

AIRCRAFT RULES, 1937

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AIRCRAFT RULES, 1937

STATEMENT OF OBJECTS AND REASONS Aerial navigation in British India is at present governed by the Indian Aircraft Act, 1911, and the rules made thereunder. In 1919 an International Convention

for the regulation of Aerial Navigation was signed by the plenipotentiaries of 27 countries, with the object of establishing regulations of universal application and of encouraging peaceful intercourse with nations by means of aerial communications. To this Convention India was a signatory. The convention deals with all questions relating to international aerial navigation, and also provides for the institution of a permanent International Commission for Air Navigation, with very wide powers as regards the formulation of rules for the marking of aircraft, the grant of certificates, rules of the air and so forth. This Commission meets from time to time to amend the annexes of the Convention, which contain the detailed rules to be observed by the aircraft of all signatory States and by all aircraft when within the borders of those States. 2. For some years past the inadequacy of the Indian Aircraft Act, 1911, has been increasingly felt, and the stage has now been reached where it is no longer possible to control air traffic efficiently, or to implement India's international obligations without fresh legislation. The present Bill therefore is designed to enlarge the rule-making powers of the Governor-General in Council in order to meet modern developments, to enable Government to give full effect to the provisions of the International Convention and its annexes, and to provide for certain other matters on which legislation has become necessary. NEW DELHI The 10th March, 1934. EXEMPTION OF IMPERIAL AIRWAYS, LTD., FROM FEES PRESCRIBED IN RULE 87 OF THE [AIRCRAFT RULES], 1937 No. V-26. dated the 12th September, 1938. In exercise of the powers conferred by Section 3 of the [Aircraft Act], 1934 (22 of 1934), the Central Government is pleased to exempt Imperial Airways, Limited, from the payment of the fees prescribed in rule 87 of the [Aircraft Rules], 1937 for the grant or renewal of licences in respect of the water aerodromes at Karachi, Allahabad and Calcutta. [Gazette of India, 1938, Pt. I, p. 1578.]

PART 1 PRELIMINARY

1. Short title, and extent :-

- (1) These rules may be called the ¹[* * *] 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; ²["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. ³["and the cases falling under sub-rule (3)",]

⁴ (3) These rules shall also apply to aircraft registered in a Contracting State and operated pursuant to or 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 Art. 83 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 or 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 Art. 83 of the Convention. The extent of non-application of these rules to such aircraft shall be as per the agreement between the two Governments.

1. The word "Indian" delete by G.S.R. 794, dated 16th May, 1966.

2. " AIRCRAFT RULES, 1937" Dt. Publishedn G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

3. " AIRCRAFT RULES, 1937" Dt. Publishedn G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

4. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

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 :-

¹(1) In these rules, unless there is anything repugnant in the subject or context-

(i) "Aerial work aircraft" means an aircraft used for an industrial or commercial purpose or any other remunerative purpose but does not include an aircraft used for public transport;

(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;

⁶[(3) ***]

(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 aero planes, helicopters, gyroplanes, gliders and kites;

³[(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;

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

(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;]

(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 earths surface and includes balloons whether fixed or free, airships, kites, gliders and flying machines;

[(7A) "Aircraft component" means any pan, the soundness and correct functioning of which, when fitted to an aircraft, is essential to the continued airworthiness or safely of the aircraft and includes

any item of equipment;]

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

³(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;]

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

⁵(10A) "Approved maintenance system" means the maintenance system approved by the Director General of Civil Aviation;]

¹⁵[(11) "Balloon" means a non-power-driven lighter-than-air aircraft:]

⁷(11-A) "cabin crew member" means a crew member other than a flight crew member;

¹⁶(11B) "Certificate of airworthiness" means a certificate issued under these rules;]

(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 7th

⁹(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;]

(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(15) [* * *]

(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);

¹⁵(16A) "Crew member" means a person assigned by an operator to duty on an aircraft during a flight duty period;

¹²(17)[* * *]

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

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

(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 ¹³["during a flight duty period"]

¹⁴[(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 operation of the aeroplane;]

¹⁵(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 helicopters rotor blades start turning until the moment it finally comes to rest at the end of the flight, and the rotor blades are stopped.

(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 moment it comes to rest at the end of the flight;

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

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

¹⁶[(25A) "Foreign Aircraft" means an aircraft registered in a country other than India;

(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;]

¹⁷[(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;

(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;

(29) "Import" means bringing into India;

18[(29A) "incident" in relation to an aircraft means an occurrence which takes place either on the ground or in flight, in which--

(a) the aircraft suffers damage or a person associated either with the maintenance or operation of aircraft, or both, suffers injury in circumstances other than those specified in the definition of "accident";

(b) the aircraft makes a forced landing;

(c) the aircraft lands at aerodrome in an unairworthy condition;

(d) the aircraft is compelled to land at the aerodrome of departure without completing the scheduled flight;

(e) the aircraft lands owing to conditions which make continuance of the flight inadvisable.

