per the syllabus prescribed by the Director-General :

Provided that an applicant in possession of a valid Private Pilot's Licence (Aeroplanes/helicopters) or a higher category of Pilot's Licence shall upon production of evidence in the form of a Certificate recorded by Flight Instructor/Examiner in the pilot's Log Book to the effect that the pilot has been thoroughly familiarised with the flight controls, speed profiles, systems, engines and limitations of the Microlight aircraft be exempted :

Provided further that an applicant in possession of a valid Pilot's Licence Gliders shall be exempted from examination in Air Regulations and Aviation Meteorology only.

(e) Security Clearance— If not already obtained, security clearance for the Pilot will be obtained from the concerned State Police authorities by the Flying Club/ Government Flying Training School before commencing flying and forwarded to the Director-General.

(f) Experience— He shall produce evidence of having satisfactorily completed not less than forty hours of flight time on microlight aircraft, which shall include —

- (i) not less than fifteen hours of solo flight time of which not less than ten hours shall have been completed within a period of twelve months immediately preceding the date of application for the licence; and

- (ii) not less than five hours of cross-country flight time as the solo occupant of microlight aircraft including a flight over a distance of not less than fifty nautical miles from the aerodrome of departure and at least one full stop landing at a suitable aerodrome or landing ground other than the aerodrome of departure;

- (iii) the holder of a current Private Pilot's Licence (Aeroplanes) or a higher category of Licence (Aeroplanes) shall be exempted from the experience requirements. Such pilots shall, however, be required to carry out familiarisation flights which shall be followed by not less than three solo take-offs and landings. The familiarisation flights shall be carried out under the supervision of an approved Examiner or a Flight Instructor approved by the Director-General.

(g) Flying Training— He shall have completed the flying training in accordance with the syllabus prescribed by the Director-General.

(h) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an Examiner, on the type of

microlight aircraft to which the application for licence relates, within a period of six months immediately preceding the date of application.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1(c).

(b) having satisfactorily completed not less than five hours of flight time as Pilot-in-command of a microlight aircraft within a period of twelve months immediately preceding the date of application for renewal or in lieu thereof; having satisfactorily completed the flight test as laid down in para-1(h) within a period of six months immediately preceding the date of application.

4. Aircraft Rating— The licence shall indicate the class and type of microlight aircraft, the holder is entitled to fly. An open rating for all types of microlight aircraft may also be granted if he has satisfactorily completed not less than one hundred hours of flight time as Pilot-in-command of an aeroplane or a microlight aircraft provided that before undertaking a solo flight on any microlight aircraft, he shall have undergone familiarisation with the flight controls, speed profiles, systems, engines and limitations of the aircraft with a qualified microlight pilot having one hundred fifty hours of Pilot-in-command experience and a certificate to that effect recorded in the pilot's log book.

5. Privileges— Subject to the validity of aircraft ratings in the licence and compliance with the relevant provisions of the Rules 39B, 39C and 42 of the Aircraft Rules, 1937, the privileges of the holder of a Pilot's Licence (Microlight) shall be to act as Pilot-in-Command of a microlight aircraft, which is entered in the Aircraft Ratings of his licence, under the Visual Flight Rules.

Section H

Pilot's Licence (Balloons)

1. Requirements for the issue of Licence— An applicant for a Pilot's Licence shall satisfy the following requirements :—

- (a) Age— He shall be not less than sixteen years of age on the date of application.
- (b) Educational Qualification— He shall have passed Class Ten or equivalent Examination from a recognised Board.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B.
- (d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology, Airmanship and Balloon systems/Aerostatics as per the syllabus prescribed by the Director-General :

Provided that an applicant in possession of a current Pilot's Licence Gliders, Private Pilot's Licence (Aeroplanes/Helicopters). pilot's Licence Microlight aircraft or a higher category of Pilot's Licence shall pass an examination only in airmanship and Balloon system/Aerostatics.

- (e) Security Clearance— If not already obtained, security clearance for the Pilot will be obtained from the concerned State Police authorities by the Flying Club/Government Flying Training School before commencing flying training and forwarded to the Director-General.
- (f) Experience— He shall produce evidence of having satisfactorily completed as Pilot of a Balloon not less than sixteen hours of flight time as a pilot of free balloons including at least eight launches and ascents of which—
 - (i) six ascents shall be under instruction;
 - (ii) one ascent in control, under the supervision of a properly rated Balloon Pilot, to an altitude of not less than one thousand five hundred meters above sea level;
 - (iii) one ascent under supervision as the sole occupant of a Balloon.
- (g) Flying Training— He shall have completed flying training in accordance with the syllabus prescribed by the Director-General.
- (h) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an examiner, on the type of the balloon to which the application for the licence relates, within a period of six months immediately preceding the date of application.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence shall be renewed on receipt of satisfactory evidence of the applicant —

- (a) having undergone a medical examination in accordance with para 1(c).
- (b) having satisfactorily completed at least five ascents as Pilot-in-Command of which at least one ascent should be to an altitude of one thousand five hundred metres or above within a period of six months immediately preceding the date of application or in lieu thereof; having satisfactorily completed the flying test in accordance with para 1(h) within a period of six months immediately preceding the date of application.

4. Night Rating— (a) To exercise the privileges of the licence by night, the applicant shall have completed atleast two ascents by night each of not less than 2 hours duration under the supervision of a licensed Balloon Pilot whose licence is not limited to day flying only.

(b) Night Rating shall be valid subject to the licence holder having completed atleast two ascents by night of an average duration of one hour each during a period six months immediately preceding the date of intended flight.

5. Privileges— The privileges of the holder of a Pilot's Licence (Balloons) shall be to act as Pilot-in-Command of any Balloon and to carry passengers, tow banners (fixed or otherwise) which do not adversely affect the safety of the Balloon, under the Visual Flight Rules only.

Section I
Pilot's Licence (Gliders)

1. Requirements for the Issue of Licence— An application for the issue of Pilot's Licence Gliders shall satisfy the following requirements :—

- (a) Age— He shall be not less than sixteen years of age on the date of application.
- (b) Educational Qualification— He shall have passed Class Ten or equivalent Examination from a recognised Board.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B.
- (d) Knowledge— He shall pass an oral examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft & Instruments, and engines in case of motor gliders, as per the syllabus prescribed by the Director-General :

Provided that an applicant in possession of a valid Pilot's Licence Balloons/microlight Aircraft, Private pilot's Licence (Aeroplanes/Helicopters) or a higher category of Pilot's Licence shall pass an oral test in Aircraft and Instruments.

- (e) Experience— He shall produce evidence of having satisfactorily completed as Pilot of a Glider —
 - (i) not less than ten hours of flight time of which not less than five hours shall be solo flight time; and
 - (ii) not less than seventy five take-offs and landings of which not less than twenty five solo take-offs and landings shall have been completed within a period of six months immediately preceding the date of application for licence.
- (f) Flying Training— He shall have completed the gliding training in accordance with the syllabus prescribed by the Director-General.
- (g) Skill— He shall have demonstrated his competency as Pilot-in-Command of a Glider, the procedures and maneuvers prescribed in the syllabus to the satisfaction of the Examiner, on the type of glider to which the application for the licence relates within a period of six months immediately preceding the date of application.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence shall be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone a medical examination in accordance with para 1(c);
- (b) having satisfactorily completed not less than three hours of flight time or twenty take-offs and landings as Pilot-in-Command of a Glider within a period of six months preceding the date of application for renewal or in lieu thereof; having satisfactorily completed the flying tests in accordance with para-1(g) within period of six months immediately preceding the date of application.

4. Ratings— (a) Aircraft Rating— The licence shall indicate the type of gliders the holder is entitled to fly.

- (i) An open rating to fly all gliders having an all-up-weight not exceeding six hundred kilograms may also be granted if a pilot has satisfactorily completed not less than fifty hours of flight time

as Pilot-in-Command in free flight including not less than two hundred take-offs and landings as solo manipulator of controls :

Provided that the privileges of open rating shall be exercised only after having undergone familiarisation flights with Flight Instructor (Glider) or with an approved Examiner or having been thoroughly briefed by an approved Examiner or an Instructor in case of single seater glider and a certificate to that effect recorded by the Examiner/Instructor in the Pilot's log book, before releasing the pilot for flight.

(b) Aero-Tow Rating— Aero-tow Rating entitles the holder to carry passengers in gliders in aero-tow flights. An Aero-tow Rating may be given if a glider pilot has satisfactorily completed in a glider not less than ten aero-tow flights of a total duration of not less than two hours as pilot of a glider :

Provided that no solo aero-tow flights are undertaken, unless at least five dual aero-tow flights have been carried out with a qualified Instructor on board and a satisfactory report to that effect recorded by the Instructor in the pilot's log book before the aero-tow flights are undertaken.

(c) Glider Towing Requirements— No person shall act as Pilot-in-Command of an aircraft towing a glider unless he meets the following requirements :

(i) he holds a valid pilot's licence (other than a Student Pilot's Licence);

(ii) he has an endorsement in his Pilot log book from a person authorised to give instruction in glider towing and is familiar with the techniques and procedures essential to the safe towing of gliders, including airspeed limitations, emergency procedures, signals used and maximum angles of bank;

(iii) he has made and entered in his Pilot's log book at least three flights as sole manipulator of the controls of an aircraft towing a glider under the supervision of a pilot who meets the requirements of this clause and has carried out at least ten flights as 'Pilot-in-Command' of an aircraft towing a glider;

(iv) If he holds only a Private Pilot's Licence (Aeroplanes), he shall have not less than one hundred hours of flight time as Pilot-in-Command.

(d) Motor Glider Rating— Motor Glider Rating entitles the holder to carry passengers in a self launching motor glider. A motor glider rating may be given if the holder of a valid pilot's Licence Glider produces evidence of :

(i) having passed an oral examination in engines;

(ii) having satisfactorily completed as pilot of self-launching Motor glider not less than forty take-offs and landings, out of which not less than ten take-offs and landings shall have been completed as Pilot-in- Command;

(iii) having thoroughly familiarised himself with the flight controls, speed profiles, systems, engines and limitations of the aircraft with an approved Examiner/Glider Instructor and a certificate to that effect recorded by Instructor/Examiner in the Pilot's log book.

5. Extension of Aircraft Rating— For extension of Aircraft Rating to include an additional type of Glider, the applicant shall be required to produce evidence of :—

(i) having passed an oral examination in aircraft and instruments and engines in case of motor gliders, as mentioned in para 1(d) :

(ii) having satisfactorily completed the flying tests in accordance with para-1(g) on the type of glider to which the application relates within a period of six months immediately preceding the date of application for extension of the aircraft rating; and

(iii) having satisfactorily carried out not less than three take-offs and landings as Pilot-in-command as sole manipulator of controls.

6. Privileges— Subject to the validity of the aircraft ratings in the licence and compliance with the relevant provisions of Rules 39B, 39C and 42 of the Aircraft Rules, 1937, the privileges of the holder of Pilots Licence Gliders shall be to act, as Pilot-in-Command of any glider which is entered in the Aircraft Rating of the licence and to carry passengers therein under the Visual Flight Rules.

Note— 1. The privileges granted under this section shall be exercised only when the method of launching is any one of the following:— Winch-launching, Auto-launching, or Launching by aero-tow.

2. If any unconventional method of launching such as rockets, catapults, etc. is adopted, the privileges to fly in command and to carry passengers shall be exercised only after he has completed an approved course of training and a flying test to the satisfaction of the Director-General.

Section— IA
Pilot's Licence (Light Sport Aircraft)

1. Requirements for the Issue of Licence— An applicant for a Pilot's Licence (Light Sport aircraft) shall satisfy the following requirements:—

(a) Age— He shall not be less than seventeen years of age on the date of application;

(b) Educational Qualification— He shall have passed Class Ten or equivalent Examination from a Recognised Board;

(c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B;

(d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engines as per the syllabus prescribed by the Director-General:

Provided that an applicant in possession of a valid Private Pilot's Licence (Aeroplanes/helicopters) or a higher category of Pilot's Licence shall be exempted from passing all the aforesaid examinations under clause (d) after furnishing a Certificate by the Flight Instructor or Examiner in the pilot's Log Book to the effect that the pilot has been thoroughly familiarised with the flight controls, speed profiles, systems, engines and limitations of the light sport aircraft.

Provided further that an applicant in possession of a valid Pilot's Licence (Gliders) shall be exempted from examination in Air Regulations and Aviation Meteorology specified in clause (d).

(e) Experience— He shall produce evidence of having satisfactorily completed not less than forty hours of flight time on light sport aircraft, which shall include —

(i) not less than twenty hours of flight training with, —

(a) two hours of dual cross country flight training;

(b) one solo cross-country flight of total distance of not less than fifty nautical miles with a full stop landing at a minimum of two different aerodromes and with one segment of the flight consisting of straight line distance of at least twenty five nautical miles;

(ii) not less than ten hours of solo flight time with ten take-offs and landings completed within six months preceding the date of submission of application for issue of licence.

Provided that the holder of a current Private Pilot's Licence (Aeroplanes) or a higher category of Licence (Aeroplanes) shall be exempted from the experience requirements. Such pilots shall, however, be required to carry out familiarisation flights of minimum one hour followed by not less than three solo take-offs and landings within six months preceding the date of application. Such flying shall be carried out under the supervision of an approved Examiner or a Flight Instructor approved by the Director-General and endorsed in the logbook of the licence holder by the approved Examiner/ Instructor.

(f) Flying Training— He shall have completed the flying training in accordance with the syllabus prescribed by the Director-General.

(g) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an Examiner, on the type of light sport aircraft to which the application for licence relates, within a period of six months immediately preceding the date of application.

2. Validity — The licence shall be valid for a period as specified in rule 39C.

3. Renewal — The licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1(c); and

(b) having satisfactorily completed not less than five hours of flight time as Pilot-in-command of a light sport aircraft within a period of twelve months immediately preceding the date of application for renewal, or having satisfactorily completed the flight test as laid down in paragraph 1(g) within a period of six months immediately preceding the date of application.

4. Aircraft Rating — The licence shall indicate the class and type of light sport aircraft the holder is entitled to fly. An open rating for all types of light sport aircraft may also be granted if he has satisfactorily completed not less than one hundred hours of flight time as Pilot-in-command of an aeroplane or a light sport aircraft.

Provided that the privilege of the open rating shall be exercised only after having undergone familiarisation with the flight controls, speed profiles, systems, engines and limitations of the aircraft with a qualified light sport pilot having not less than one hundred fifty hours of Pilot-in-command experience and a certificate to that effect shall be recorded by the qualified light sport pilot of that aircraft in the pilot's log book.

5. Privileges— (a) Subject to provisions of rules 39B, 39C and 42, the privileges of the holder of a Pilot's Licence (Light Sport Aircraft) shall be to act as Pilot-in-Command of a light sport aircraft, which is entered in the Aircraft Rating of his licence, under the visual flight rules.

(b) A Light Sport Aircraft Pilot shall not:

- (i) carry a passenger or property for compensation or hire;
- (ii) fly at night;
- (iii) fly in Class D and E airspace (controlled airspace) unless he holds a valid Flight Radio Telephony Operator's Licence (Restricted) and has been trained by an approved instructor with a log book endorsement for operation at any aerodrome with an operating control tower;
- (iv) fly at an altitude of more than 10,000 feet mean sea level or 2000 feet above ground level, whichever is higher;
- (v) fly when flight or surface visibility is less than 5000 meter;
- (vi) fly without visual reference to surface;
- (vii) fly contrary to any operating limitation placed on the special certificate of airworthiness of the aircraft being flown; and
- (viii) fly contrary to any limit on pilot licence or medical or any other limit.

(c) The holder of a Pilot Licence (Light Sport aircraft) having a total experience of 100 hours of flight time as pilot in command on a light-sport aircraft may impart flying instructions on a light sport aircraft subject to the condition that he has been assessed fit for imparting training by an examiner approved by the Director-General.

(d) The holder of a Flight Instructor's Rating (Aeroplanes) having a total experience of 15 hours of flight time as pilot in command on a light sport aircraft may impart instructional training on a light sport aircraft.

[Inserted by GSR No 721(E) dated 23-6-2017]

Section-IB
Pilot's Licence (Gyroplane)

1. Requirements for issue of Licence—An applicant for a Pilot's Licence (Gyroplane) shall satisfy the following requirements namely:

- (a) Age—He shall not be less than seventeen years of age on the date of application.
- (b) Educational Qualification—He shall have passed Class Ten or equivalent examination from a recognised Board.
- (c) Medical Fitness—He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B.
- (d) Knowledge—He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engine as per the syllabus prescribed by the Director-General:

Provided that an applicant in possession of a valid Private Pilot's Licence (Aeroplanes)/ (Helicopters) or a higher category of Pilot's Licence shall pass an examination in Aircraft and Engines only.

(e) Experience —He shall produce evidence of having satisfactorily completed as a Pilot of a gyroplane not less than forty hours of flight time, which shall include—

(i) not less than fifteen hours of solo flight time of which not less than ten hours shall have been completed within a period of twelve months immediately preceding the date of application.