(f) the position of the aircraft becomes "unknown for any period", or

(g) the safety of the aircraft or its occupants or of any other person or property is jeopardised in any manner.

(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 practicing, on the ground, simulated instrument flight on a mechanical device approved by the Director-General;

19[(32A) "Item of equipment" means any self-contained unit, which, when attached to, or installed on an aircraft, performs a function essential under certain operating conditions of airworthiness or safety of the aircraft or its occupants;]

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

20[(33A) "Licence" means a licence issued under these rules;]

(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;

21(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;]

(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;

22[(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;]

(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;

(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;

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

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

23(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 flight;

(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;

(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;

(49) "Scheduled air transport service" shall have the same meaning as in the Air Corporations Act, 1953 (27 of 1953);

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

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

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

(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;

24(54-A) "Temporary aerodrome" means an aerodrome intended to be used for a period not exceeding six months;

(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;

25[(57A) "Type Certificate" means a certificate issued or validated by the Director General to signify that the design of a type of aircraft, aircraft component or item of equipment, complies with the applicable design standard specified or approved by the Director General;

(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 maneuver as required by these rules:

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

(2) 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 authorized by it in that behalf.

26 [(2A) Any power or duly conferred or imposed by these rules on

the Director General may be exercised or discharged by the Director General or by any person authorised by the Central Government in that behalf.)

(3) The exercise or discharge of any power or duty conferred or imposed by rule 19 or Part V or Part VI of these rules in the Central Government by an authority outside India specified by the Central in that behalf, shall have effect in India as though the power had been exercised or the duty discharged by a person authorized in this behalf under sub-rule (2).

Omitted vide GSR No. 610 (E), dated 14-8-84.

Subs. by S.R.O. 1741. dated 6th june.1955.

Amended by G.S.R. 1238, dated 8th September, 1962.

Subs. by G.S.R. 1202, dated 23rd July. 1976

In Rule 3, clause 11A shall be renumbered as clause 11B, and clause 11A shall be inserted, by Aircraft (2nd Amendment) Rules, 2001. Noti. No. F.No. AV-11012/3/99-A, dated. 11/7/2001 Gaz. of India, Pt.II-Sec. 3(i), dt. 21/7/2001, page.2441.

In Rule 3, clause (15) shall be omitted, by Aircraft (6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

After clause 16, clause 16A shall be inserted by Aircraft (2nd Amendment) Rules, 2001. Noti. No. F.No. AV-11012/3/99-A, dated. 11/7/2001 Gaz. of India, Pt.II-Sec. 3(i), dt. 21/7/2001, page.2441.

IN Rule 3, clause (17) shall be Omitted by the Aircraft (Amendment) Rules, 2007, On [Noti. No. F. No. AV. 11012/02/2006-A, dt 19th March, 2007 Gaz. of India, Exty., Pt. II-Sec. 3(i), No. 136, dt 24th March, 2007 p. 3.] = 2007 CCS / P. 509/H. 198.

In clause 21, for the words "during flight times" shall be substituted by Aircraft (2nd Amendment) Rules, 2001. Noti. No. F.No. AV-11012/3/99-A, dated. 11/7/2001 Gaz. of India, Pt.II-Sec. 3(i), dt. 21/7/2001, page.2441.

Amended by G.S.R. 1202 dated 23 rd July. 1176.

clause 22, shall be substituted by Aircraft (2nd Amendment) Rules, 2001. Noti. No. F.No. AV-11012/3/99-A, dated. 11/7/2001 Gaz. of

India, Pt.II-Sec. 3(i), dt. 21/7/2001, page.2441.

Ins. by G.S.R. 1202. dated 23rd July. 1976

In the Rule 3 of Aircraft Rules, 1937, for clause (27), the following clause shall be substituted, by the Aircraft (4th Amendment) Rules, 2004

Ins. by G.S.R. 537, dated 23rd April, 1980.

Subs by G.S.R. 1035, dated 6th September, 1974.

clause 42, shall be substituted by Aircraft (2nd Amendment) Rules, 2001. Noti. No. F.No. AV-11012/3/99-A, dated. 11/7/2001, Gaz. of India, Pt.II-Sec. 3(i), dt. 21/7/2001, page.2441.

In the Rule 3 of Aircraft Rules, 1937, after clause (54), the following clause shall be inserted, by the Aircraft (4th Amendment) Rules, 2004

Ins. by G.S.R. 1202, dated 23rd July, 1976.

PART 2 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 :-

. ¹ .-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.

1. Subs. by G.S.R. 1567, dated 16th November, 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.

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: Provided further that a trainee pilot who is learning to fly may fly without a licence any aircraft of an all-up weight not exceeding 1,500 kgs. if (a) the aircraft is fitted with dual controls, (b) a flight instructor is carried on board, (c) prior notice of the flight is given to the persons in-charge of the aerodrome from which the flight is made, and (d) no other person is carried on board the aircraft:] ¹²["Provided also that a trainee pilot may exercise the privileges of a Student Pilots Licence specified in paragraph 5 of Sections B and C and para. 4 of Section D of Schedule II if he is granted a certificate to that effect by the Flight Instructor after such a trainee qualifies the technical examination and also satisfies the requirements of medical fitness provided for the issue of such a licence. Such certificate shall be valid for a period of two months or until the trainee obtains a Student Pilots Licence whichever is earlier.;"] ³ ["Note : For the purpose of this rule, foreign registered aircraft falling under sub-rule (3) of Rule I shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of Rule I shall be deemed as aircraft not registered in India."]