(ii) not less than five hours of cross-country flight time as the sole occupant of a gyroplane including a flight of not less than one hundred nautical miles in the course of which full stop landings at two different points shall have been made. This flight time may be included in the flight time required under sub-clause (i).

Provided that the holder of a current Private Pilot's Licence (Helicopter) or a higher category of Licence (Helicopter) shall be exempted from the experience requirements. Such pilots shall, however, be required to carry out familiarisation flights satisfactorily which shall be followed by not less than three solo take-offs and landings. The familiarisation flights shall be carried out under the supervision of an approved Examiner or a Flight Instructor authorised by the Director-General.

(f) Flying Training—He shall have completed flying training in accordance with the syllabus prescribed by the Director-General.

(g) Skill—He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an Examiner, on the type of gyroplane to which the application for the licence relates, within a period of six months immediately preceding the date of application.

2. Validity—The licence shall be valid for a period as specified in rule 39C.

3. Renewal—The licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1 (c) above; and

(b) having satisfactorily completed not less than five hours of flight time as Pilot-in-command of a gyroplane within a period of six months immediately preceding the date of application for renewal or in lieu thereof; having satisfactorily completed the flight test as laid down in para 1(g) above within a period of six months immediately preceding the date of application.

4. Aircraft Ratings—The licence shall indicate the type of gyroplane the holder is entitled to fly. An open rating for all types of gyroplane may also be granted if he has satisfactorily completed not less than one hundred hours of flight time as Pilot-in-Command of a helicopter or a gyroplane:

Provided that the privilege of the open rating shall be exercised only after having undergone familiarisation flight of minimum 45 minutes duration with a qualified gyroplane pilot having not less than one hundred fifty hours of Pilot-in-Command experience and a certificate to that effect shall be recorded by the qualified gyroplane pilot in the pilot's log book.

5. Privileges—(a) Subject to provisions of Rules 39B, 39C and 42, the privileges of the holder of a Pilot's Licence (Gyroplane) shall be to act as Pilot –in-Command of a gyroplane which is entered in the Aircraft Rating of his licence, under the visual flight rules.

(b) A Gyroplane Pilot shall not:

(i) carry a passenger or property for compensation or hire;

(ii) fly at night;

(iii) fly in Class D and E airspace (controlled airspace) unless he holds a valid Flight Radio Telephony Operator's Licence (Restricted) and has been trained by an approved instructor with a log book endorsement for operation at any aerodrome with an operating control tower;

(iv) fly at an altitude of more than 10,000 feet mean sea level or 2000 feet above ground level, whichever is higher;

(v) fly when flight or surface visibility is less than 5000 meter;

(vi) fly without visual reference to surface;

(vii) fly contrary to any operating limitation placed on the special certificate of airworthiness of the aircraft being flown; and

(viii) fly contrary to any limit on pilot licence or medical or any other limit.

(c) Fly another type of gyroplane after familiarisation of 2 hours under the supervision of qualified pilot on that type and a certificate to that effect shall be recorded by the qualified gyroplane pilot of that aircraft in the pilot's log book.

(d) The holder of a Pilot Licence (Gyroplane) having a total experience of 100 hours of flight time as Pilot-in-Command on a gyroplane may impart flying instructions on a gyroplane subject to the condition that he has been assessed fit for imparting training by an examiner approved by the Director General.

(e) The holder of a Flight Instructor's Rating (Helicopter) having total experience of 15 hours of flight time as Pilot-in-Command on a gyroplane may impart instructional training on a gyroplane.

Inserted by GSR 1358(E) dated 01-11-2017

Section J
Commercial Pilot's Licence (Aeroplanes)

1. Requirements for issue of Licence— An applicant for a Commercial Pilot's Licence shall satisfy the following requirements:—

(a) Age— He shall be not less than Eighteen years of age on the date of application:

(b) Educational Qualification— He shall have passed Class Ten plus Two or an equivalent examination with Physics and Mathematics, from a recognized Board/University.

(c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.

(d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation Meteorology and aircraft and Engines and Signals (practical) examination for interpretation of aural and visual signals, as per the syllabus prescribed by the Director-General :

Provided that the holder of a current Commercial Pilot's Licence (Helicopters) shall be required to pass an examination in Aircraft and Engines only.

(e) Experience— He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane within a period of five years immediately preceding the date of application for licence not less than two hundred hours of flight time, which shall include—

(i) not less than one hundred hours of flight time as Pilot-in-Command of which not less than fifteen hours shall have been completed within a period of six months immediately preceding the date of application for licence;

(ii) not less than twenty hours of cross-country flight time as Pilot-in-Command including a cross-country flight of not less than three hundred nautical miles in the course of which full stop landings at two different aerodromes shall be made;

(iii) not less than ten hours of instrument time of which not more than five hours may be on an approved simulator; and

(iv) not less than five hours of flight time by night including a minimum of ten take-offs and ten landings as Pilot-in-Command as (sole manipulator of controls) carried out within six months immediately precedings the date of application for licence.

Provided that in case of an applicant who is in possession of a Commercial Pilot's Licence (Helicopters/Airline Transport Pilot's Licence (Helicopters) and who has satisfactorily completed not less than 1000 hours of flight time as Pilot-in-Command of a helicopter, the above experience requirement of two hundred hours as pilot of an aeroplane shall be reduced to one hundred hours, which shall include –

(i) Not less than seventy five hours of flight time as pilot-in-command including a minimum of twenty five hours of cross country flight time and ten hours of instrument time of which not less than five hours may be on approved simulator;

(ii) Not less than five hours of flight time by night including ten takeoffs and landing patterns; and

(iii) Not less than ten hours of flight time on aeroplane within a period of six months immediately preceding the date of application for issue of licence.

(f) Flying Training— He shall have completed the flying training in accordance with the syllabus prescribed by the Director-General.

(g) Other Requirements— He shall be in possession of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(h) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an examiner, on the type of aeroplane to which the application for licence relates, within a period of six months immediately preceding the date of application. The Director General may, however, allow Skill Test or part thereof to be carried out on aircraft/ approved Zero Flight Time Training simulator level 'D' for the type of aircraft. The competency shall be demonstrated as in —

- (i) general flying test by day;
- (ii) general flying test by night;
- (iii) a cross-country flight test by day consisting of a flight of not less than two hundred fifty nautical miles in the course of which at least one full stop landing at an aerodrome other than the aerodrome of departure shall be made; and
- (iv) a cross-country flying test by night consisting of a flight of not less than one hundred twenty nautical miles returning to the place of departure without landing elsewhere.

2. **Validity** — The licence shall be valid for a period as specified in Rule 39C.

3. **Renewal**— The licence may be renewed on receipt of satisfactory evidence of the applicant —

- (a) having undergone a medical examination in accordance with para 1(c) above;
- (b) having satisfactorily completed not less than ten hours of flight time as Pilot-in-Command (Fifty percent of flight time as Co-Pilot may be counted towards the requirement of flight time as Pilot-in-Command) within a period of six months immediately preceding the date of application for renewal; or in lieu thereof, having satisfactorily completed the general flying test by day and night as laid down in clause (h) of paragraph 1 within the same period;
- (c) having a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft, issued by the Director-General.

4. **Aircraft Rating**— (a) The licence shall indicate the types of aeroplane the holder is entitled to fly.

(b) An open rating for all single piston engine type of aeroplane having an allupweight not exceeding one thousand five hundred Kgs. may also be granted if he has completed not less than one thousand hours of flight time on such types of aeroplanes including not less than five hundred hours as Pilot-in-Command and has at least four different types of aircraft entered in the aircraft rating of his licence:

Provided that the privileges of the open rating shall be exercised only after having undergone a ground and flight familiarisation with a flight Instructor or an approved Examiner and a certificate to this effect shall be recorded by the Examiner in the pilot's log book, before the pilot is released to exercise the privileges of open rating on that type of aircraft.

(c) **Instructor's Rating**— Instructor's Rating entitles the holder to impart flying instructions. The privileges and conditions for the issue of these ratings are laid down in Sections Q & R.

(d) **Instrument Rating**— Instrument Rating entitles the holder to fly under Instrument Flight Rules. Conditions for issue of this rating are laid down in Section O.

5. Extension of Aircraft Rating— For extension of aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of –

(i) having passed a written examination in Aircraft and Engines as mentioned in para 1(d) and of having gained, under appropriate supervision, experience in flying the aircraft of such type or on approved flight simulator in respect of the following, namely:-

(a) normal flight procedures and manoeuvres during all phases of flight;

(b) abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as power plant, systems and airframe;

(c) where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;

(d) procedures for crew incapacitation and crew coordination including allocation of pilot tasks crew cooperation and use of check lists; and

(ii) having satisfactorily completed the general flying tests by day and night in accordance with para 1(h) in respect of the type of aircraft for which the extension of aircraft rating is desired. Such flying tests shall have been completed within a period of six months immediately preceding the date of the application for extension of the aircraft rating.

5A. Proficiency Check—

(a) In order to act as a co-pilot of transport aeroplanes having an all-up weight exceeding five thousand seven hundred kilograms, the licence holder shall be required to undergo an appropriate proficiency check as specified by the Director-General, in respect of the type of aircraft to be flown.

(b) The proficiency check carried out as per para (a) shall be valid for a period of six months from the date of the check and shall be renewed for a further period of six months at a time.

(c) In the case of renewal, the period of validity shall commence from the date of expiry of the previous validity provided that the check has been carried out within two months preceding the date of expiry.

6. Privileges— Subject to the validity of endorsements and ratings in the licence and compliance with the relevant provisions of Rule 39B, Rule 39C and Rule 42 of the Aircraft Rules, 1937, the privileges of the holder of a Commercial Pilot's Licence shall be :—

(a) to exercise all the privileges of Private Pilot's Licence;

(b) to act as Pilot-in-Command of any aeroplane having an all-up-weight not exceeding five thousand seven hundred Kgs. and which is entered in the aircraft rating of his licence provided that when passengers are to be carried at night, he shall have carried out within a period of six months immediately preceding the date of the intended flight not less than ten take-offs and ten landings by night as Pilot-in-Command:

(c) to act as Co-Pilot of any aeroplane where a Co-Pilot is required to be carried and which is entered in the aircraft rating of his licence :

Provided that for all flights under the Instrument Flight Rules, either as Pilot-in- Command or as Co-Pilot, he shall have a current Instrument Rating:

Provided also that on attainment of the age of sixty-five years, such privileges shall be restricted to that of Private Pilot's Licence (Aeroplanes).

[Amended by (i) G.S.R No. 400 (E) dated 14th June, 2005]

- (ii) G.S.R No. 307(E) dated 24th May, 2006*
- (iii) G.S.R No. 19(E) dated 27th December 2007,*
- (iii) G.S.R No. 68(E) dated 30th January 2009,*
- (iv) G. S. R. No. 11(E) dated 10th January 2011*
- (v) G.S.R. No. 399(E) dated 31st March 2016]*

Section K

Commercial Pilot's Licence (Helicopters)

1. Requirements for issue of licence— An applicant for a Commercial Pilot's Licence (Helicopters) shall satisfy the following requirements :—

- (a) Age— He shall be not less than eighteen years of age on the date of application.
- (b) Educational Qualification— He shall have passed class ten plus two with Physics and Mathematics or its equivalent examination from a recognized Board/University.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.

(d) Knowledge— He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engines and Signals (practical) examination for interpretation of aural and visual signals as per the syllabus prescribed by the Director-General:

Provided that an applicant in possession of a current Commercial Pilot's Licence (Aeroplanes) or higher category of a pilot's licence shall be required to pass an examination in Aircraft and Engines only.

(e) Experience— He shall produce evidence of having satisfactorily completed as pilot of helicopter or helicopters not less than one hundred and fifty hours of flight time, which shall include—

- (i) not less than fifty hours of flight time as Pilot-in-Command of a helicopter;
- (ii) not less than ten hours of cross-country flight time as Pilot-in-Command of a helicopter;
- (iii) not less than ten hours of flight time as Pilot-in-Command of a helicopter within a period of six months immediately preceding the date of application for licence; out of which not less than five hours of flight time by night which shall include not less than ten take-offs and ten landing patterns by night;
- (iv) not less than ten hours of instrument instruction time of which not less than five hours may be instrument ground time;

Provided that a person who is holder of a Commercial Pilot's Licence (Aeroplanes) or an Airline Transport Pilot's Licence (Aeroplanes) shall be required to complete on a helicopter not less than eighty hours of flight time including not less than twenty hours of flight time as Pilot-in-Command which shall include not less than five hours of cross country time, and not less than five hours of flight time by night with not less than ten take offs and ten landing patterns within a period of six months immediately preceding the date of application for licence.

(f) Flying Training— He shall have completed flying training in accordance with the syllabus prescribed by the Director-General.

(g) Other Requirements— He shall be in possession of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(h) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus by day and night to the satisfaction of an approved Examiner, on the type of helicopter to which the application for licence relates, within a period of six months immediately preceding the date of application.

2. Validity— The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant—

(a) Having undergone a medical examination in accordance with para 1(c).

(b) Having satisfactorily completed not less than five hours of flight time as Pilot-in- Command (fifty percent of the flight time as Co-Pilot may be counted towards the requirements of flight time as Pilot-in-Command) of a helicopter within a period of six months immediately preceding the date of application for renewal, or in lieu thereof having satisfactorily completed the flying tests as laid down in para 1(h) within the same period.

(c) Having a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

4. Ratings— (a) Aircraft Rating— The licence shall indicate the class and types of helicopters the holder is entitled to fly. An open rating for all single engine piston type of helicopters having an all-up-weight not exceeding one thousand five hundred Kgs. may also be granted if he has completed not less than one thousand hours of flight time including not less than two hundred hours as Pilot-in-Command on helicopters and has at least four different types of helicopters entered in the aircraft rating of his licence.

(b) Instructor's Rating— Instructor's rating entitles the holder to impart flying instructions on types of helicopters entered in the aircraft rating of his licence. The privileges and conditions for the issue of these ratings are laid down in Section Q and R of this schedule.

(c) Instrument Rating— Instrument rating entitles the holder to fly under the Instrument Flight Rules. Conditions for issue of the rating are laid down in Section P of this schedule.

5. Extension of Aircraft Rating— For extension of aircraft rating to include an additional type of helicopter, an applicant shall be required to produce evidence of —

(i) having passed a written examination in Aircraft and Engines as mentioned in para 1(d) and of having gained, under appropriate supervision, experience in flying the aircraft of such type or an approved flight simulator in respect of the following, namely:

(a) normal flight procedures and manoeuvres during all phases of flight;

(b) abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as power plant, systems and airframe;

(c) where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;

(d) procedures for crew incapacitation and crew coordination including allocation of pilot tasks; crew cooperation and use of check lists; and

(ii) having satisfactorily completed the general flying tests by day and night in accordance with para 1(h) in respect of the type of aircraft for which the extension of aircraft rating is desired. Such flying tests shall have been completed within a period of six months immediately preceding the date of application for extension of the aircraft rating.

5A. Proficiency Check—

(a) In order to act as a pilot-in-command or co-pilot on transport helicopters, the licence holder shall be required to undergo an appropriate proficiency check as specified by the Director-General, in respect of the type of helicopter to be flown.

(b) The proficiency check carried out as per para (a) shall be valid for a period of six months from the date of the check and shall be renewed for a further period of six months at a time.

(c) In the case of renewal, the period of validity shall commence from the date of expiry of the previous validity provided that the check has been carried out within two months preceding the date of expiry.

6. Privileges— Subject to the validity of endorsements and ratings in the licence and compliance with the relevant provisions of Rule 39B, Rule 39C and Rule 42 of the Aircraft Rules, 1937, the privileges of the holder of a Commercial Pilot's Licence (Helicopters) shall be—

(i) to exercise all the privileges of Private Pilot's Licence (Helicopters);

(ii) to act as pilot-in-command of any helicopter engaged in operations other than commercial air transportation;

(iii) to act as pilot-in-command in commercial air transportation in any helicopter certified for single-pilot operation; and

(iv) to act as co-pilot in commercial air transportation in any helicopters required to be operated with a co-pilot.

Provided that when passengers are to be carried at night he shall have carried out within a period of six months immediately preceding the date of intended flight not less than five take-offs and five landing patterns and one route check to the satisfaction of an Examiner by night as Pilot-in-Command of a helicopter:

Provided further that for all flights under the Instrument Flight Rules as Pilot-in-Command or as Co-Pilot he shall be required to have current Instrument Rating:

Provided also that on attainment of the age of sixty-five years, such privileges shall be restricted to that of Private Pilot's Licence (Helicopters).