1. Ins. by G.S.R. 793, dated 15th May, 1966.

2. Substituted for "[Provided further that a trainee pilot may exercise the privileges of a Student Pilots Licence specified in paragraph 5 of Section B of Schedule II if he is granted a certificate to that effect by an authorised Chief Flight Instructor or Flight Instructor in-charge after such a trainee qualifies in the technical examination and also satisfies the requirements of medical fitness

provided for the issue of such a licence. Such a certificate shall be valid for a period of two months or until the trainee obtains a Student Pilots Licence whichever is earlier.]", vide " AIRCRAFT RULES, 1937" Dt.4thOctober, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Guzette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

3. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

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, ¹ "except as provided in rules 6B and 6C"

1. Substituted for "except as provided in rule 6B" by the Aircraft (4th amendment) rules, 1999

6B. Flights to qualify for extension of a licence :-

[The holder of a pilots 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 : ¹ ["Provided further that such flights are carried out within the local flying area or designaled 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).";]

1. Substituted for "Provided further that such flights are carried out within the local flying area designated flying of a licence 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.] ", vide " AIRCRAFT RULES,1937" Dt.4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

6C. Flights for testing and other non-revenue specific special purposes :-

-¹ The Director General may authorise a licence holder to fly an aircraft not entered in the aircraft rating of the licence for the purpose of testing or for specific special purpose non-revenue, non-passenger-carrying flights subject to the terms and conditions of such authorisation. The authorisation shall be limited in validity to the time needed to complete the testing or the specific flight or flights : Provided that the licence holder produces evidence to show that he meets the requirements of competency as laid down by the Director General for undertaking such flights: Provided further that when the aircraft is test flown, no person, other than members of the operating crew, shall be carried en board the aircraft unless he is specifically authorised by the Director General: Provided also that the test flights are 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 rules, the expression "specific special purpose non-revenue, nonpassenger-carrying flights" includes flights authorised by the Central Government in the event of national or international crises, natural calamities, emergencies or otherwise requiring such flights to carry material or goods for relief purposes."

1. Inserted after rule 6B by the Aircraft (4th amendment) rules, 1999

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.]

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 persons 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.]

8. Carriage of arms, explosives or dangerous goods :-

. **1** [* * * * *]

1. Rule 8 shall be omitted by Aircraft (... Amendment) Rules, 2003 Gaz. of India, Exty., Pt. II-Sec. 3(i), No. 115, dt. 7.3.2003, p. 19.

8A. Security check of persons boarding aircraft at aerodrome :-

[. **1** .-For the purpose of securing the safety of aircraft operations,

every person boarding an aircraft at an aerodrome and his hand-baggage, if any, shall be liable to be searched at the aerodrome, by an officer authorised in this behalf by the Central Government, before such person proceeds to the aircraft for embarkation.]

1. Ins. by G.S.R. 315, dated 13th December, 1979

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 Telecommunication 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 Telegraph Act, 1885 , and the rules made thereunder which required that radio- telegraph apparatus shall be licensed.

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

1. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 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 ¹[²"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 water 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 ³["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 the⁴ ["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.

1. Subs. by G.S.R. 1225, dated 15th October, 1959.

2. In Rule 12, in sub-rule (2), for the words, "paragraph 1.1 of Appendix A to Schedule IV", the words "the Rules of the Air referred to in Rule 16", shall be substituted, by the Aircraft (3rd Amendment) Rules, 2004

3. In Rule 12, in sub-rule (3), for the words, "paragraph 2 of Appendix A to Schedule IV", the words and figures "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", shall be substituted, by the Aircraft (3rd Amendment) Rules, 2004

4. In Rule 12, in sub-rule (4), for the words, "signals prescribed in paragraph 3.1 of Appendix A to Schedule IV", the words and figures "light signals from aerodrome control tower, as prescribed in the rules of the Air referred in Rule 16", shall be substituted by the Aircraft (3rd Amendment) Rules, 2004

13. Photograph at aerodromes or from aircraft in flight :-

[No person shall take, or cause or permit to be taken, at an 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 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 aerodrome, or within such limits of any aerodrome as may be specified in the order.]

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 or by notification in the Official Gazette.

15. Conditions to be complied with by aircraft in flight :-

. 1.-

(1) No aircraft shall be flown unless the following conditions are complied with, namely:-

(i) the aircraft shall be certified as airworthy and shall be maintained in airworthy condition 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;

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

(iii) the aircraft shall carry on board its certificate of airworthiness and any other certificates 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. The certificate of airworthiness shall be carried in the pocket of the journey log book;

(iv) the aircraft shall be fitted with and shall have in working order such instruments and equipment as are prescribed in Part VI for aircraft of that class or description: Provided that the Central Government may, by order in writing and subject to such conditions as may be contained in the order, exempt any aircraft from the operation of this rule.