[Amended by (i) G.S.R No. 307(E) dated 24th May, 2006

(ii) G. S. R. No. 11(E) dated 10th January 2011

(iii) G. S. R. No. 487(E) dated 21st June 2012

(iv) G.S.R. No. 399(E) dated 31st March 2016]

Section L

COMMERCIAL PILOT'S LICENCE (AEROPLANES) WITH INSTRUMENT RATING

1. Requirements for issue of Licence – An applicant for Commercial Pilot's Licence (Aeroplanes) with Instrument Rating shall satisfy the following requirements :-

(a) Age – He shall be not less than Eighteen years of age on the date of application.

(b) Educational Qualification – He shall have passed Class Ten plus Two or an equivalent examination with Physics and Mathematics, from a recognized Board/University.

(c) Medical Fitness – He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director – General under 39B.

(d) Knowledge – He shall pass a written examination in Air Regulations, Air Navigation, Meteorology and Aircraft and Engines and Signals (practical) examination for interpretation of aural and visual signals, as per the syllabus prescribed by the Director-General:

Provided that the holder of a current Commercial Pilot's Licence (Helicopters) shall be required to pass an examination in Aircraft and Engines and Instrument Rating only.

(e) Experience – He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane within a period of five years immediately preceding the date of application for licence not less than two hundred hours of flight time, which shall include –

(i) not less than hundred hours of flight time as Pilot-in-Command out of which not less than thirty hours flight time as Student Pilot-in-Command which shall include not more than twenty hours of cross country flight time and not more than ten hours circuits-landings with minimum ten landings;

(ii) not less than fifteen hours time as Pilot-in-Command flight time within a period of six months immediately preceding the date of application;

(iii) not less than fifty hours cross-country flight time as Pilot-in-Command including a cross-country flight of not less than three hundred nautical miles in the course of which full stop landings at two different aerodromes shall be made;

(iv) not less than fifty hours of instrument time of which not more than twenty hours may be on an approved simulator, out of which minimum of five hours of instrument time shall have been completed within a period of six months immediately preceding the date of application for the Instrument Rating; and

(v) not less than five hours time by night including a minimum of ten take offs and ten landings as Pilot-in-Command (as sole manipulator of controls) carried out within six months immediately preceding the date of application for licence:

Provided that in case of an applicant who is in Possession of a Commercial Pilot's Licence (Helicopters) and who has satisfactorily completed not less than one thousand hours of flight time as Pilot-in-Command of a helicopter, the above experience requirement of two hundred hours as pilot of an airplane shall be reduced to hundred hours.

Note- The student-pilot-in- command flight time shall not be logged by instructor in his own log book. Student log book shall indicate student pilot-in-command flight time in remarks column as SPIC with the name of the instructor.

(f) Flying Training – He shall have completed the flying training in accordance with the syllabus prescribed by the Director-General.

(g) Other Requirements – He shall be in possession of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft Issued by the Director-General.

(h) Skill – He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an examiner, on the type of aeroplane to which the application for licence relates, within a period of six months immediately preceding the date of application. The competency shall be demonstrated in –

- (i) general flying test by day;
- (ii) general flying test by night;
- (iii) a cross-country flight test by day consisting of a flight of not less than two hundred fifty nautical miles in the course of which at least one full stop landing at an aerodrome other than the aerodrome of departure shall be made;
- (iv) a cross-country flying test by night consisting of a flight of not less than one hundred twenty nautical miles returning to the place of departure without landing elsewhere; and
- (v) ability to fly an aeroplane in respect of which Instrument Rating is desired, solely with the aid of instruments by undergoing an instrument flying test within a period of six months immediately preceding the date of application for the rating. The flying test shall be carried out in accordance with the syllabus prescribed by the Director-General. The Director-General may, however, allow such tests or part thereof to be carried out on an approved simulator for the type of aircraft.

2. Validity – The period of validity shall commence from the date of issue or renewal of the licence. The licence shall be valid for a period specified in Rule 39C subject to compliance with renewal requirements as stipulated in para 3 hereinafter.

3. Renewal – The licence may be renewed on receipt of satisfactory evidence of the applicant.

- (a) having undergone a medical examination in accordance with para 1(c) above
- (b) having satisfactorily completed not less than ten hours of flight time as Pilot-in-Command (Fifty percent of flight time as Co-Pilot may be counted towards the requirement of flight time as Pilot-in-Command) within a period of six months immediately preceding the date of application for renewal, or in lieu thereof, having satisfactorily completed the general flying test by day and night as laid down in clause (h) of paragraph 1 within the same period; and
- (c) having a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft, issued by the Director-General.

4. Rating – (a) The licence shall indicate the types of aeroplane the holder is entitled to fly.

(b) Open Rating - An open rating for all single piston engine type of aeroplanes having an all-up-weight not exceeding one thousand five hundred Kgs. may also be granted if he has completed not less than one thousand hours of flight time on such types of aeroplanes including not less than five hundred hours as Pilot-in-Command and has at least four different types of aircraft entered in the aircraft rating of his licence:

Provided that the privileges of the open rating shall be exercised only after having undergone a ground and flight familiarization with a flight Instructor or an approved Examiner and a certificate to this effect shall be recorded by the Examiner in the pilot's log book, before the pilot is released to exercise the privileges of open rating on that type of aircraft.

(c) Instructor's Rating – Instructor's Rating entitles the holder to impart flying instructions. The privileges and conditions for the issue of these ratings are laid down in Sections Q & R.

(d) Instrument Rating— No separate Instrument Rating is provided in the licence. The privileges of instrument rating are included in the privileges of this licence provided that the instrument rating flying tests have been carried out as per the conditions laid down by the Director-General. Conditions for validity and renewal of instrument rating shall be as are laid down in Section O of this Schedule.

5. Extension of Aircraft Rating – For extension of aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of -

(i) having passed a written examination in Aircraft and Engines as mentioned in para 1(d) and of having gained, under appropriate supervision, experience in flying the aircraft of such type or on approved flight simulator in respect of the following, namely:-

(a) normal flight procedures and manoeuvres during all phases of flight;

(b) abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as power plant, systems and airframe;

(c) where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;

(d) procedures for crew incapacitation and crew coordination including allocation of pilot task, crew cooperation and use of check lists; and

(ii) having satisfactorily completed the general flying tests by day and night in accordance with para 1(h) in respect of the type of aircraft for which the extension of aircraft rating is desired. Such flying tests shall have been completed within a period of six months immediately preceding the date of application for extension of the aircraft rating.

5A. Proficiency Check—

(a) In order to act as a co-pilot of transport aeroplanes having an all-up weight exceeding five thousand seven hundred kilograms, the licenceholder shall be required to undergo an appropriate proficiency check as specified by the Director-General, in respect of the type of aircraft to be flown.

(b) The proficiency check carried out as per para (a) shall be valid for a period of six months from the date of the check and shall be renewed for a further period of six months at a time.

(c) In the case of renewal, the period of validity shall commence from the date of expiry of the previous validity provided that the check has been carried out within two months preceding the date of expiry.

6. Privileges –Subject to the validity of endorsements and ratings in the licence and compliance with the relevant provisions of Rule 39B, Rule 39C and Rule 42 of the Aircraft Rules, 1937, the privileges of the holder of a Commercial Pilot's Licence (Aeroplanes) shall be :-

(a) to exercise all the privileges of Private Pilot's Licence (Aeroplanes);

(b) to act as Pilot-in-Command of any aeroplane having an all-upweight not exceeding five thousand seven hundred Kgs. And which is entered in the aircraft rating of his licence provided that when passengers are to be carried at night, he shall have carried out within a period of six months immediately preceding the date of the intended flight not less than ten take-offs and ten landings by night as Pilot-in-Command;

(c) to act as Co-Pilot of any aeroplane where a Co-pilot is required to be carried and which is entered in the aircraft rating of his licence:

Provided that for all flights under the Instrument Flight Rules, either as Pilot-in-Command or as Co-pilot, he shall have demonstrated his company in accordance with para 1(h) (v)
*[Inserted by GSR No. 165(E) dated 12-03-2009,
Amended by G.S.R. No. 399(E) dated 31st March 2016]*

Section M

Airline Transport Pilot's Licence (Aeroplanes)

1. Requirements for issue of Licence— An applicant for an Airline Transport Pilot's Licence shall satisfy the following requirements :—

- (a) Age— He shall be not less than twentyone years of age on the date of application;
- (b) Educational Qualification— He shall have passed class ten plus two with Physics and mathematics or its equivalent examination from a recognised Board/University.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B;
- (d) Knowledge— He shall pass a written and oral examination in Air Regulations, Air Navigation, Avionics (Radio Aids and Instruments), Aviation Meteorology and Aircraft and Engines, and Signals (Practical) examination for interpretation of aural and visual signals as per the syllabus prescribed by the Director-General.

Note: — Holder of a current Commercial Pilot's Licence, shall not be required to pass the examination in Air Regulations and that of Senior Commercial Pilot's Licence shall not be required to pass any of the examinations.

(e) Experience— He shall produce evidence of having satisfactorily completed as a Pilot of an aeroplane not less than one thousand five hundred hours of flight time of which not less than one hundred fifty hours flight time shall be in the preceding twelve months and his total flying experience shall include —

- (i) not less than five hundred hours of flight time as Pilot-in-Command or as Co-Pilot performing, under the supervision of a pilot who fulfills the flying experience requirements of a check pilot, the duties and functions of a pilot-in-command provided that at least two hundred hours out of these shall be cross-country flight time, including not less than fifty hours of flight time by night.

Note— Where an aeroplane is required to be operated with a co-pilot in accordance with the provisions of the Flight Manual of the aeroplane, not more than fifty percent of the co-pilot flight time shall be credited towards the total flight time required for the issue of the licence, but not more than fifty percent of the co-pilot flight time under supervision shall be credited towards pilot-in-command flight experience required for issue of the licence, and full credit for such flight time shall be given towards total flight time required for issue of the licence.

- (ii) not less than one thousand hours of total cross-country flight time;
- (iii) not less than one hundred hours of flight time by night;
- (iv) not less than one hundred hours of instrument time under actual or simulated instrument conditions of which not less than fifty hours shall be in actual flight;
- (v) not less than ten hours of flight time completed within a period of six months immediately preceding the date of application for the licence.

(f) Other Requirements— (i) He shall be the holder of a Commercial or a Senior Commercial Pilot's Licence. However, this will not be applicable for the issue of Airline Transport Pilot's Licence to a pilot from Armed Forces who otherwise meets the requirements;

- (ii) He shall have a current Instrument Rating on multi-engine aircraft;

(iii) He shall be in possession of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(g) Skill— He shall have demonstrated his competency to perform by day and by night the procedures and manoeuvres prescribed in the syllabus to the satisfaction of the Examiner, on the type of multi-engine aeroplane to which the application for licence relates within a period of six months immediately preceding the date of application.

The Director General may, however, allow skill tests or part thereof to be carried out on aircraft/ approved Zero flight Time Training simulator level 'D' for the type of aircraft.

Note :— The holder of a current Commercial Pilot's Licence (Aeroplanes)/Senior Commercial Pilot's Licence (Aeroplanes) issued by the Director-General shall not be required to undergo general flying tests for the issue of Airline Transport Pilot's Licence (Aeroplanes) provided that the licence is issued on the type or types of multi-engine aeroplane or aeroplanes, as the case may be, included in the aircraft rating of Commercial Pilot's Licence (Aeroplanes) or Senior Commercial Pilot's Licence (Aeroplanes) and the pilot possesses ten hours of flying experience as Pilot-in-Command or twenty hours as Co-pilot at least on one such multi-engine type within the preceding six months.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The Licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1(c).

(b) having satisfactorily completed not less than ten hours flight time as Pilot-in-Command (fifty percent of flight time as Co-Pilot may be counted towards the requirements of flight time as Pilot-in-Command) within a period of six months immediately preceding the date of application for renewal, or in lieu thereof ; having satisfactorily completed the flying tests by day and by night as laid down in clause (g) of paragraph 1 within the same period.

(c) having a current flight Radio Telephone Operator's Licence, for operation of radio telephone apparatus on board an aircraft, issued by the Director-General.

(d) having a current Instrument Rating on a multi-engine aircraft.

Note:—Applicants holding Airline Transport Pilot Licence (Aeroplanes), having only single engine aeroplane or aeroplanes entered in the aircraft type rating on the licence, shall be able to renew their licence till 31st December, 2001 only on the basis of satisfactory Instrument Rating Flight Test on single engine aeroplane or aeroplanes entered in the Licence.

4. Ratings— (a) Aircraft Rating— The licence shall indicate the class and the types of aeroplanes the holder is entitled to fly. An open rating for all types of aeroplanes having all-up-weight not exceeding five thousand seven hundred Kgs. may also be granted if he has completed not less than one thousand hours of flight time as a Pilot-in-Command on any aeroplane having an all-up-weight of fourteen thousand Kgs. or above.

(b) Instructor's Rating— Instructor's Rating entitles the holder to impart flying instructions. The privileges and conditions for the issue of these ratings are laid down in Sections Q and R;

(c) Instrument Rating—No separate Instrument Rating is provided in the licence. The privileges of instrument rating are included in the privileges of the licence provided that the instrument rating flying tests have been carried out as per the conditions laid down by the Director-General. Conditions for validity and renewal of instrument rating shall be as are laid down in Section O of this Schedule.

5. Extension of Aircraft Rating— For extension of aircraft rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of —

(i) having passed a written examination in Aircraft and Engines as mentioned in para 1(d) and of having gained, under appropriate supervision, experience in flying the aircraft of such type or on approved flight simulator in respect of the following, namely:

- (a) normal flight procedures and manoeuvres during all phases of flight;
- (b) abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as power plant, systems and airframe;
- (c) where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;
- (d) procedures for crew incapacitation and crew coordination including allocation of pilot tasks, crew cooperation and use of check lists; and

(ii) having satisfactorily completed the general flying tests by day and night in accordance with para 1(h) in respect of the type of aircraft for which the extension of aircraft rating is desired. Such flying tests shall have been completed within a period of six months immediately preceding the date of the application for extension of the aircraft rating.

5A. Proficiency Check—

(a) In order to act as a pilot-in-command or co-pilot of transport aeroplanes having an all-up weight exceeding five thousand seven hundred kilograms, the licence holder shall be required to undergo an appropriate proficiency check as specified by the Director-General, in respect of the type of aircraft to be flown.

(b) The proficiency check carried out as per para (a) shall be valid for a period of six months from the date of the check and shall be renewed for a further period of six months at a time.

(c) In the case of renewal, the period of validity shall commence from the date of expiry of the previous validity provided that the check has been carried out within two months preceding the date of expiry.

6. Privileges.— Subject to the validity of endorsements and ratings in the licence and compliance with the relevant provisions of Rules 39B, 39C and 42 of these rules, the privileges of the holder of an Airline Transport Pilot's Licence shall be—

(a) to exercise the privileges of a Commercial Pilot's Licence and a Private Pilot's Licence;

(b) to act as Pilot-in-Command of an aeroplane having an all-up weight exceeding 5700 Kgs., which is entered in the aircraft rating of his licence, subject to his prior compliance with the following conditions:-

(i) he shall have completed on that type of aeroplane not less than one hundred hours of flight time as a Co-pilot, followed by ten consecutive satisfactory route checks, of which not less than five shall be by night, under the supervision of a Check Pilot performing the duties and responsibilities of a Pilot-in-Command, and demonstrated his competency to fly as a Pilot-in-Command to the satisfaction of the Director-General:

Provided that in case of a pilot having previous experience of at least 100 hours as Pilot-in-Command of transport aeroplanes having all-up weight exceeding 5700 Kgs., the required number of route checks may be reduced to six out of which at least three shall be by night.

(ii) he shall have undergone satisfactorily within the preceding six months of the intended flight, appropriate proficiency checks in respect of that type of aircraft as required by the Director-General.

(iii) he shall be in possession of a current Instrument Rating before operating any IFR flight:

Provided that on the attainment of the age of sixty-five years, such privileges shall be restricted to that of a Private Pilot's Licence (Aeroplanes) in accordance with Section E.

*[Amended by – (i) G.S.R No. 68(E) dated 30th January 2009;
(ii) G. S. R. No. 11(E) dated 10th January 2011;
(iii) G.S.R. No. 399(E) dated 31st March 2016; and
(iv) G.S.R. No. 985(E) dated 28th July 2017]*

Section N

Airline Transport Pilot's Licence (Helicopters)

1. Requirements for Issue of Licence— An applicant for an Airline Transport Pilot's Licence (Helicopters) shall satisfy the following requirements —

- (a) Age— He shall be not less than twenty-one years of age on the date of application.
- (b) Educational Qualification— He shall have passed class ten plus two with Physics and Mathematics or its equivalent examination from a recognised Board/University;
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B;
- (d) Knowledge— He shall pass written and oral examination in Air Regulations, Air Navigation, Avionics (Radio Aids and Instruments), Aviation Meteorology and Aircraft and Engines, and Signals (Practical) examination for interpretation of aural and visual signals, as per the syllabus prescribed by the Director-General.

Note — Holder of a valid Commercial Pilot's Licence (Aeroplanes/Helicopters) and SCPL/ALTP (Aeroplanes) shall not be required to pass the examination in Air Regulations. The holders of commercial Pilot's Licences (Aeroplanes) shall, however, be required to pass the examination in Aircraft and Engines on helicopters.