2[* * *]

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

1. Subs. by G.S.R. 1357, dated 27th November, 1973.

2. Explanation deleted by G.S.R. 1347, dated 27th November, 1973.

3. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

16. Rules of the Air :-

Every person shall comply with ¹ "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 and every pilot and every person

in-charge of an aircraft shall take such steps as are practicable to secure that when the aircraft is in flight or is being maneuvered on the land or water, the windows, wind-screens or side-screens of the aircraft through which the pilots obtain the view forward or sideways are maintained in such a condition as not to obstruct his view.]

1. In Rule 16, for the words and figures "such Rules of the Air contained in Schedule IV to these rules", the words and figures "the Rules of the Air issued by the Director General in accordance with Annex. 2 to the Convention" shall be substituted, by the Aircraft (Amendment) Rules, 2004

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 constable, any customs officer, any commissioned officer of the Naval, Military, or Air Force of the Union, any gazetted officer of the Civil Aviation Department, 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.]

18. Prevention of flights in contravention of the rules :-

(1) An authority authorised under Sec. 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, defiling 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.

¹[(1A) Officers of the Central Government or a State Government ² [* * *] 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 Sec. 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.

1. Ins. by G.S.R. 1608, dated 12th October, 1966.

2. In Rule 18, sub-rule (1A), the words, brackets and figures "or Corporation as defined in sub-rule (1) of Rule 3" shall be omitted., by Aircraft (6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page.2590

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 in respect of any aircraft the Central Government may cancel or suspend any certificate of registration granted under these rules relating to that aircraft.

¹(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

² (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, 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 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".

1. Amended by G.S.R. 1202, dated 23rd July, 1976.

2. Subs. by G.S.R. 1238, dated 8th September, 1962.

20. Certain rules not applicable to gliders and kites :-

[Rule 7 shall not apply to gliders, and rule 5, rule 6, rule 7, rule 12, rule 17, rule 19 and the rules in Part III, with the exception of rule 26 in so far as it relates to the dropping of articles from aircraft, shall not apply to kites.]

PART 3 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.

22. 22 :-

[.* * *]

23. 23 :-

[.* * *]

24. Prohibition of intoxicated person entering aircraft :-

[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 12 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 an aircraft.].

[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.].

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.].

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.]

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

(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.

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, 1937.

(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

(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 vapours 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 maneuvers so as to bring the rear jet outlets within 43 meters of the fuelling equipment or the aircraft.

NOTE- The requirements of Cl. (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.]

25B. Housing of aircraft :-

[

(1) No aircraft containing dangerous petroleum in bulk in any of its

tanks may be housed in a hangar unless such hangar is constructed of unflammable material and is effectively and safely ventilated to the open air.

(2) Every such hangar shall be in charge of a competent person who shall be responsible for taking all proper precautions against fire and shall prevent unauthorized persons from having access to the building.]

26. Dropping of articles and descends 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;

¹ (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 of 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 and subject to any conditions of limitations contained in general or special order of the Central Government in writing in that behalf.]

1. Substituted by "The Aircraft (1st Amendment) Rules, 2002", S.2, W.e.f.19th September, 2001

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 a glider in motion and no person under 17 years of age shall have sole control of any other 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 in the case of gliders and 17 years in the case of all other aircrafts.]

28A. Maximum age limit for professional pilots. :-

66 " Maximum age limit for professional pilots.-

(1) No person, holding a pilots 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 pilots licence issued 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."

In the Aircraft Rules, 1937 (hereinafter called the said rules), for Rule 28A, the given rule shall be substituted, in place of old as :-
"No person holding a professional pilot license i.e. a commercial, senior commercial or airline transport pilots license, shall engage himself or her in scheduled air services or non scheduled aircraft operations for remuneration or hire after attaining the age of 60 years. " by the Aircraft Act, 1934 (22 of 1934)

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.]

29B. Prohibition on the use of portable electronic devices.

:-

¹ 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, which may cause interference with the navigation or communication system of the aircraft:

Provided that this rule shall not apply to portable voice recorders, hearing aids, heart pacemakers, 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."

1. Rule 29A, shall be inserted, by Aircraft (4th Amendment) Rules,

2001. Noti. No. F.No. AV-11012/5/2000-A, dated. 18/7/2001, Gaz. of India, Pt.II, Sec. 3(i), dated. 28/7/2001, page.2522.

PART 4 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, constructors number, nationality and registration marks referred to under these rules, full name, nationality and address of the owner, usual station of aircraft and ¹["the date of registration and the period of validity of such registration"];

²(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 and the Chairman and at least two-thirds of the Directors of which are citizens of India; or

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

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

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

(iii) by the central government or any state government or any corporation owned or controlled by either of the said governments; and.