(e) Experience— He shall produce evidence of having satisfactorily completed as pilot of a helicopter not less than one thousand hours of flight time of which not less than one hundred hours shall be in the preceding twelve months and his total flying experience shall include not less than —

(i) two hundred fifty hours of flight time as Pilot-in-Command or fifty hours as Pilot-in-Command and four hundred hours as Co-Pilot performing the duties and functions of a Pilot-in-Command under the supervision of a Pilot who satisfies the flying experience requirements for Check Pilot;

(ii) two hundred hours of cross-country flight time of which not less than one hundred fifty hours shall be as Pilot-in-Command or as Co-Pilot performing the duties and functions of a Pilot-in-Command under the supervision of a Pilot who satisfies the flying experience requirements for Check Pilot, including not less than twenty hours by night;

(iii) fifty hours of flight time by night;

(iv) forty hours of instrument time under actual or simulated conditions, of which not more than ten hours may be Instrument Ground Time.

(v) ten hours of flight time completed within a period of six months immediately preceding the date of application for the licence.

Note:— Where a helicopter is required to be operated with a copilot in accordance with provisions of the Flight Manual of the helicopter, not more than fifty percent of the co-pilot flight time shall be credited towards the total flight time required for the issue of the licence, but not more than fifty percent of the co-pilot flight time under supervision shall be credited towards pilot-in-command flight experience required for issue of the licence, and full credit for such flight time shall be given towards total flight time required for issue of the licence.

(f) Other Requirements—

(i) He shall be a holder of a Commercial Pilot's Licence (helicopter). However, this may not be applicable for the issue of an Airline Transport Pilot's Licence (Helicopter) to a qualified pilot from the Indian Armed Forces who otherwise meets the requirements.

(ii) He shall have a current Instrument Rating.

(iii) He shall be in possession of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(g) Skill— He shall have demonstrated his competency to perform by day and by night the procedures and manoeuvres prescribed in the syllabus to the satisfaction of the Examiner on the type of multi-engine helicopter to which the application for licence relates, within a period of six months immediately preceding the date of the application.

Note:— The holder of a valid Commercial Pilot's Licence (Helicopters) issued by the Director-General shall not be required to undergo the general flight tests for the grant of Airline Transport Pilot's Licence (Helicopters) provided that the licence is issued on the type or types of multi-engine helicopter or helicopters, as the case may be, included in the aircraft rating of Commercial Pilot's Licence (Helicopters) and the pilot possesses recent flying experience of at least five hours as Pilot-in-Command or ten hours as Co-pilot on one such multi-engine type.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant —

(a) having undergone a medical examination in accordance with para 1(c).

(b) having satisfactorily completed not less than ten hours of flight time as Pilot-in-Command (fifty percent of flight time as a Co-Pilot may be counted towards the requirement of flight time as Pilot-in-Command) within a period of six months immediately preceding the date of application for renewal, or in lieu thereof having satisfactorily completed the skill tests by day and by night as laid down in clause (g) of paragraph 1 within the same period.

(c) having a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(d) having satisfactorily completed Instrument Rating Flight Test on a multi-engine helicopter entered in the licence within the preceding twelve months of the date of intended flight.

Note:— Applicants holding Airline Transport Pilot's Licence (Helicopters), having only single engine helicopter entered in the aircraft rating on the licence, shall be able to renew their licences till 31st December, 2001 on the basis of satisfactory Instrument Rating Flight Test on single engine helicopter type entered in the licence.

4. Ratings— (a) Aircraft Rating— The licence shall indicate the class and the types of helicopters the holder is entitled to fly. An open rating for all types of helicopters having an all-up-weight not exceeding one thousand five hundred Kgs. may also be granted if he has completed not less than one thousand hours of flight time including not less than five hundred hours as Pilot-in-Command on helicopters:

Provided that the privileges of the open rating shall be exercised only after having undergone a ground and flight familiarisation with a Flight Instructor or an approved Examiner, and a certificate to this effect is recorded by the Instructor/Examiner in the Pilot's Log Book, before he is released to exercise the privileges of open rating on that type of helicopter.

(b) Instructor's Rating— Instructor's rating entitles the holder to impart flying instructions. The privileges and conditions for the issue of these ratings are laid down in Section Q and R.

(c) Instrument Rating— Instrument rating entitles the holder to fly under the Instrument Flight Rules. Conditions for issue of the rating are laid down in Section P.

5. Extension of Aircraft Rating— For extension of the aircraft rating to include an additional type of helicopter, an applicant shall be required to produce evidence of —

(i) having passed a written examination in Aircraft and Engines as mentioned in para 1(d) and of having gained, under appropriate supervision, experience in flying the aircraft of such type or an approved flight simulator in respect of the following, namely:

- (a) normal flight procedures and manoeuvres during all phases of flight;
- (b) abnormal and emergency procedures and manoeuvres in the event of failures and malfunctions of equipment, such as power plant, systems and airframe;
- (c) where applicable, instrument procedures, including instrument approach, missed approach and landing procedures under normal, abnormal and emergency conditions, including simulated engine failure;
- (d) procedures for crew incapacitation and crew coordination including allocation of pilot tasks, crew cooperation and use of check lists; and

(ii) having satisfactorily completed the general flying tests by day and night in accordance with para 1(h) in respect of the type of aircraft for which the extension of aircraft rating is desired. Such flying tests shall have been completed within a period of six months immediately preceding the date of application for extension of the aircraft rating.

5A. Proficiency Check—

(a) In order to act as a pilot-in-command or co-pilot on transport helicopters, the licence holder shall be required to undergo an appropriate proficiency check as specified by the Director-General, in respect of the type of helicopter to be flown.

(b) The proficiency check carried out as per para (a) shall be valid for a period of six months from the date of the check and shall be renewed for a further period of six months at a time.

(c) In the case of renewal, the period of validity shall commence from the date of expiry of the previous validity provided that the check has been carried out within two months preceding the date of expiry.

6. Privileges— Subject to the validity of endorsements and ratings in the licence and compliance with the relevant provisions of Rule 39B, Rule 39C and Rule 42 of the Aircraft Rules, 1937, the privileges of the holder of an Airline Transport Pilot's Licence (Helicopters) shall be :—

(a) to exercise the privileges of a Private and Commercial Pilot's Licence (Helicopters);

(b) to act as Pilot-in-Command or as a Co-Pilot of any helicopter where a Co-Pilot is required to be carried and which is entered in the aircraft rating of his licence:

Provided that he shall not act as Pilot-in-Command of a helicopter having an all-up-weight exceeding five thousand seven hundred Kgs. unless he has completed on that type of helicopter not less than one hundred hours of flight time as a Co-Pilot followed by ten consecutive satisfactory route checks including not less than five by night under the supervision of a Check Pilot, performing the duties and functions of a Pilot-in-Command and has demonstrated his competency to fly as Pilot-in-Command to the satisfaction of the Director-General :

Provided also that for all flights under the instrument flight rules (specified in Schedule IV to the Aircraft Rules, 1937) as pilot-in-command or as co-pilot he shall be required to have current Instrument Rating.

Provided also that on attainment of the age of sixty-five years, such privileges shall be restricted to that of Private Pilot's Licence (Helicopters).

[Amended by G.S.R. No. 399(E) dated 31st March 2016]

Section O

Instrument Rating (Aeroplanes)

1. Requirements for Issue of Rating— An applicant for an Instrument Rating shall satisfy the following requirements: —

(a) Knowledge— He shall pass a written and oral examination in Air Regulations, Air Navigation, Aviation Meteorology and Instrument Rating as per syllabus prescribed by the Director-General for issue of Commercial Pilot's Licence. He shall also pass a practical test on interpretation of aural and visual signals as per the syllabus prescribed by the Director-General.

(b) Experience— He shall produce evidence of having satisfactorily completed as a pilot of an aeroplane—

(i) not less than one hundred hours of flight time as a Pilot-in-Command including not less than fifty hours of cross-country flight time;

(ii) not less than forty hours of instrument time of which not more than twenty hours shall be instrument ground time. A minimum of five hours of instrument time shall have been completed within a period of six months immediately preceding the date of application for the Instrument Rating :

Provided that in the case a pilot who holds a current Instrument Rating (Helicopters), he shall have not less than one hundred hours of flight time as Pilot-in-Command of an aeroplane including not less than twentyfive hours of cross-country flight time and not less than twenty hours of instrument time of which not more than ten hours may be on an approved simulator.

(c) Other Requirements — He shall be :

(i) holder of a current Pilot's Licence (Aeroplanes);

(ii) holder of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(d) Flying Training— He shall have completed the flying training in accordance with the syllabus as prescribed by the Director-General.

(e) Skill— He shall have demonstrated to the satisfaction of the Examiner his competency to fly an aeroplane in respect of which Instrument Rating is desired, solely with the aid of instruments by undergoing an instrument flying test within a period of six months immediately preceding the date of application for the rating. The flying test shall be carried out in accordance with the syllabus as prescribed by the Director-General. The Director-General may, however, allow such tests or part thereof to be carried out on an approved simulator for the type of aircraft.

2. Validity — (a) The rating shall be valid for a period of twelve months from the date of the instrument rating flying test.

(b) It shall be renewed for a further period of twelve months at a time from the date of expiry provided that the instrument rating flying test has been carried out within two months preceding the date of expiry and all other requirements for renewal are met.

(c) In other cases, the validity of renewal of the rating shall commence from the date of the test.

3. Renewal— The Instrument Rating may be renewed on receipt of satisfactory evidence of the applicant :

(a) having satisfactorily completed the Instrument Rating Flight Test as laid down in para 1(e).

(b) having a valid Flight Radio Telephone Operator's Licence issued by the Director-General for operation of radio telephone apparatus on board an aircraft.

4. Extension of Instrument Rating— For extension of Instrument Rating to include an additional type of aeroplane, an applicant shall be required to produce evidence of having satisfactorily completed the flight test in accordance with para 1(e) in respect of the type of aeroplane for which the extension of Instrument Rating is desired. The flight test shall have been completed within a period of six months immediately preceding the date of application for the extension of Instrument Rating.

5. Privileges— Subject to the validity of the Instrument Rating, the privileges of the holder thereof shall be to fly under the Instrument Flight Rules, the types of aeroplanes on which he has demonstrated his competency in accordance with para 1(e) :

Provided that a pilot, who has demonstrated his competency by undergoing an Instrument Rating Flight test on a single-engine aeroplane not exceeding an all-up-weight of five thousand seven hundred Kgs., shall exercise the privileges of his Instrument Rating on all single engine aeroplanes within the aforesaid weight category :

Provided further that a pilot, who has demonstrated his competency by undergoing an Instrument Rating Flight test on a Multi-engine aeroplane not exceeding an all-up-weight of five thousand seven hundred Kgs., shall exercise the privileges of his Instrument Rating on all multi-engine aeroplanes within the aforesaid weight category.

Notwithstanding anything said here-in-before, the holder of an Instrument Rating on any transport aeroplane, shall exercise his privileges only on the type of aeroplane on which the Instrument Rating Flight test has been satisfactorily carried out;

Provided further that the holder of an Instrument Rating on aeroplanes having an all-up-weight exceeding five thousand seven hundred Kgs. shall exercise the privileges of his Instrument Rating only on the type of aeroplane on which the Instrument Rating Flight test has been satisfactorily carried out.

Provided also that, notwithstanding anything said herein before, the holder of an Instrument Rating on any multi-engine aeroplane may exercise the privileges of Instrument Rating on any single engine aeroplane entered in the aircraft rating of his licence.

*[Amended vide (i) GSR No. 165(E) dated 12-03-2009;
(ii) G. S. R. No. 11(E) dated 10th January 2011;
(iii) GSR No. 32(E) dated 13-01-2015; and
(iv) G.S.R. No. 399(E) dated 31st March 2016]*

Section P
Instrument Rating (Helicopters)

1. Requirements for issue of Rating— An applicant for an Instrument Rating (Helicopters) shall satisfy the following requirements :—

(a) Knowledge— He shall pass a written and oral examination in Air Regulations, Air Navigation and Aviation Meteorology as per the syllabus prescribed for the issue of a Commercial Pilot's Licence (Helicopters). He shall also pass signals (Practical) examination for interpretation of aural and visual signals for the issue of this rating as per the prescribed syllabus.

(b) Experience— He shall produce evidence of having satisfactorily completed as a pilot of a helicopter not less than one hundred fifty hours of flight time which shall include not less than —

(i) one hundred hours of flight time as Pilot-in-Command or fifty hours of flight time as Pilot-in-Command and one hundred hours as Co-Pilot performing the duties and functions of a Pilot-in-Command under the supervision of a Pilot who satisfies the flying experience requirements of a Check Pilot.

(ii) fifty hours of cross-country flight time as Pilot-in-Command of a helicopter or fifteen hours as Pilot-in-Command and seventy hours as Co-Pilot performing the duties and functions of a Pilot-in-Command under the supervision of a Pilot who satisfies the flying experience requirements of a Check Pilot.

(iii) forty hours of Instrument time in helicopters of which not more than twenty hours shall be instrument ground time. A minimum of five hours of instrument time shall have been completed on helicopters within a period of six months immediately preceding the date of application:

Provided that in the case of a Pilot who holds a current Instrument Rating (Aeroplanes), he shall have not less than fifty hours of flight time as Pilot-in-Command of helicopter including not less than twenty hours of cross-country flight time and not less than twenty hours of instrument flight time of which not more than ten hours may be instrument ground time.

(c) Other Requirements— He shall be:

(i) holder of a current Pilot's Licence (Helicopters).

(ii) holder of a current Flight Radio Telephone Operator's Licence for operation of radio telephone apparatus on board an aircraft issued by the Director-General.

(d) Flying Training— He shall have completed the flying training in accordance with the syllabus as prescribed by the Director-General.

(e) Skill— He shall have demonstrated his competency to fly a helicopter in respect of which Instrument Rating is desired, solely with the aid of instruments by undergoing an instrument flying test to the satisfaction of an Examiner within a period of six months immediately preceding the date of application for the rating. The flight test shall be carried out in accordance with the syllabus as prescribed by the Director-General. The Director-General may, however, allow such tests or part thereof to be carried out on an approved simulator for the type of aircraft.

2. Validity — (a) The instrument rating shall be valid for a period of twelve months from the date of the instrument rating flying test.

(b) It shall be renewed for a further period of twelve months at a time from the date of expiry provided that the instrument rating flying test has been carried out within two months preceding the date of expiry and all other requirements for renewal are met.

(c) In other cases, the validity of renewal of the rating shall commence from the date of the test.

3. Renewal— The Instrument Rating may be renewed on receipt of satisfactory evidence of the applicant:

(a) having satisfactorily completed the Instrument Rating Flight Test as laid down in para 1(e).

(b) having a current Flight Radio Telephone Operator's Licence issued by the Director-General for operation of radio telephone apparatus on board an aircraft.

4. Extension of Instrument Rating— For extension of Instrument Rating to include an additional type of helicopter, an applicant shall be required to produce evidence of having satisfactorily completed the flight tests in accordance with para 1(e) in respect of the type of helicopter for which the extension of Instrument Rating is desired. The flight test shall have been completed within a period of six months immediately preceding the date of application for the extension of Instrument Rating.

5. Privileges— Subject to the validity of the Instrument Rating, the privileges of the holder shall be to fly under the Instrument Flight Rules, the types of helicopters on which he has demonstrated his competency in accordance with para 1(e).

[Amended by (i) G.S.R No. 307(E) dated 24th May, 2006;

(ii) G. S. R. 240 dated 13th December 2010;

(iii) G. S. R. No. 11(E) dated 10th January 2011;

(iv) GSR No. 32(E) dated 13-01-2015; and

(v) G.S.R. No. 399(E) dated 31st March 2016]

Section Q
Assistant Flight Instructor's Rating (Aeroplanes/Helicopters)

1. Requirements for issue of Rating— An applicant for an Assistant Flight Instructor's Rating shall satisfy the following requirements :—

- (a) Age— He shall be not less than eighteen years of age on the date of application.
- (b) Knowledge— He shall pass a written or oral examination in the following subjects in accordance with the prescribed syllabus :—
 - (i) Mechanics of flight;
 - (ii) Methods and techniques of flying instructions;
 - (iii) Flight instruments.
- (c) Experience— He shall produce evidence of having satisfactorily completed as pilot of an aeroplane within a period of five years immediately preceding the date of application for this rating :
 - (i) not less than two hundred hours of flight time as a Pilot-in-Command of an aeroplane of which not less than fifty hours shall have been completed within a period of eighteen months immediately preceding the date of application; and in the case of helicopters, not less than one hundred hours flight time as a Pilot-in-Command of a helicopter, of which not less than fifty hours shall have been completed within a period of eighteen months immediately preceding the date of application; and
 - (ii) not less than ten hours of flying training as an Instructor as per the syllabus prescribed by the Director-General under an approved Flight Instructor/Examiner.
- (d) Other Requirements— He shall be the holder of an appropriate current professional pilot's licence.
- (e) Skill— He shall have demonstrated to the satisfaction of the Examiner his competency as an Assistant Flight Instructor by performing the procedures and manoeuvres prescribed in the syllabus within a period of six months immediately preceding the date of application.