(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.

3 (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 provision 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 (a) of sub-rule (2), is not in force ; or

(v) it is inexpedient in the public interest that the aircraft should remain registered in India

1. Substituted for "the date of registration", vide " Aircraft Rules, 1937" Dt.14th July, 1997 Published in Published in the Gazette of India, Extraordinary, Part II, Sec. 3(i), dated 14th July, 1997 (w.e.f. 14 July, 1997).

2. Inserted vide " Aircraft Rules, 1937" Dt.14th July, 1997 Published in Published in the Gazette of India, Extraordinary, Part II, Sec. 3(i), dated 14th July, 1997 (w.e.f. 14 July, 1997).

3. Substituted for " (6) The registration of an aircraft registered in India may be cancelled at any time by the Central Government, if it is satisfied that the ownership of the aircraft is not as shown in the register or that such registration is not in conformity with the provisions of sub-rule (2) of this rule or that the aircraft could more suitably be registered in some other country or that it is inexpedient in the public interest that the aircraft should remain registered in India.] ", vide " Aircraft Rules, 1937" Dt.14th July, 1997 Published in Published in the Gazette of India, Extraordinary, Part II, Sec. 3(i), dated 14th July, 1997 (w.e.f. 14 July, 1997).

31. Nature of application :-

(1) Every application for a certificate or registration shall be accompanied by-

(a) such particulars relating to the aircraft and its ownership as may be required by the Central Government;

¹ [(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 Chief Customs Officer or Customs Collector that the customs duty leviable in respect of it has been paid and stating the type and manufacturers 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.

1. Subs, by G.S.R. 1973, dated 5th August, 1973

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 local Aerodrome Officer. 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: Provided that, if an aircraft in respect of which a temporary certificate of registration has been issued is imported otherwise than by air, such temporary certificate shall cease to be valid on the date of import of the aircraft and the temporary certificate shall forthwith be delivered by the owner to the Director-General, and thereafter the certificate of registration may be granted by the Central Government.

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 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 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 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 thereof shall remain valid until such registration and certificate have been cancelled by the Director-General;

(d) [**1*]

1. Omitted for "the new owner shall be responsible for payment to the Director-General of any charges, such as landing, parking and housing charges, outstanding in respect of the aircraft, respective of whether or not such dues were incurred during the period when the aircraft was registered in the name of such owner, provided that nothing herein shall absolve any person from liability to make payment to the Director-General of any charges which were incurred when such person was the registered owner of the aircraft.", vide " Aircraft Rules, 1937" Dt.14th July, 1997 Published in Published in the Gazette of India, Extraordinary, Part II, Sec. 3(i), dated 14th July, 1997 (w.e.f. 14 July, 1997).

34. Aircraft destroyed or withdrawn from use :-

[**1*]

1. Omitted for "When a registered aircraft has been destroyed or permanently withdrawn from use, the person, company or corporation for the time being registered as owner of the aircraft, or, if that person is dead or that company or corporation is dissolved, his personal representative or its successor-in-title, as the case may be, shall, as soon as possible, notify the Director-General accordingly, and the registration and the certificate thereof shall not lapse unless and until it is cancelled by the Director-General.", vide " Aircraft Rules, 1937" Dt.14th July, 1997 Published in Published in the Gazette of India, Extraordinary, Part II, Sec. 3(i), dated 14th July, 1997 (w.e.f. 14 July, 1997).

35. Registration fees :-

[

78"(1) The following fee shall be payable in respect of 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 : Rs. 5,000/- kilograms or part thereof 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 a **79**"ten percent of the fee payable under sub-rule (1)."

80"(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)."

81 "(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 Accounts Officer, Central Pay and Accounts Office, Civil Aviation Department Headquarters, New Delhi.]

In the Aircraft Rules, 1937, in Rule 35, for sub-rule (1), the following sub-rule shall be substituted, in place of :- (1) The following fee shall be payable in respect of a certificate of registration- (a) for aircraft with all-up-weight below 15,000 Kgs- Two hundred rupees. (b) for aircraft with all-up-weight 15,000 Kgs and above-Two hundred rupees. by the Aircraft (Amendment) Rules, 2006 .

In the Aircraft Rules, 1937, in Rule 35, in sub-rule (2), for the words "a fee of fifty rupees", the words "ten percent of the fee payable under sub-rule (1)" shall be substituted , by the Aircraft (Amendment) Rules, 2006 .

In the Aircraft Rules, 1937, in Rule 35, for sub-rule (3), the following sub-rule shall be substituted, namely: "(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)." by the Aircraft (Amendment) Rules, 2006 .

In the Aircraft Rules, 1937, in Rule 35, after sub-rule (3), the following sub-rule shall be inserted, namely: "(3A) The certificate of registration may be renewed on payment of fifty percent of the fee payable under sub-rule (1)". by the Aircraft (Amendment) Rules, 2006 .

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.

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 placed between the nationality mark and the registration mark.

(2) The nationality and registration marks-

¹ [(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 owners 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.

1. Subs. by G.S.R. 1202, dated 23rd July, 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 5 PERSONNEL OF AIRCRAFT

38. Licensing Authority :-

[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 rating, if for any reason it considers it desirable to do so :-

1(a) Student Pilots Licence (for aeroplanes, helicopters, gliders, balloons and microlight aircraft),

(b) Private Pilots Licence (for aeroplanes and helicopters),]

(c) Commercial Pilots Licence (for aeroplanes and helicopters),

(d) Senior Commercial Pilots Licence (for aeroplanes),

2(e) Airline Transport Pilots Licence (for aeroplanes and helicopters),]

(f) Instrument Rating,

3(g) Assistant Flight Instructors Rating (for aeroplanes, helicopters),

(h) Flight Instructors Rating (for aeroplanes, helicopters, gliders and balloons),]

4(i) Pilots Licence (for gliders, balloons and microlight aircraft),]

(j) Student Navigators Licence,

(k) Flight Navigators Licence,

(l) Student Flight Engineers Licence,

(m) Flight Engineers Licence,

(n) Flight Radio Telephone Operators Licence,

5 (o) Flight Radio Telephone Operators Licence (Restricted)";]

1. Substituted for " 2 [(a) Student Pilots Licence (for aeroplanes, helicopters, gliders and balloons),] 2 [(b) Private Pilots Licence (for aeroplanes, helicopters and balloons),] ", vide " AIRCRAFT RULES, 1937" Dt.4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

2. Substituted for " (e) Airline Transport Pilots Licence (for aeroplanes), ", vide " AIRCRAFT RULES, 1937" Dt.4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

3. Substituted for " (g) Assistant Flight Instructors Rating (aeroplanes), (h) Flight Instructors Rating (for aeroplanes, helicopters and gliders), ", vide " AIRCRAFT RULES, 1937" Dt. 4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

4. Substituted for " (i) Glider Pilots Licence, ", vide " AIRCRAFT RULES, 1937" Dt. 4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

5. Substituted for " (o) Flight Radio Operators Licence.] ", vide " AIRCRAFT RULES, 1937" Dt. 4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

38A. Carriage of operating crew :-

[Subject to the provisions of rule 6, rule 6A and rule 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 pilots licence issued in accordance with Schedule II :
Provided that:

(i) a private aircraft shall not be flown by a person holding a student Pilots licence;

(ii) a private aircraft shall not be flown by a person holding a Private Pilots 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 Pilots licence, without having a valid Night Rating.

¹(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 Pilots Licence, i.e. a Commercial, Senior Commercial or Airline Transport Pilots Licence issued in accordance with Sch. 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 Pilots or a Private Pilot 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(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 pilots licence, that is, a Commercial, Senior Commercial or Airline Transport Pilots Licence or Pilots Licence (Microlight, Gliders and Balloons) as the case may be, which has an appropriate Flight Instructors or Assistant Flight Instructors rating issued in accordance with Sch. II, or an authorisation issued in writing by the Director-General.

(b) No person other than a person having a Flight Instructors or Assistant Flight Instructors rating shall impart instructions in piloting an aircraft, unless he has been specifically authorised in writing by the Director-General to impart such instructions.

(c) 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 Sch. 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. Flight Radio Operator.-An aircraft Which is required to be

equipped with radio apparatus in accordance with rule 63 shall carry, in addition to the pilot and whether or not it participates in the international service of public transport, a person holding a Flight Radio Operators licence, issued in accordance with Schedule II, to operate radio apparatus on such aircraft : Provided that the Director-General may for such period and subject to such terms and conditions as he may determine, permit the operation of radio apparatus in any aircraft by a person holding a Flight Radio Telephone Operators licence.

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 telephone Operators licence 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 or 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.]

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

1. Substituted for " (b) Public Transport and Aerial Work Aircraft.-

Every public transport or aerial work aircraft (other than a glider or a balloon) shall be flown by a person holding an appropriate professional Pilots licence i.e., a Commercial, Senior Commercial or Airline Transport Pilots licence issued in accordance with Schedule II: Provided that an aircraft other than a glider or a balloon which is the property of, or is being used by, a duly constituted flying club or ballooning club may be flown by a person holding Student Pilots or a Private Pilots Licence for the purpose of receiving instructions or of qualifying for renewal of a licence or for issue of a higher category of licence: Provided further that an aircraft other than a glider or a balloon which is the property of, or being used by, a duly constituted flying club or a ballooning 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 club or a ballooning club, the aircraft shall be deemed to be flown for public transport; ", vide " AIRCRAFT RULES, 1937" Dt.4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