2. Validity — (a) The rating shall be valid for a period of twelve months from the date of issue of the rating.

(b) In the case of renewal, the period of validity of the rating shall be for a period of twelve months which shall commence from the date following the date of expiry of the previous validity subject to the condition that the application for renewal has been submitted within one month preceding the date of expiry and all other requirements for renewal are met on the date of application.

(c) In cases other than those referred to in clause (b), the validity of renewal of the rating shall commence from the date of renewal of the rating.

3. Renewal— The Assistant Flight Instructor's Rating may be renewed on receipt of satisfactory evidence of the applicant—

(a) having satisfactorily completed not less than twenty hours of flight time as an Assistant Flight Instructor and also satisfactorily completed the competency checks within a period of twelve months immediately preceding the date of application for renewal;

or

(b) having satisfactorily completed oral or written examination in relevant aviation subjects as laid down in para 1 (b) and the flying tests as laid down in para 1(e) within a period of six months immediately preceding the date of application for renewal.

4. Privileges— Subject to the validity of endorsements and rating in his pilot's licence of which this Assistant Flight Instructor's Rating forms a part, the privileges of the holder of an Assistant flight Instructor's Rating shall be to impart instructions during flight by day only and under the authority and supervision of a Flight Instructor, on all types of aeroplanes/helicopters having all-up-weight not exceeding one thousand five hundred Kgs., and which are entered in the Aircraft Rating of his licence:

Provided that he shall not authorise any Student Pilot to undertake his first solo flight and shall not impart instructions in aerobatics and night flying.

[Amended by G. S. R. No. 11(E) dated 10th January 2011]

Section R
Flight Instructor's Rating (Aeroplanes/Helicopters)

1. Requirements for issue of rating— An applicant for a Flight Instructor's Rating shall satisfy the following requirements—

(a) Age— He shall be not less than twenty years of age on the date of application.

(b) Knowledge— He shall pass a written or oral examination in the following subjects in accordance with the prescribed syllabus—

- (i) Mechanics of flight;
- (ii) Methods and techniques of flying instructions;
- (iii) Flight instruments.

(c) Experience— He shall produce evidence of having satisfactorily completed as pilot of an aeroplane or a helicopter, as the case may be, within a period of five years immediately preceding the date of application for this rating :

(i) (a) twenty hours by night during which at least twenty take-offs and twenty landings have been carried out;

(b) three hundred hours of flight time on aeroplanes or one hundred fifty hours on helicopters, as the case may be, satisfactorily completed in the capacity of an Assistant Flight Instructor or Qualified Flight Instructor in the service of Defence Forces..

(ii) an approved Flight Instructor's course :

Provided that in case of a pilot from Defence Forces who has successfully completed the Qualified Flight Instructor's course and also satisfies requirements as laid down in para 1(c) and 1(d) may be considered for the issue of Flight Instructor's Rating if he has not less than twenty hours of flight time as Flight Instructor within a period of twelve months immediately preceding the date of application.

(d) Other Requirements— He shall be—

(i) the holder of a current Commercial Pilot's Licence (Aeroplanes/Helicopters)/ Senior Commercial Pilot's Transport Licence, Airline Transport Pilot's Licence (Aeroplanes/Helicopters);

(ii) the holder of a current Instrument Rating.

Note : In the absence of a current Instrument Rating, an applicant will not be permitted to impart instruction in Instrument Flying.

(e) Skill— He shall have demonstrated his competency as a Flight Instructor by performing procedures and manoeuvres prescribed in the syllabus by day and by night to the satisfaction of an approved Examiner within a period of six months immediately preceding the date of application.

2. Validity — (a) The rating shall be valid for a period of twelve months from the date of issue of the rating.

(b) In the case of renewal, the period of validity of the rating shall be for a period of twelve months which shall commence from the date following the date of expiry of the previous validity subject to the condition that the application for renewal has been submitted within one month preceding the date of expiry and all other requirements for renewal are met on the date of application.

(c) In cases other than those referred to in clause (b), the validity of renewal of the rating shall commence from the date of renewal of the rating.

3. Renewal— The Flight Instructor's Rating may be renewed on receipt of satisfactory evidence of the applicant having satisfactorily completed not less than twenty hours of flight time as well as the competency checks as a Flight Instructor within a period of twelve months immediately preceding the date of application for renewal; or in lieu thereof satisfactorily completed oral or written examination in relevant aviation subjects as laid down in para 1(b) and the flying tests as laid down in para 1(e) within the same period together with having successfully completed a Flight Instructor's refresher course approved by the Director-General,

4. Aircraft Rating— The rating shall indicate the class and the types of aeroplanes/helicopters as the case may be on which the holder is entitled to impart instructions.

5. Extension of aircraft rating— For extension of aircraft rating to include additional types of aeroplanes/helicopters, as the case may be, having an all-up-weight exceeding five thousand seven hundred Kgs., the applicant shall be required to produce evidence of —

(a) having obtained appropriate aircraft rating for that type on his professional pilot's licence;

(b) having satisfactorily completed not less than five hundred hours of flight time as Pilot-in-Command on aeroplanes or three hundred hours of flight time as Pilot-in-Command on helicopters, as the case may be; and

(c) having satisfactorily completed the flying tests as laid down in para 1(e) on the type desired to be included in this rating.

Note — Requirements mentioned in (b) and (c) may be varied by the Director-General under special circumstances in the case of an experienced Flight Instructor who has successfully completed a course approved by the Director-General.

6. Privileges — Subject to the validity of endorsements and ratings in the Pilot's licence of which this Flight Instructor's Rating forms a part and also any endorsement on this rating, the privileges of the holder of a Flight Instructor's Rating shall be :—

(a) to impart flying instructions on aeroplanes/helicopters, as the case may be, having an all-up-weight not exceeding five thousand seven hundred Kgs. and which is entered in the aircraft rating of his licence, and also on an aeroplane/helicopter having an all-up-weight exceeding five thousand seven hundred Kgs. and which is entered in his Instructor's Rating.

(b) to supervise and authorise solo flights by student pilots and supervise flying instructions imparted by Assistant Flight Instructors.

Provided that this privilege shall be subject to any directions that may be issued by the Director-General in this behalf to Flying Training Organisations.

*[Amended by (i) G. S. R. No. 11(E) dated 10th January 2011; and
(ii) G.S.R. No. 1171(E) dated 19-09-2017]*

SECTION S	Omitted vide GSR No. 870(E) dated 28.12.2008
SECTION T	Omitted vide GSR No. 870(E) dated 28.12.2008

Section U

Student navigator's Licence

1. Requirements for issue of licence — An applicant for a Student Navigator's Licence shall satisfy the following requirements—

(a) Age— He shall be not less than twenty years of age on the date of application;

(b) Educational Qualification— He shall have passed class ten plus two with Physics and Mathematics or its equivalent examination from a recognised Board/University.

(c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.

(d) Knowledge— He shall pass a written examination with oral and practical tests in Air Regulations, Air Navigation, Flight Navigation, Instruments, Radio/Radar Aids, Astronomical Navigation and Aviation Meteorology; and Signals (Practical) test for interpretation of aural and visual signals in accordance with the syllabus as prescribed by the Director-General.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant having undergone a medical examination in accordance with clause (c) of paragraph 1 and subject to satisfactory exercise of privileges.

4. Privileges— Subject to compliance with the relevant provisions of Rule 39B, Rule 39C and Rule 42 of Aircraft Rules, 1937, the privileges of the holder of a Student Navigator's Licence shall be to act as a Navigator on any flight, where a Flight Navigator is required to be carried in accordance with Rule 38 A provided that he shall so act at all times under the direct supervision of a licensed Flight Navigator and solely for the purposes of gaining practical experience in navigation to qualify for a Flight Navigator's Licence.

Section V

Flight Navigator's Licence

1. Requirements for issue of licence— An applicant for a Flight Navigator's Licence shall satisfy the following requirements :

- (a) Age— He shall be not less than twenty-one years of age on the date of application;
- (b) Educational Qualification— He shall have passed class ten plus two with Physics and Mathematics or its equivalent examination from a recognised Board/University.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.
- (d) Knowledge— He shall pass a written examination with oral and practical tests in Air Regulations, Air Navigation, Flight Navigation, Instruments, Radio/Radar Aids, Astronomical Navigation and Aviation Meteorology; and Signals (Practical) test for interpretation of aural and visual signals in accordance with the syllabus as prescribed by the Director-General.
- (e) Experience—
 - (i) The applicant shall have completed in the performance of the duties of a flight navigator not less than two hundred hours of flight time acceptable to the Director-General, in aircraft engaged in cross-country flights, including not less than thirty hours by night;
 - (ii) When the applicant has completed as a pilot not less than two hundred hours of flight time acceptable to the Director-General, such experience to the extent of one hundred hours cross-country flight time shall be considered as experience for the purpose of sub-clause (i);
 - (iii) The applicant shall produce evidence of having satisfactorily determined the aircraft's position in flight, and used that information to navigate the aircraft, as follows:
 - (a) by night — not less than twenty five hours by celestial observations; and
 - (b) by day — not less than twenty five hours by celestial observations in conjunction with self-contained or external referenced navigation systems.
- (f) Skill— The applicant shall have demonstrated in flight by day and by night within a period of six months immediately preceding the date of application, the ability to perform as flight navigator of an aircraft with a degree of competency appropriate to privileges of a flight navigator during which he should have shown
 - (i) the exercise of good judgement and airmanship;
 - (ii) application of aeronautical knowledge;
 - (iii) performed all duties as part of an integrated crew; and
 - (iv) communicated effectively with other flight crew members.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of the applicant—

- (a) having undergone a medical examination in accordance with clause (c) of paragraph 1;

(b) having completed as a Flight Navigator not less than twenty hours of flight time during which he shall have navigated an aircraft by the use of dead reckoning, radio bearings and such other aids as are available to him in navigating an aircraft within a period of twelve months immediately preceding the date of application for renewal, or in lieu thereof having satisfactorily completed the tests as laid down in clause (f) of paragraph 1 within the same period.

4. Privileges— Subject to compliance with the relevant provisions of Rule 39B, Rule 39C and Rule 42 of Aircraft Rules, 1937, the privileges of the holder of a Flight Navigator's Licence shall be to act as a Flight Navigator on any flight where a Flight Navigator is required to be carried in accordance with Rule 38A.

Section W

Student Flight Engineer's Licence

1. Requirements for the issue of licence— An applicant for a Student Flight Engineer's Licence shall satisfy the following requirements—

- (a) Age— He shall not be less than twenty-one years of age on the date of application.
- (b) Educational Qualifications— He shall have passed class ten plus two with Physics and Mathematics or its equivalent form a recognised Board/University.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approval Medical Board after undergoing a medical examination during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.
- (d) Technical Qualification— He shall have completed a Flight Engineer's Ground Course of Instructions in the basic technical and aeronautical knowledge required of a Flight Engineer as approved by the Director-General.
- (e) Knowledge— Subject to the successful completion of the course mentioned in clause (d) above, he shall pass a written examination in the following subjects—
 - (i) Regulations and procedures, including rules, in so far as duties of flight engineers are concerned;
 - (ii) Fundamental of aerodynamics and theory of flight and navigation;
 - (iii) General principles of constructions, maintenance and functioning of airframe, power plants, including their accessories, instruments, installed equipment and related systems;
 - (iv) Selected elements of flight planning, including centre of gravity computation, fuel consumption and endurance, power plant output and centre of power output, engine power curves and mathematical computation involved;
 - (v) Aircraft performance characteristics and limitations;
 - (vi) Flight documentation relating to the duties of flight engineers;
 - (vii) Procedures in the event of power plant or system malfunction or emergencies particularly in the event of fire;
 - (viii) Knowledge of varying meteorological conditions and their effect on aircraft, power plant operations;
 - (ix) Detailed knowledge of flight/operation manuals, including the knowledge of the functioning of the aircraft systems and other components installed in the systems;
 - (x) Procedures of airworthiness checks, defects reporting, pre-flight inspection, types of fuel precautions during refuelling and use of external power.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— Licence may be renewed for a period not exceeding twelve months from the date of a successful medical examination.

4. Aircraft Rating— Licence shall indicate the type of aircraft on which the holder is entitled to fly in the capacity of a student flight engineer.

5. Extension of aircraft rating— For extension of aircraft rating to include an additional type of aircraft, an applicant shall have completed a flight engineer's ground course of instructions as per para 7.2 approved by the Director-General and passed a written examination subsequent to successful completion of the approved course, in aircraft engine and systems pertaining to the type of aircraft for which extension of aircraft rating is desired.

6. Privileges— Subject to the validity of endorsements and ratings in the licence, the privileges of the holder of a student flight engineer's licence shall be to act as a student flight engineer on any type of aircraft entered in aircraft rating of his licence and which has separate flight engineer's station, provided that :

(a) he shall so act at all times under personal supervision of a flight engineer and solely for the purpose of gaining flight experience required for obtaining a flight engineer's licence;

(b) he shall not act as a student flight engineer of a transport aircraft carrying passengers unless he has satisfactorily completed a course of training for a minimum of ten hours on local training flights or non-passenger carrying flight during which he shall have carried out not less than ten take-offs and ten landings and he has been certified fit by an examiner to operate as student flight engineer on the type of transport aircraft carrying passengers. Out of the ten hours stipulated as training experience, not more than eight hours shall be on an approved synthetic device shall not count towards the ten landings referred to above.

7. Flight Engineer's Ground Course of Instructions as referred to in para 1(d) shall consist of : (i) Basic Course, (ii) Type Course, as per the details given in para 7.1 below :

7.1 Basic Course: The duration of the course shall be decided by the Director-General, keeping in view the educational and experience background of trainees and course shall consist of the following subjects:

- (a) Aircraft rules and civil airworthiness requirements in so far as duties of flight engineers are concerned.
- (b) Theory of flight.
- (c) Properties of air.
- (d) Basic airframe and associated systems.
- (e) Basic engine— gas turbine engine or piston engine including propeller system as applicable.
- (f) Basic electrical.
- (g) Ground instruments.
- (h) Ground handling and servicing procedures.
- (i) Weight and balance.
- (j) Emergency equipments.
- (k) Fuel Systems.
- (l) Ice and rain protection.

7.2 Type Course— The duration of the course shall be as approved by the Director-General of keeping in view complexity of aircraft and shall cover the following subjects :—

- (a) Aircraft systems and accessories including malfunction analysis.
- (b) Aircraft engines— Gas turbine engine or piston engine, including propeller system as applicable, including malfunction analysis.
- (c) Fuel management.
- (d) Ground handling and servicing procedures.
- (e) Weight and balance.
- (f) Use of cockpit list/minimum equipment list.
- (g) External and internal pre-flight checks.
- (h) Normal operation procedures.
- (i) Alternate or emergency operating procedures.
- (j) Aircraft performance.
- (k) Documents relating to aircraft airworthiness.
- (l) Emergency equipment.
- (m) Fire protection systems.

- (n) Aircraft system, power plants systems, instrument system, electrical system operating limitation.
- (o) Ice and rain protection.
- (p) Landing gear and breaking system.
- (q) A general knowledge of normal, abnormal and emergency use of radio, communication, navigation and radar systems.

8. Exemption— Where an applicant produces acceptable evidence that he has attended a ground course of instructions or has passed Aircraft Maintenance Engineer's Licence examinations of at least equal standards in any subject specified earlier in this section, he may be granted exemption from the requirements of paras 7.1 and 7.2, as applicable, by the Director-General.

Section X

Flight Engineer's Licence

1. Requirement for the issue/extension of licence— An applicant for issue/extension of flight engineer's licence shall satisfy the following requirements—

(a) He must have a current Student Flight Engineer's Licence on the type of aircraft which is desired to be included in the aircraft rating of his flight engineer's licence.

(b) Medical fitness— He shall produce on a prescribed proforma a certificate of physical fitness from an approved Medical Board after undergoing a medical examination during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B.

(c) Experience— An applicant shall produce evidence of having completed within a period of twelve months immediately preceding the date of his application for licence hundred hours of flying experience on the type of aircraft desired to be included in the licence. Out of this flying experience not more than fifty hours shall be obtained on an approved synthetic flight trainer.

(d) Skill— He shall have demonstrated his competency as a flight engineer to the satisfaction of Director-General of Civil Aviation approved Examiner by undergoing the following tests on the type of aircraft to which the application relates within a period not exceeding six months immediately preceding the date of such application:

(i) Normal Operations— A check on representative air route covering

- pre-flight inspection;
- refuelling procedure;
- inspection of appropriate maintenance documents;
- all normal procedure applicable to his duties as specified in the relevant parts

of

- Operations Manual, crew co-operation; and
- defect reporting.

(ii) Abnormal and alternate (stand by) operation— A check on his ability to recognise abnormal functioning of systems and use of alternate (stand by) procedures.

(iii) Emergency procedures— Demonstration of practical knowledge of emergency procedures and the ability to take appropriate action in the event of engine failure occurring particularly during take-offs and landings.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— The licence may be renewed on receipt of satisfactory evidence of an applicant—

(a) having undergone a successful medical examination in accordance with clause (b) of paragraph 1;

(b) having satisfactorily completed not less than twenty hours of Flight time as a flight engineer within a period of six months immediately preceding the date of application for renewal or in lieu thereof having flight tests as laid down in clause (d) of paragraph 1 within the same period.

4. Aircraft rating— The licence shall indicate the type of aircraft the holder is entitled to fly in the capacity of a flight engineer.

5. Extension of aircraft rating— For extension of aircraft rating to include an additional type of aircraft, an applicant shall be required to produce evidence of—

(a) having a current student flight engineer's licence on the type of aircraft which is desired to be included in the aircraft rating of his licence;

(b) having completed within a period of twelve months immediately preceding the date of the application for extension of aircraft rating, fifty hours of flying experience on the type of aircraft desired to be included in his licence. Out of this flying experience not more than twentyfive hours shall have been obtained on an approved synthetic flight trainer.

(c) having successfully completed the flight test as laid down in clause (d) of paragraph 1 in respect of the type of the aircraft for which the aircraft rating is desired, within a period of six months immediately preceding the date of the application for extension of aircraft rating.

6. Privileges— Subject to the endorsements and rating in the licence, the privileges of the holder of a flight engineer's licence shall be to act as flight engineer in any aircraft of a type specified in the aircraft rating of his licence provided during the preceding twelve months he has demonstrated his competency as per para 1(d) (ii) and (iii) above, to an approved examiner, to undertake duties of flight engineer in the type of aircraft or in an approved flight simulator.

Section Y

Flight Radio Telephone Operator's Licence

1. Requirements for issue of licence— An applicant for a Flight Radio Telephone Operator's Licence shall satisfy the following requirements :

- (a) Age— He shall be not less than eighteen years of age on the date of application;
- (b) Educational Qualification— He shall have passed class ten plus two with Physics and Mathematics or its equivalent examination from a recognised Board/University.
- (c) Medical Fitness— He shall produce on a prescribed proforma a certificate of physical fitness from either an approved medical practitioner or an approved medical Board after undergoing a medical examination during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under Rule 39B;
- (d) Knowledge/Technical Qualifications— He shall produce a valid Radio Telephone Operator's (Restricted or General) Certificate endorsed for Aeromobile Service issued or recognised by the Central Government under the Indian Wireless Telegraphy Rules, 1954;
- (e) Other Requirements— He may be required to pass, at the discretion of the Director-General, a test to establish his knowledge of the current aeromobile radio-telephone operating practices and procedures, standards and recommended practices pertaining to air traffic control communication as promulgated by the Director- General from time to time;
- (f) He shall produce satisfactory evidence of having completed not less than two months of satisfactory experience as a Flight Radio Telephone Operator and obtained experience of at least ten hours during the proceedings twelve months in an aircraft equipped with radio apparatus in accordance with Rule 63 :

Provided that an applicant who has not had the experience as required above may be granted a provisional licence for a period not exceeding one year in order to enable him to obtain the necessary experience :

Provided further that an applicant who is licensed flight crew will not be required to produce evidence of experience.

- (g) Skill— He may, if so necessary, be subjected to a flight check as provided under Rule 12(3) of the Indian wireless Telegraphy Rules, 1954, to establish his competency as a Flight Radio Telephone Operator.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— A licence shall be renewed on production of satisfactory evidence of—

- (a) having undergone a medical examination in accordance with clause (c) of paragraph 1;
- (b) having a current Radio Telephone Operator's (Restricted or General) Certificate (Aeromobile Service) issued or recognised by the Central Government under the Indian Wireless Telegraphy Rules, 1954.

4. Privileges— Subject to the endorsements in the licence, the privileges of the holder of a Flight Radio Telephone Operator's Licence shall be to act as a Flight Radio Telephone Operator on any aircraft equipped with radio apparatus in accordance with Rule 63 including radio apparatus which communicates by radio telephony, except that the holder of a provisional licence shall, at all times, operate under the supervision of a person holding a Flight Radio Telephone Operator's Licence.

Section Z
Flight Radio Telephone Operator's (Restricted) Licence

1. Requirements for issue of licence— An applicant for a Flight Radio Telephone Operator's (Restricted) Licence shall satisfy the following requirements—

- (a) Age— He shall be not less than sixteen years of age on the date of application.
- (b) Educational Qualifications— He shall have passed class ten or its equivalent examination from a recognised Board.
- (c) Medical Fitness— He shall produce on a prescribed proforma an assessment of medical fitness from an approved medical practitioner in accordance with Rule 39B. The period of validity of the medical assessment shall be as prescribed in Rule 39C.
- (d) Knowledge— He shall pass a written examination and practical test in accordance with the syllabus as prescribed by Director-General.
- (e) Experience.— He shall be the holder of a Student Pilot's Licence (Aeroplanes, Helicopters, Gliders, Microlights, Light Sport Aircraft or Balloons) or a Private Pilot's Licence (Aeroplanes or Helicopters) or a Pilot's Licence (Microlight, Light Sport Aircraft, Gliders or Balloons).
- (f) Skill— He may, if so necessary, be subjected to a flight check to show his competency in operation of Flight Radio Telephone apparatus on board an aircraft.

2. Validity — The licence shall be valid for a period as specified in Rule 39C.

3. Renewal— A licence will be renewed on production of satisfactory evidence of—

- (a) having undergone a medical examination in accordance with para 1(c).
- (b) having satisfactorily completed not less than five hours of solo flight time on an aircraft fitted with radio telephone apparatus for two-way communication during which he had operated the radio telephone apparatus.

4. Privileges— Subject to the endorsement in the licence, the privileges of a holder of a Flight Radio Telephone Operator's (Restricted) Licence shall be to operate radio telephone apparatus on board an aircraft for two-way communications on VHF.

[Amended by G.S.R. No. 1171(E) dated 19-09-2017]

SCHEDULE III

AIR TRAFFIC SERVICES PERSONNEL

(See Part XII)

SECTION A

GENERA

1. Background Check. Before enrolling a person for undergoing the air traffic control training, the training organisation shall obtain a report on the background check from the concerned government agency and the proof of the background check shall be submitted to the licensing authority at the time of submission of the application for issue of the licence.

2. Application for grant of a licence or rating.— (a) The application for issue or validation or renewal of a licence or rating shall be made to the Director-General on a specified proforma, and shall be accompanied by –

- (i) an assessment of medical fitness issued by the approved medical authority or Director-General;
- (ii) Three unmounted photographs of size 3 cms X 4 cms of the applicant's head (uncovered) and shoulders in front view;
- (iii) Class X certificate of a recognized Board or its equivalent or the Birth Certificate issued by a Municipal Corporation or Committee as proof of age;
- (iv) A bank draft towards the payment of the specified fee;
- (v) Proof of meeting the educational qualification, knowledge and experience requirements; and
- (vi) Any other information required by the Director-General.

(b) The date of application shall be the date on which the application is received in the office of the Director-General.

(c) The licences and ratings specified in this Schedule shall be issued in the name as entered in the Class X certificate of a recognised Board or its equivalent.

3. Application for renewal of licence. (a) The application for renewal of a licence or rating shall be made on a specified proforma to the Director-General or to any other authority designated by him in this behalf, and shall be accompanied by –

- (i) an assessment of medical fitness issued by the Director-General referred to in rule 103
- (ii) a statement of the recency experience duly authenticated by the person in-charge of the concerned Air Traffic Services Units;
- (iii) a bank draft towards the payment of the specified fee; and
- (iv) any other information required by the Director-General.

(b) The date of application shall be the date on which the application is received in the office of the Director-General, or in any other office designated for this purpose by the Director-General.

4. Examination. (a) The applicant for issue of a Student Air Traffic Controller's Licence or Air Traffic Controller's Licence or a rating shall be required to pass the examinations conducted in the manner specified by the Director-General.

(b) The candidate shall, on demand by the examiner, furnish proof for his identification before the examination.

(c) An applicant who fails in any examination shall not be permitted to appear for re-examination within a period of at least two weeks from the date of examination.

5. Assessment by the examiner or board. For getting an endorsement, the holder of a Student Air Traffic Controller's Licence or an Air Traffic Controller's Licence shall be assessed by an examiner duly authorised by the Director-General or by a board of examiners constituted for the purpose by the licensing authority.

6. Validity of examination and assessment. (a) The applicant for a licence or rating shall have passed the examination for issuing a licence or rating within a period of not more than three years preceding the date of application.

(b) The validity of the assessment for the purpose of endorsement on the licence shall be for a period of six months.

(c) In case an examination or assessment expires on a holiday, it shall expire on the next working day.

7. On-the-job training requirement. The holder of a Student Air Traffic Controller's Licence or an Air Traffic Controller's Licence shall be required to undergo the on-the-job training under an authorised instructor for a period specified in this Schedule for grant of a particular rating:

Provided that where the licensing authority, having regard to the traffic volume of the air traffic unit for which the rating is being sought and experience of the licence holder, is satisfied, it may approve the on-the-job training of a shorter period than the one specified in the Schedule.

8. Conditions precedent to exercise of privileges. (a) No person holding a current Air Traffic Controller's Licence shall exercise the privileges of his licence or rating unless he meets competency, recency and language proficiency requirement and medical standards, as applicable to him in accordance with these rules.

(b) The holder of a licence shall not exercise the privilege of their licence and related ratings while under the influence of alcohol or any psychoactive substance, which might render him unable to safely and properly exercise the privileges of the licences and ratings.

9. Recency requirement. A licence holder is considered to be recent in respect of rating and endorsement on his licence if he has worked for a period of minimum ten hours in a period of three days in respect of a particular ratings during preceding six months.

10. Language proficiency. (a) An applicant for grant of Student Air Traffic Controller's Licence or Air Traffic Controller's Licence shall have the ability to speak and understand the English language used for radiotelephony communications to the level of proficiency specified by the Director-General.

(b) The level of proficiency shall be evaluated in accordance with the procedures specified by the Director-General.

(c) The licensing authority shall indicate the level of proficiency in the licence.

SECTION A

STUDENT AIR TRAFFIC CONTROLLER'S LICENCE

1. Requirements for issuing licence. An applicant for a Student Air Traffic Controller's

Licence shall satisfy the following requirements, namely:–

(a) *Age.*– He shall not be less than twenty years of age on the date of application.

(b) *Education Qualification.*– He shall have passed a degree in Science or an equivalent examination with Physics and Mathematics, from a recognized University or shall hold a valid Indian Commercial Pilot's Licence.

(c) *Medical Fitness.*– He shall hold a valid medical fitness assessment issued by the Director-General as referred to in rule 103.

(d) *Knowledge.*– He shall have demonstrated the required level of knowledge by passing a written examination in the following subjects, namely:–

- (i) Air law.–The provisions of the Aircraft Rules, 1937, civil aviation requirements and any other circulars or instructions relevant to the air traffic control;
- (ii) Air traffic control equipment.– Principles, use and limitations of equipment used in air traffic control;
- (iii) General knowledge.– Principles of flight, principles of operation and functioning of aircraft, power plants and systems, aircraft performances relevant to air traffic control;
- (iv) Human performance.– Human performance relevant to air traffic control;
- (v) Meteorology.– Aeronautical meteorology, use and appreciation of meteorological documentation and information, origin and characteristic of weather phenomena affecting flight operations and safety, altimetry;
- (vi) Navigation.– Principles of air navigation, principles, limitation and accuracy of navigation systems and visual aids; and
- (vii) Operational procedures.– Air traffic control, communication, radio- telephony and phraseology procedure (routine, non-route and emergency), use of relevant aeronautical documentation, safety practices associated with flight.

(e) *Experience.*– He shall have successfully completed an approved training course including simulator training from an approved training organization and pass the relevant examination, and also completed an approved course of initial training in the rating or discipline relating to any of the rating from an approved organization.

2. Validity.– The licence shall be valid for the period specified in rule 104 and shall lapse on the holder acquiring an Air Traffic Controller's Licence.

3. Privileges.– Subject to the validity of licence, the holder of a Student Air Traffic Controller's Licence may perform duty as an air traffic controller in a particular air traffic service unit under the direct supervision of an authorised instructor rated on that air traffic service unit, in order to complete the requirement of on-the-job-training for the purpose of qualifying for endorsement of such rating on his licence.

SECTION C

AIR TRAFFIC CONTROLLER'S LICENCE

1. Requirements for issuing licence.— An applicant for an Air Traffic Controller's Licence shall satisfy the following requirements, namely:—

(a) *Age.*— He shall not be less than twenty one years of age on the date of application.

(b) *Educational Qualification.*— He shall have passed a degree in Science or an equivalent examination with Physics and Mathematics, from a recognized University, or shall hold a valid Indian Commercial Pilot's Licence.

(c) *Medical Fitness.*— He shall hold a valid medical fitness assessment issued by the Director-General as referred to in rule 103.

(d) *Knowledge.*— (i) He shall hold a valid Student Air Traffic Controller's Licence.

(ii) He shall have passed the examination for obtaining at least one rating for a particular air traffic services unit as specified in Sections D, E, F, G, H, I and J of this Schedule.

(e) *Experience.*— He shall have undergone on-the-job training under an authorised instructor for the specified period in respect of the unit or units desired to be endorsed on the licence and shall have been assessed as successful by an examiner or board for the said unit or units.

2. Validity.— The licence shall be valid for a period as specified in rule 104.

3. Renewal.— The licence shall be renewed for a period specified in rule 104 subject to the applicant holding a valid medical fitness assessment and at least one valid rating.

4. Privileges.— Subject to the validity of licence, the holder of an Air Traffic Controller's Licence may perform duty as an air traffic controller in any air traffic services unit which is included in his licence as rating.

SECTION D

AERODROME CONTROL RATING

1. Requirements for issuing rating. An applicant for an Aerodrome Control Rating shall satisfy the following requirements, namely:—

(a) *Knowledge*— He shall hold either a Student Air Traffic Controller's Licence or an Air Traffic Controller's Licence and shall have demonstrated a level of knowledge by passing the examination in the following subjects in relation to the relevant Aerodrome Control Tower, namely:—

- (i) Aerodrome lay out, physical characteristics and visual aids,
- (ii) Airspace structure,
- (iii) Applicable rules, procedures and source of information,
- (iv) Air navigation facilities,
- (v) Air traffic control equipment and its use,
- (vi) Terrain and prominent land marks,
- (vii) Characteristics of air traffic,
- (viii) Weather phenomena,
- (ix) Emergency, search and rescue plans and
- (x) Any other subject considered appropriate for the particular place.

(b) *Experience*.— He shall produce a certificate of his having undergone on-the-job training under the supervision of an instructor or authorised Air Traffic Controller's Licence holder for a period of not less than one and a half month, during which at least ninety hours of training has been completed, at the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Aerodrome Control rating for any other aerodrome.

(c) *Skill*.— He shall have been assessed successful in his skill, judgement and performance to provide a safe, orderly and expeditious aerodrome control service and the assessment shall be conducted as soon as possible after the completion of on-the-job training requirement but in any case not later than two months therefrom.

2. Validity.— The rating shall become invalid if an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— The rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder of the rating shall be to provide or to supervise the provision of Aerodrome Control Service at the aerodrome for which he is rated.

(b) Before exercising the privileges, the holder of the rating shall be familiar with all pertinent and current information.

SECTION E

APPROACH CONTROL PROCEDURAL RATING

1. Requirements for issuing rating. An applicant for an Approach Control Procedural Rating shall satisfy the following requirements, namely:-

(a) *Knowledge.*— He shall hold an Air Traffic Controller's Licence or a Student Air Traffic Controller's Licence and shall have demonstrated the required level of knowledge by passing the examination at least in the following subjects for Approach Control Unit at a particular place, namely:—

- (i) Airspace structure
- (ii) Applicable rules, procedures and source of information
- (iii) Air navigation facilities
- (iv) Air traffic control equipment and its use
- (v) Terrain and prominent land marks
- (vi) Characteristics of air traffic and traffic flow
- (vii) Weather phenomena
- (viii) Emergency and search and rescue plans
- (ix) Any other subject considered appropriate for the particular place.

(b) *Experience.*— He shall produce a certificate of his having undergone on-the-job training under the supervision of an instructor or an authorised Air Traffic Controller's Licence holder for a period of not less than three months, during which at least one hundred and eighty hours of training has been completed, at the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Approach Control Procedural Rating for any other aerodrome.

(c) *Skill.*— He shall have been assessed successful by an examiner in respect of his skill, judgement and performance to provide a safe, orderly and expeditious approach control service and the assessment shall be conducted as soon as possible after the completion of on-the-job training requirement, but in any case not later than three months therefrom.