2. Substituted for " 2. Flight Instructor or Assistant Flight Instructor.- (a) Every aircraft which is being used for the purpose of giving dual instruction in piloting shall carry a person holding an appropriate professional pilots licence, that is, a Commercial, Senior Commercial or Airline Transport Pilots Licence -or a Glider Pilots Licence or a Private Pilots Licence for balloons, as the case may be, which has an appropriate Flight Instructors or Assistant Flight Instructors rating issued in accordance with Schedule II, or a permit issued in writing by the Director-General. (b) No person other than a person having a Flight Instructors or Asset. Flight Instructors rating shall impart instructions in piloting an aircraft, unless he has been specifically authorised 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 600 nautical miles, shall carry on board a Flight Navigator licensed in accordance with Schedule II, if the total distance between any two consecutive radio navigational fixing aids located within 30 nautical miles of the route of the proposed flight and capable of being used by the aircraft is more than 600 nautical miles : Provided that the Director-General may require a Flight Navigator to be carried on board an aircraft on any flight. ", vide " AIRCRAFT RULES, 1937" Dt.4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

3. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

38B. Carriage of cabin crews. :-

¹ (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:

(i) For an aeroplane having a seating capacity of not less than 10 and not more than 50 passengers. One cabin crew member.

(ii) For a helicopter having a seating capacity of not less than 20 and not more than 60 passengers. One cabin crew member.

(iii) For an aeroplane or a helicopter having a seating capacity of more than 50 passengers. Two cabin crew members plus one cabin crew member for each unit (or part of a unit) of 50 passenger seats above a seating capacity of 99 passengers.

(2) The cabin crew shall be located

(i) during take-off and landing, as near as possible to the floor level exists, and

(ii) 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.

(3) An operator shall ensure that each cabin crew member

(a) is not less than 18 years of age;

(b) has passed 10+2 examination from a recognised Board or University;

(c) has passed an initial medical examination or assessment and has been found medically fit to discharge the duties specified in the Operations Manual;

(d) remains medically fit to discharge the duties specified in the Operations Manual; and

(e) is competent to perform the duties as cabin crew as specified in the Operations Manual.

(4) 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 procedures specified in the Operations

Manual: Provided that the senior cabin crew member has a minimum of one years experience as cabin crew and has successfully undergone relevant training as required under sub-rule (5).

(5) Each cabin crew shall successfully undergo the following training programme duly approved by the Director General, namely:

(a) Initial training before undertaking type training;

(b) Type training before being assigned to operate as cabin crew member on a particular type of aircraft, or assigned to operate another aircraft type;

(c) Differences training before operating on a variant of an aircraft type currently operated, or with different equipment, equipment location, or safety procedures on currently operated aircraft type or variants;

(d) Familiarisation flights to be undertaken by the cabin crew after undergoing type training prior to operating as cabin crew member;

(e) Recurrent training covering the actions assigned to each crew member in evacuation and appropriate normal and emergency procedures and drills relevant to the type(s) and/or variant(s) of aircraft every 12 calendar months; and

(f) Refresher training for cabin crew member who have been absent from flying duties for more than 6 months.

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

(7) 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 exist operation;

(b) location and type of safety equipment; and

(c) emergency procedures.

(8) 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)."

1. Rule 38B, shall be substituted, by Aircraft (2nd Amendment) Rules, 2001. Noti. No. F.No. AV-11012/3/99- A, dated. 11/7/2001 Gaz. of India, Pt.II-Sec. 3(i), dated. 21/7/2001, page.2441.

39. 39 :-

[* * *]

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 a habitual criminal or 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. 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 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.]

39B. Medical standards :-

[¹(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: ² [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.]

1. Subs. by G.S.R. 1238, dated 8th September, 1962.

2. Ins. by G.S.R. 1865, dated 13th December, 1965.

39C. Period of validity of medical fitness and Licences :-

. ¹ .-The period of validity of medical fitness and licence in respect of various categories of licences shall be as follows: However, the period of validity of medical fitness in respect of the licences referred to in Cls. (ii) and (iii) shall be reduced to half after the holder of the licence has attained the age of forty years."]

1. Inserted vide " AIRCRAFT RULES, 1937'Dt.4th October, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339, dated 4th October, 1993.

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 Air Operational Wing of the Indian Army 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 from all or any of the flying tests and from medical or other technical examinations (a) by the Director-General, in respect of the issue of Private Pilots, the Commercial Pilots and Glider Pilots licence and (b) by the Central Government, in respect of the issue of the Senior Commercial and

Airline Transport Pilots licences :] 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 under any of the preceding provisions, only such 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 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.]

41A. Checks, Tests and Examinations :-

(1) The Director-General may conduct examinations specified in Schedule II, may fix examination centers 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 proficiency checks 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 proficiency 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 a Check Pilot or any Examiner or a Board null and void, if in the opinion of the Director-General the test or the examination has not been carried out to his satisfaction, and require the test or examination to be carried out again by another Check Pilot or Examiner or a Board. The Director-General may also take such action against the Check Pilot or 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 or the technical examinations for the issue of flight crew licences and ratings shall be laid down by the Director-General.]

42. Licences and their renewal :-

1 (1)

(a) The licences and ratings mentioned in Rule 38 may be issued or renewed for any period not exceeding the period specified in Rule 39-C and Sch. 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 applicants competency to hold that licence or rating : (A) For a period exceeding two years but Tests of skill and Air not exceeding three years for a period Regulations All examinations exceeding three years 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 further that in the case of 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.