2. Validity.— The rating shall become invalid if an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— A rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder shall be to provide or to supervise the provision of Approach Control Service within the airspace jurisdiction of the unit for which he is rated.

(b) Before exercising the privileges, the holder of the rating shall be familiar with all pertinent and current information.

SECTION F

APPROACH CONTROL SURVEILLANCE RATING

1. Requirements for issuing rating. An applicant for an Approach Control Surveillance Rating shall satisfy the following requirements, namely:—

(a) *Knowledge.*— He shall hold an Air Traffic Controller's Licence or a Student Air Traffic Controller's Licence and shall have demonstrated the required level of knowledge by passing examination in at least the following subjects in relation to the area of responsibility at a particular place, namely:—

- (i) Airspace structure
- (ii) Applicable rules, procedures and source of information
- (iii) Air navigation facilities
- (iv) Air traffic control equipment and its use
- (v) Terrain and prominent land marks
- (vi) Characteristics of air traffic and traffic flow
- (vii) Weather phenomena
- (viii) Emergency and search and rescue plans
- (ix) Principles, use and limitations of applicable Air Traffic Services Surveillance Systems and associated equipment
- (x) Procedures for the provision of Air Traffic Services Surveillance Service, as appropriate, including procedures to ensure appropriate terrain clearance
- (xi) Any other subject considered appropriate for the particular place.

(b) *Experience.*— He shall produce a certificate of his —

- (i) having satisfactorily completed an approved training course on the surveillance system; and
- (ii) having undergone on-the-job training under the supervision of an instructor or authorised Air Traffic Controller's Licence holder for a period of not less than three months, during which at least one hundred and eighty hours of training has been completed, at the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Approach Control Surveillance Rating for any other aerodrome.

(c) *Skill.*— He shall have been assessed successful regarding his skill, judgment and performance to provide a safe, orderly and expeditious approach control service and the assessment shall be conducted as soon as possible after the completion of on the job training requirement, but in any case not later than three months therefrom.

2. Validity.— The rating shall become invalid if an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— A rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder shall be to provide or to supervise the provision of Approach Control Service with the use of applicable Air Traffic Services surveillance systems for the unit for which he is rated, within the airspace or portion thereof, falling under the jurisdiction of the unit providing Approach Control Service.

(b) Before exercising the privileges, the holder of the rating shall be familiar with all pertinent and current information.

SECTION G

AREA CONTROL PROCEDURAL RATING

1. Requirements for issuing rating. An applicant for an Area Control Procedural Rating shall satisfy the following requirements, namely:—

(a) *Knowledge.*— He shall hold an Air Traffic Controller's Licence or a Student Air Traffic Controller's Licence and shall have demonstrated the required level of knowledge by passing the examination in the following subjects in relation to the relevant Area Control Unit, namely:—

- (i) Airspace structure
- (ii) Applicable rules, procedures and source of information
- (iii) Air navigation facilities
- (iv) Air traffic control equipment and its use

- (v) Terrain and prominent land marks
- (vi) Characteristics of air traffic and traffic flow
- (vii) Weather phenomena
- (viii) Emergency and search and rescue plans
- (ix) Any other subject considered appropriate for the particular place.

(b) *Experience.*— He shall produce a certificate of his having undergone on-the-job training under the supervision of an instructor or authorised Air Traffic Controller licence holder for a period of not less than three months, during which at least one hundred and eighty hours of training has been completed, for the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Area Control Procedural Rating for any other air traffic services unit.

(c) *Skill.*— He shall have been assessed successful regarding his skill, judgment and performance to provide a safe, orderly and expeditious area control service and the assessment shall be conducted as soon as possible after the completion of on the job training requirement, but in any case not later than three months therefrom.

2. Validity.— The rating shall become invalid when an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— A rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder shall be to provide or to supervise the provision of Area Control Service within the airspace jurisdiction of the control area or portion thereof for which he is rated.

(b) Before exercising the privileges, the licence holder shall be familiar with all pertinent and current information.

SECTION

AREA CONTROL SURVEILLANCE RATING

1. Requirements for issuing rating An applicant for an Area Control Surveillance Rating shall satisfy the following requirements, namely:—

(a) *Knowledge.*— He shall be the holder of an Air Traffic Controller's Licence or an Student Air Traffic Controller's Licence and shall have demonstrated the required level of knowledge by passing the examination in at least the following subjects in relation to the area of responsibility of the particular unit, namely:—

- (i) Airspace structure
- (ii) Applicable rules, procedures and source of information
- (iii) Air navigation facilities
- (iv) Air traffic control equipment and its use
- (v) Terrain and prominent land marks
- (vi) Characteristics of air traffic and traffic flow
- (vii) Weather phenomena
- (viii) Emergency and search and rescue plans
- (ix) Principles, use and limitations of applicable Air Traffic Services Surveillance Systems and Associated equipment
- (x) Procedures for the provision of Air Traffic Services Surveillance Service, as appropriate, including procedures to ensure appropriate terrain clearance
- (xi) Any other subject considered appropriate for the particular place.

(b) *Experience.*— He shall produce a certificate of his having —

- (i) satisfactorily completed an approved training course on the surveillance system;
- (ii) undergone on-the-job training under the supervision of an instructor or authorised Air Traffic Controller's Licence holder for a period of not less than three months, during which at least one hundred and eighty hours of training has been completed, at the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Area Control Surveillance Rating for any other air traffic services unit.

(c) *Skill.*— He shall have been assessed successful regarding his skill, judgement and performance to provide a safe, orderly and expeditious area control service and the assessment shall be conducted as soon as possible after the completion of on the job training requirement, but in any case not later than three months therefrom.

2. Validity.— The rating shall become invalid when an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— A rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder shall be to provide or to supervise the provision of Area Control Service with the use of applicable air traffic services surveillance systems, within the control area or portion thereof, for which the licence holder is rated.

(b) Before exercising the privileges, the licence holder shall be familiar with all pertinent and current information.

SECTION I

FLIGHT INFORMATION SERVICE RATING

1. Requirements for issuing rating. An applicant for a Flight Information Service Rating shall satisfy the following requirements, namely:—

(a) *Knowledge.* — He shall be the holder of an Air Traffic Controller's Licence or a Student Air Traffic Controller's Licence and shall have demonstrated a level of knowledge by passing the examination at least in the following subjects for an Flight Information Region in relation to the area of his responsibility, namely:—

- (i) Airspace structure
- (ii) Applicable rules, procedures and source of information
- (iii) Air navigation facilities
- (iv) Air traffic control equipment and its use
- (v) Terrain and prominent land marks
- (vi) Characteristics of air traffic and traffic flow
- (vii) Weather phenomena
- (viii) Emergency and search and rescue plans
- (ix) Any other subject considered appropriate for the particular place.

(b) *Experience.*— He shall produce a certificate of his having undergone on the job training under the supervision of an instructor or authorised Air Traffic Controller's Licence holder for a period of not less than three months, during which at least one hundred and eighty hours of training has been completed, at the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Area Control Rating or Flight Information Service Rating for any other air traffic services unit.

(c) *Skill.*— The applicant shall have been assessed successful regarding his skill, judgement and performance to provide a safe, orderly and expeditious control service and the assessment shall be conducted as soon as possible after the completion of on the job training requirement, but in any case not later than three months therefrom.

2. Validity.— The rating shall become invalid when an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— A rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder shall be to provide or to supervise the provision of Flight Information Service within the airspace jurisdiction of Flight Information Region or portion thereof for which the licence holder is rated.

(b) Before exercising the privileges, the licence holder shall be familiar with all pertinent and current information.

SECTION

OCEANIC CONTROL RATING

1. Requirements for issuing rating. An applicant for an Oceanic Control Rating shall satisfy the following requirements, namely:—

(a) *Knowledge.*— He shall be the holder of an Air Traffic Controller's Licence or a Student Air Traffic Controller's Licence and shall have demonstrated a level of knowledge by passing the examination at least in the following subjects for an Oceanic Control Unit in the area of his responsibility at a particular place, namely:—

- (i) Airspace structure
- (ii) Applicable rules, procedures and source of information
- (iii) Air navigation facilities
- (iv) Air traffic control equipment and its use
- (v) Principles, uses and limitations of surveillance systems if any and associated equipment
- (vi) Terrain and prominent land marks
- (vii) Characteristics of air traffic and traffic flow
- (viii) Weather phenomena
- (ix) Emergency and search and rescue plans
- (x) Any other subject considered appropriate for the particular place.

(b) *Experience.*— He shall produce a certificate of his having —

- (i) satisfactorily completed an oceanic control training course;
- (ii) undergone on-the-job training under the supervision of an instructor or authorised Air Traffic Controller for a period of not less than three months during which at least one hundred and eighty hours of training has been completed, at the unit for which the rating is sought:

Provided that the Director-General may reduce the period of on-the-job-training, subject to the conditions specified in this regard, for an air traffic controller holding or having held an Oceanic Control Rating for any other air traffic services unit.

(c) *Skill.*—The applicant shall have been assessed successful in respect of his skill, judgement and performance to provide a safe, orderly and expeditious air traffic control service in the Oceanic Control Centre and the assessment has to be conducted as soon as possible after the completion of on-the-job training requirement, but in any case not later than three months therefrom.

2. Validity.— The rating shall become invalid when an air traffic controller has not exercised the privileges of the rating for a period exceeding six months.

3. Revalidation.— A rating shall be revalidated as provided in rule 110.

4. Privileges.— (a) The privileges of the holder shall be to provide or to supervise the provision of Oceanic Control Service within the airspace jurisdiction of Oceanic Control or portion thereof for which the licence holder is rated.

(b) Before exercising the privileges, the licence holder shall be familiar with all pertinent and current information.

[Inserted by GSR No 64(E) dated 3-2-2012]

SCHEDULE IV

(See rule 119)

AERONAUTICAL TELECOMMUNICATION

1. Aeronautical facility requirements.—(i) An applicant for certification of a communication, navigation, surveillance or air traffic management facility to be established or used at an Aeronautical Telecommunication Station shall establish a procedure to ensure that—

(i) each facility intended to be included in the certificate of the applicant before commissioning —

(a) is designed and installed to meet the applicable operational specification specified for that facility;

(b) conforms with the applicable system, characteristics and specification standards specified by the Director-General;

(c) has been allocated a Radio Frequency Operating License in compliance with the Indian Telegraph Act, 1885 (13 of 1885) and rules made thereunder; and

(d) has been allocated an identification code or call sign.

(ii) each facility listed in the certificate of the applicant is installed with suitable power supplies and means to ensure continuity of operation appropriate to the needs of the air traffic service or radio navigation service being supported; and

(iii) an applicant for certification of communication, navigation and surveillance of air traffic management facility to be established or used at an Aeronautical Telecommunication Station who intends to operate a temporary aeronautical facility to carry out site tests shall establish a procedure for conducting those tests.

2. Communication, navigation and surveillance manual.—The communication, navigation and surveillance manual in addition to any other relevant information shall contain the following information and particulars, namely :—

(a) General.—General information including purpose and scope of the manual, management and organisation structure of the holder of the certificate, legal requirement for certification of communication, navigation, surveillance or air traffic management facility, conditions for the use of the certificate, availability of aeronautical information system for disseminating information regarding status of facility.

(b) Requirement of personnel.—(i) Appropriate details of proficient personnel to ensure each service listed in the certificate of the applicant in a safe, efficient, continuous and sustainable manner and the number of personnel required to maintain facilities shall be specified appropriately in the manual as per policy;

(ii) Procedure for employing or authorising proficient personnel, for maintenance and operation of the facility or to place into operational service any of the facility listed in the certificate which shall clearly specify the system to

(a) assess the competence of proficient personnel;

(b) maintain the continued competence of proficient personnel; and

(c) scope of authorisation for proficient personnel.

(c) Standards of communication, navigation, surveillance or air traffic management facility.—(i) Details of the technical standards relating to design, installation, commissioning and testing, operation and maintenance that are applicable to facility;

(ii) It shall also include any standard specified for such facility by the manufacturer;

(iii) Where compliance with a relevant standard is not achieved, the same shall be clearly indicated, and a statement of the reason for non-compliance and its impact on the service provided in terms of the performance of the facility and its impact on air traffic services and aircraft operation;

(d) Technical description of facility.— Basic performance descriptors (functional specification) for each of the communication, navigation, surveillance or air traffic management facility.

(e) Operation and maintenance plan.— Operation and maintenance plan for each of the communication, navigation, surveillance or air traffic management facility alongwith the documentation of the facility required by the manufacturer, relevant documentations by International Civil Aviation Organisation or documents developed or varied by the holder of certificate based on its knowledge of the performance and maintenance requirements of each facility.

(f) Safety management system.—Information on systematic and appropriate safety management system to ensure that safety is maintained in the provision of the communication, navigation, surveillance or air traffic management facility.

(g) Test equipments .— (i)Details of test and measuring equipments, including their calibration status, necessary for the operation, performance, inspection, and maintenance, of all of its facilities;

(ii) The facility operation and maintenance plan or the instructions of operating and maintenance for each facility shall specify the test equipment requirements for each level of operation and maintenance.

(h) Interruption to service.—Details of the procedure to be used if operation of communication, navigation and surveillance of air traffic management facility is interrupted.

(i) Procedures.— Procedure for conducting all the activities related to installation, operation, maintenance and other matters of communication, navigation, surveillance facilities clearly specifying the duties and responsibilities of each concerned.

(j) Procedure for change.—(i) The procedure for change to be made for a facility, its operation and maintenance plan.

(ii) The change of procedure shall establish an appropriate authority within the holder of the certificate organisation to assess and authorise any changes to operation and maintenance procedures and the procedures for removal and return of facilities to operational service and;

(iii) The logistics support of services and the amendment of relevant documentation including the operations manual.

(k) Document control.—The manual shall describe the document control process of the holder of service certificate concerning the requirements in this regard.

(l) Quality control.— For the use and guidance of personnel, the details of information concerning policies, procedure, practice and quality control method relating to provision of communication, navigation, surveillance or air traffic management facilities and activities of that organisation.

(m) Security.—(i) The holder of certificate shall ensure that reasonable measures are made for the security of equipment and installation at aeronautical telecommunication stations.

(ii) The aeronautical telecommunication stations located outside the aerodrome shall also have provision of suitable security fencing.

[Inserted by – GSR No. 31(E) dated 14-1-2015]

SCHEDULE VI OF THE AIRCRAFT RULES, 1937

Penalties

(See Rule 161)

Category I — Offences punishable with imprisonment for a term not exceeding two years or with fine not exceeding ten lakh rupees, or with both:

S.No.	Nature of offence	Relevant rule or rules
1.	Flying an aircraft without registration.	Clause (a) of rule 5
2.	Flying an aircraft without valid certificate of airworthiness or without being maintained in airworthy condition.	Clause (i) of sub-rule (1) of rule 15
3.	Contravention of the provisions of rule 29.	Rule 29
4.	Non-compliance with the provisions of rule 38A.	Rule 38A
5.	Operating an aircraft without specified minimum crew.	Sub-rule (7) of rule 38A
6.	Flying an aircraft without valid and appropriate pilot's licence, rating or medical fitness.	Rules 6, 6A and 39C
7.	Omitted vide GSR No. 535(E) dated 5th July 2012	
8.	Operation of a scheduled air transport service without permission.	Sub-rule(1) of rule 134
9.	Operation of a non-scheduled air transport service without permission.	Sub-rule(3) of rule 134
10.	Contravention of the provisions of rule 158.	Rule 158
11.	Contravention of the provisions of rule 158A.	Rule 158A

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Category II – Offences punishable with imprisonment for a term not exceeding one year or with fine not exceeding five lakh rupees, or with both:

S. No.	Nature of offence	Relevant rule or rules
1.	Flying an aircraft in contravention of rule 5A.	Rule 5A
2.	Non-compliance with the direction issued under sub-rule (2) of rule 7A.	Sub-rule (2) of rule 7A
3.	Unauthorised carriage of arms, ammunitions, explosives, military stores etc.	Rule 8
4.	Contravention of the provisions of rule 9 relating radio-telegraph apparatus.	Rule 9
5.	Contravention of the provisions of rule 12.	Rule 12
6.	Unauthorised photography at a Government aerodrome or from an aircraft in flight.	Rule 13
7.	Unauthorised use of aircraft for aerial work.	Rule 14
8.	Non-compliance with the terms and conditions of certificate of airworthiness.	Clause (ii) of sub-rule (1) of rule 15
9.	Flying an aircraft without having on board the required serviceable equipment.	Clause (iv) of sub-rule (1) of rule 15
10.	Non-compliance with the directions issued under sub-rule (1) of rule 18.	Sub-rule (2) of rule 18
10A.	Contravention of the provisions of Rules 22 and 23.	Rule 22 and 23
11.	Contravention of the provisions of sub-rules (1), (3) and (4) of rule 24.	Sub-rules (1), (3) and (4) of rule 24

12.	Contravention of the provisions of rule 25A relating to fuelling of aircraft.	Rule 25A
13.	Contravention of the provisions of rule 25B relating to housing of aircraft.	Rule 25B
14.	Contravention of the provisions of rule 26 relating to dropping of articles and descent by parachutes.	Rule 26
15.	Carriage of persons in unauthorised parts of aircraft.	Rule 27
16.	Flying an aircraft in contravention of rule 28 or 28A.	Rules 28 and 28A
17.	Violation of the provisions of temporary certificate of registration issued under rule 32.	Rule 32
18.	Contravention of provisions of sub-rule (1) of rule 38B.	Sub-rule (1) of rule 38B
19.	Destruction, mutilation etc. of any entry in the log books or making of any false and fraudulent entry therein.	Rule 67B
20.	Contravention of or non-compliance with any of the conditions specified in the order under sub-rule (1A) of rule 134.	Sub-rule(1A) of rule 134
21.	Contravention of or non-compliance with the conditions attached to the permission under the bilateral agreement or to the temporary authorisation.	Sub-rule(2) of rule 134
22.	Contravention of or non-compliance with the conditions attached to the permission for operation of non-scheduled services.	Sub-rule(3) of rule 134
23.	Non-compliance with requirements contained in rule 140.	Rule 140

24.	Obstructing any person acting in the exercise of his powers or in discharge of his duties under the provisions of the Aircraft Rules, 1937.	Rule159
25.	Contravention of the provisions of Schedule XI by an air transport undertaking.	Schedule XI

Category III – Offences punishable with imprisonment for a term not exceeding six months or with fine not exceeding two lakh rupees, or with both:

S.No.	Nature of offence	Relevant rule or rules
1.	Flying an aircraft not bearing nationality and registration marks.	Clause (b) of rule 5
2.	Contravention of the provisions of rule 11.	Rule 11
3.	Non-compliance with the rules of the air.	Rule 16
4.	Contravention of the provisions of sub-rule(2) of rule 24.	Sub-rule (2) of rule 24
5.	Contravention of the provisions of rule 29A.	Rule 29A
6.	Failure to notify change in ownership of the aircraft	Rule 33
7.	Exercising the privileges of a licence without being declared fit after sickness or injury or not notifying the details of sickness or injury to the Director-General.	Sub-rule(2) of rule 42
8.	Violation of the provisions of rule 42A.	Rule 42A
9.	Contravention of the provisions relating to logging of flight time.	Rule 67A

10.	Omitted vide GSR No. 535(E) dated 5th July 2012	
11.	Operation of a schedule air transport service or a series of landing and departures by any aircraft carrying passengers and cargo for hire and reward from an unlicensed or non-approved aerodrome.	Sub-rule (1) of rule 78 and sub-rules (1) and (2) of rule 11
12.	For not maintaining an aerodrome in a fit state with adequate markings and not informing the Director-General of any unserviceability.	Sub-rule (5) of rule 83

13.	Non-compliance with the directions issued under rule 133A.	Rule 133A
14.	Non-compliance with the provisions of rule 140A.	Rule 140A
15.	Non-availability of approved organisation, maintenance system and manuals.	Sub-rules (1),(2), (3) and (4) of rule 155A
16.	For not maintaining records as required by the Director-General.	Sub-rule (7) of rule 155A
17.	Denial of access to an authorised person.	Sub-rule(3) of rule 156
18.	Contravention of provisions of rule 157.	Rule 157

Category IV – Offences punishable with imprisonment for a term not exceeding three months or with fine not exceeding one lakh rupees, or with both:

S.No.	Nature of offence	Relevant rule or rules
1.	Non-carriage of documents as required by rule 7.	Rule 7
2.	Non-carriage of certificate of airworthiness or other certificates on board the aircraft.	Clause (iii) of sub-rule (1) of rule 15
3.	Flying Microlight aircraft without meeting the requirements laid down in sub-rule (2) of rule 15.	Sub-rule (2) of rule 15.
4.	Non-production of the documents as required by rule 17.	Rule 17
5.	Contravention of the provisions of rule 24C.	Rule 24C

6.	Contravention of the provision of rule 25.	Rule 25
7.	Contravention of the provisions of rule 29B.	Rule 29B
8.	Non-compliance with the provisions of rule 37.	Rule 37.
9.	Contravention of the provisions of rule 37A.	Rule 37A
10.	Contravention of the provisions of sub-rules (3), (5), (6) and (7) of rule 38B.	Sub-rules (3) , (5), (6), and (7) of rule 38B
11.	Exercising of the privileges of a licence when the physical condition has deteriorated below the required standard.	Sub-rule (4) of rule 42
12.	Non-compliance with the provisions of rule 44.	Rule 44
13.	Establishment or alteration of aeronautical beacons without approval.	Rule 65
14.	Non-compliance with the direction to extinguish or screen false lights.	Rule 66
15.	Non-compliance with the provisions governing the issue and maintenance of log books.	Rule 67
16.	Denial of excess to an authorised person for inspection.	Rule 82
17.	Alteration in the landing area, building or any structure of the aerodrome affecting the safety of the aircraft without approval of the Director-General.	Sub-rule (2) of rule 83
18.	Non-display of tariff charges and levy of non-uniform tariff.	Sub-rule (1) of rule 86
19.	Unauthorised entry into terminal building of an aerodrome.	Sub-rule (1) of rule 90

20.	Unauthorised entry of any person or vehicle in the movement area of an aerodrome.	Sub-rule (2) of rule 90 and sub-rule (3) of rule 11
21.	Leaving any animal, object or bird in the movement area of an aerodrome.	Sub-rule (2) of rule 90
22.	Non-compliance with the provisions of rule 92.	Rule 92
22A.	For permitting or cause to be permitted any Sub-rule communication, navigation and surveillance of air traffic management equipment facility to be established or used without being certified by the Director-General.	Sub-rule (1) of rule 119
22B.	Contravention of the provisions of sub-rule (2) of rule 125.	Sub-rule (2) of rule 125
23.	Non-compliance with the provisions of sub-rules (2A) and (2B) of rule 135.	Sub-rules (2A) and (2B) of rule 135
24.	For not carrying Operations Manual on board the aircraft.	Sub-rule(3) of rule 140B
25.	For not carrying Route Guide on board the aircraft.	Rule 140C
26.	Non-compliance with the provisions of sub-rule (1) of rule 141.	Sub-rule (1) of rule 141
27.	Non-compliance with the instructions contained in the manual(s).	Sub-rule (5) of rule 155A
28.	For not having a provision for imparting instructions to personnel authorised to certify.	Sub-rule (6) of rule 155A
29.	The doing of any act prohibited by or under any rule, or failure to do any act required to be done by or under any rule, not specified elsewhere in this Schedule.	-----

Substituted by G.S.R. No. 686(E) dated 17th September, 2009

Amended by (1) G.S.R. No. 766 (E) dated 17th September 2010

(2) G.S.R. No. 535 (E) dated 5th July 2012

(3) GSR No. 31(E) dated 14-1-2015]

Schedule XI

Grant of permission to operate schedule air transport services

[See sub-rule(1) and (1A) of rule 134]

[The whole Schedule XI was inserted by G.S.R. No. 1087 dated 19-7-1965]

1. Air Operator Certificate to operate Scheduled air transport services in pursuance of sub rule (1) and (1A) of rule 134 (hereinafter referred to as the Air Operator Certificate) may be granted either—

- (i) to a citizen of India, or
- (ii) to a company or a body corporate provided that—
 - (a) it is registered and has its principal place of business within India;
 - (b) the Chairman and at least two-thirds of its Directors are citizens of India; and
 - (c) its substantial ownership and effective control is vested in Indian nationals.

2. The Director-General shall be the authority to examine the applications for Air Operator Certificates and for issuing cancelling or suspending such Air Operator Certificates.

3. The Central Government may appoint two or more persons possessing specialised knowledge and experience of Civil Aviation to act as advisers to the Director-General to assist him in the performance of his functions under this Schedule.

4. The Central Government may appoint a Secretary and such other persons as may be considered necessary to assist the Director-General in the discharge of the duties conferred on him by the Schedule. The Secretary and all such persons shall be subordinate to and under the administrative control of the Director-General and form part of his establishment.

5. (1) Every application for a Air Operator Certificate shall be made to the Director-General not less than ninety days before the date on which it is desired to commence the service unless the Director-General has appointed a last date for the receipt of applications in which case the applications shall be made on or before that date or such later date as may be fixed by the Director-General.

(2) Every application shall be made in such form and contain such particulars as may be prescribed by the Director-General and shall be signed by the person applying for the Air Operator Certificate and, if made by any body corporate, shall be signed by a person duly authorised in that behalf by such body and shall be accompanied by such particulars as may be required for the purposes of this Schedule.

(3) A fee of rupees fifty thousand shall be payable for making an application under sub-paragraph (1).

(4) A fee of rupees twenty lakhs shall be payable for the issuance of an Air Operator Certificate and rupees ten lakhs shall be payable for renewal thereof.

(5) The fee shall be paid by Demand Draft drawn in favour of the Pay and Accounts Office, Director General of Civil Aviation, New Delhi.

6. The Director-General shall cause to be published in the Official Gazette, particulars regarding each application for a Air Operator Certificate and the date, not being less than thirty days after the date of publication, on which the application shall be taken into consideration.

7. Any person may, not less than ten days before the date specified for the consideration of the application by the Director-General, make a representation to the Director-General in writing, setting out the specific grounds on which the representation is made. A copy of every such representation shall be sent by the person making it to the applicant for the Air Operator Certificate at the same time as it is sent to the Director-General and a certificate to that effect shall be attached to the representation. The Director-General may, at his discretion, give an opportunity to the person making the representation to state his views in the presence of the applicant for the Air Operator Certificate. The Director-General may, at his discretion, require any person making a representation under this paragraph to produce evidence in support of any statement he may make.

8.(1) The Director-General shall consider the application for Air Operator Certificate and any representation made in respect thereof as speedily as possible and may, at his discretion, either refuse or grant the Air Operator Certificate for such period and subject to such conditions as may be specified in the Air Operator Certificate. The Director-General may, in his discretion, allow an opportunity to the applicant or his representative, for appearing before him in support of the application and may also give an opportunity to the person or persons making representations against the application to appear before him at the same or different times.

(2) For the disposal of the application, the Director-General shall consider, in particular,

(i) Whether having regard to the applicant's experience and financial resources and his ability to provide satisfactory equipment, organisation and staffing arrangements, and having regard also to any contravention in respect of aircraft operated by him of the provisions of the Aircraft Act, 1934 (22 of 1934) and the rules made thereunder, the applicant is competent and a fit and proper person to operate aircraft on scheduled air transport services;

(ii) the provisions made or proposed to be made against any liability in respect of loss or damage to persons or property which may be incurred in connection with the aircraft operated by the applicant;

(iii) the existing or potential need or demand for the scheduled air transport service applied for;

(iv) in the case of any scheduled air transport service proposed, the adequacy of any other air transport service already authorised under rule 134;

(v) the extent to which any scheduled air transport service proposed would be likely to result in wasteful duplication of or in material diversion of traffic from any air transport service which is being or is about to be provided under a permission issued under rule 134;

(vi) any capital or other expenditure reasonably incurred or any financial commitment or commercial agreement reasonably entered into, in connection with the operation of aircraft on air transport service by any person (including the applicant); and

(vii) Omitted

(viii) any objections or representations made in accordance with the provisions of this schedule or any other law in force.

(3) The Director-General may, at any time, require the applicant to furnish any information which the Director-General considers necessary for deciding the application. The Director-General may also require the applicant to produce evidence in support of any information that the applicant may have furnished.

9. The Air Operator Certificate shall be valid for a period not exceeding five years as may be fixed by the Director-General at the time it is granted.

10. The Air Operator certificate shall contain such information as prescribed by the Director-General.

11. The grant of Air Operator Certificate shall not be construed as in any way absolving any person from the obligation of complying with the provisions of the Aircraft Act, 1934 (22 of 1934), the Carriage by Air Act, 1972 (69 of 1972) or with the rules made there under or with any other statutory provisions.

12. Any schedule air transport service operated in accordance with this schedule shall comply with the safety requirements with respect to air routes, aircraft and aircrew specified by the Director General.

13. Omitted

14. Omitted

15. (1) If the Director-General is satisfied that there is sufficient ground for doing so, he may, for reasons to be recorded in writing, cancel the Air Operator Certificate or suspend it for any specific period. He may also, during the investigation of any matter, suspend the Air Operator Certificate.

(2) Without prejudice to the generality of the power in sub-paragraph (1), the Director-General may cancel or suspend the Air Operator Certificate for such period as he thinks fit, if he is satisfied—

(a) that any of the conditions of the Air Operator Certificate has not been complied with and the failure is due to any wilful act or default on the part of the holder of the Air Operator Certificate or by any of his servants, or agents, irrespective of whether or not such wilful act or default of the servant or agent was with the knowledge or approval of the holder of the Air Operator Certificate; or

(b) that the holder of the Air Operator Certificate has failed to establish a safe, efficient and reliable service; or

(c) that having regard to the financial resources of the holder of the Air Operator Certificate or the losses incurred by him, he cannot be relied upon to continue the operation of the service in a safe, efficient and reliable manner; or

(d) that such substantial changes have taken place in regard to the matters specified in sub-paragraph (2) of paragraph 8 as to render it necessary or expedient in the public interest or in the interest of safety to cancel or suspend the Air Operator Certificate; or

(e) that the Air Operator Certificate was obtained by fraud.

(3) Before any action is taken under sub-paragraph (1) or sub-paragraph (2), the Director-General shall give to the holder of the Air Operator Certificate not less than fifteen days' notice in writing specifying the ground or grounds upon which it is proposed to cancel or, as the case may be, suspend the Air Operator Certificate and shall give him an opportunity of showing cause either in writing or by appearing in person before the Director-General against the action proposed to be taken.

(4) Notwithstanding anything contained in sub-paragraph (3), the Director-General, may, if he has reason to believe on reliable information that it is expedient in the interest of public safety so to do, summarily suspend the Air Operator Certificate with a view to make further enquiry and take action.

(5) The Air Operator Certificate shall cease to be in force from the date of such cancellation or suspension unless otherwise directed.

16. The Director-General may, at any time, whether of his own motion or on application made by any party, correct clerical or typographical error in any of his orders arising from any accidental slip or omission.

17. Omitted

18. Any Air Operator Certificate granted under this Schedule shall not be capable of being transferred or assigned except with the specific permission of the Director-General :

Provided that in the event of death, or bankruptcy of the holder of the Air Operator Certificate or of the appointment of a receiver, manager or trustee, in relation to the business of the holder, the person for the time being carrying on that business shall, if he makes an application within 14 days of the said event to the Director-General for a new Air Operator Certificate, be entitled to continue the operation of the scheduled air transport service until the application is disposed of, or unless the Director-General has directed otherwise in the interest of public convenience.

19. Omitted

20. (1) The Air Operator Certificate shall be kept at the principal office of the holder thereof and shall be produced for inspection on demand by any Magistrate, any Police Officer not below the rank of a Deputy Superintendent of Police, any officer of customs, any Gazetted officer of the Directorate General of Civil Aviation, or any other person authorised by the Central Government or the Director-General by special or general order in writing in this behalf.

(2) A copy of the Air Operator Certificate shall be displayed at a conspicuous place in the principal traffic office of the holder of the Air Operator Certificate.

(3) On the expiration of an Air Operator Certificate, whether by efflux of time or in consequence of a decision of the Director-General under this Schedule or when a Air Operator Certificate is suspended by the Director-General, the holder shall surrender the Air Operator Certificate to the Director-General for cancellation or endorsement as the case may be.

21. The holder of an Air Operator Certificate shall perform such services for conveyance of mail or any other items as specified by the Director General.

22. Every person to whom an Air Operator Certificate has been granted under this Schedule shall submit to the Director-General in such form as may be prescribed by him:—

(a) monthly returns regarding the operation of the permitted air transport service and other air transport operations so as to reach the Director-General not later than 45 days after the expiry of the month to which the return relates;

(b) annual return showing the financial results of the services or operations during each calendar year so as to reach the Director-General not later than three months after the expiry of the year to which the return relates; and

(c) such other statements or returns as may be required by the Director-General.

23. Any applicant or a holder of an Air Operator Certificate, aggrieved by an order of the Director-General rejecting the application, cancelling or suspending such Air Operator Certificate, as the case may be, may, within a period of thirty days from the date of such order, prefer an appeal to the Central Government and the decision of the Central Government on such appeal shall be final.

*[Amended by (i) G.S.R. No. 412 dated 15-5-3-1971,
(ii) G.S.R. No. 117(E) dated 25-2-1994,
(iii) GSR 413 dated 23-7-2001 ,
(iv) GSR No. 181(E) dated 20-03-2006,
(iv) GSR No. 813 dated 21-11-2008,*

*(v) GSR No. 101(E) dated 19-02-2009, and
(vi) GSR No. 32(E) dated 13-01-2015]*