1. Substituted for " (1) The licences and ratings mentioned in rule 38 may be issued or renewed for any period not exceeding the period specified in Schedule II in respect of each licence or rating : Provided that if, on the date of application for renewal, the licence or rating had expired for renewal, the licence or rating had expired for the periods specified below, the applicant may be required to qualify in or complete the examinations and tests specified against them and such other examinations and tests as the Director-General may consider necessary to demonstrate the applicants competency to hold that licence or rating :- (a) for a period exceeding 2 years \ \Air Regulations and tests of but not exceeding 3 years. \ \ \skill. (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 further 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 recent flying experience or does not possess the required standard of competency on that type of aircraft. ", vide " AIRCRAFT RULES, 1937" Dt.4thOctober, 1993 Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3(i). No. 339, dated 4th October, 1993.

42A. Pilot not to fly for more than 125 hours during any period of 30 consecutive days :-

[No pilot of a flying machine shall, in his capacity as such pilot, fly for more than 125 hours during any period of 30 consecutive days : Provided that without prejudice to the provisions of rule 160 the Director- General of Civil Aviation may, subject to such conditions and limitations as he may specify, by order in writing, exempt any such pilot from the provision of this rule. Explanation.-For the purposes of this rule, the flying time of a pilot either as solo pilot or pilot-in-command of an aircraft will be counted fully and the flying time of a pilot engaged as co-pilot or supernumerary pilot will be counted at 80 per cent. of the flight time.]

43. 43 :-

[.* * *]

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

1. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

45. Validation of foreign licences :-

¹ [When a licence has been granted by the duly competent authority in any 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, confer on such licence the same validity for the purpose of flying aircraft registered in India as if it had been granted under these rules and a licence so validated shall be subject to the provisions of rule 19.]

1. Subs. by G.S.R. 1567, dated 16th November, 1962.

46. 46 :-

[.* * *]

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.]

47a. Minimum educational qualification for holding a licence :-

No person shall be granted a licence unless he possesses the educational qualifications laid down in sch II. Provided that the candidates already enrolled for training or before the coming into force of this rules with flying club or institution shall be exempted from the application of this rule.

48. Fees and other charges :-

[.

106"(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 : \ \Rs. 5007- per paper and ratings (ii) for issue or validation of a licence or : \ \Rs. 1,0007- rating for Student Pilots \ \ \ \ \ \ Licence and Glider Pilots Licence (hi) for renewal of a licence or rating for : \ \Rs. 5007-Student Pilots Licence and \ \ \ \ \ \ Glider Pilots Licence (iv) for issue or validation of a licence or : \ \ Rs. 5,0007-rating other than Student Pilots Licence \ \ \ \ \ \ and Glider Pilots Licence (v)

for renewal of a licence or rating other : \ \Rs. 2,5007- than Student Pilots Licence and Glider \ \ \ \ \ \Pilots Licence (vi) for issue of duplicate Student Pilots : \ \Rs. 2507- Licence and Glider Pilots Licence (vii) for issue of duplicate licence or rating : Rs. 5007- other than Student Pilots Licence and Glider Pilots Licence (viii) for issue of duplicate result sheet of : \ \ Rs. 5007-" examination

"107(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. 5,0007- (ii) for a multi-engine aircraft with maximum permissible take off weight below 5,700 kilograms \ \ \ \ \ : Rs. 10,0007 (iii) for a multi-engine aircraft with maximum permissible take off weight below 5,700 kilograms and above upto 50,000 \ kilograms \ \ \ \ \ \ \ \ \ : Rs. 50,0007- (iv) for a multi-engine aircraft with maxi-kilograms \ \ : Rs. 1,00,0007-" kilograms take off weight above 50,000 kilograms

"108 (2A) The fee shall be paid by crossed Indian Postal Order or Demand Draft drawn in favour of the Accounts Officer, Central Pay and Accounts Office, Civil Aviation Department, 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 re-validation 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 re-validated 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.]

In the Aircraft Rules, 1937, in Rule 48 ,sub-rule (1), shall be substituted, in place of : \ \ \ \ \ \ \ \ \ \ \ \Fee for issue, va \ \ \ \ \ \ \ \ \ \ \ \validation, renewal \ \ \ \ \ \ \ \ \ \ \ \Fee for tec \or revalidation \ \ \ \ \ \ \ \ \ \ \ \nical exami \and issue of \Description of licence or rating \nations \duplicates \ \Rs. \Rs. 1. \Student Pilots Licence \20 \10 2. \Private Pilots Licence \20 \10 3. \Commercial Pilots Licence \60 \30 4. \Senior Commercial Pilots Licence \90 \30 5. \Airline Transport Pilots Licence \90 \30 6. \Instruments Rating \45 \15 7. \Assistant Flight Instructors Rating \30 \15 8. \Flight Instructors Rating \45 \15 9 \Extension of aircraft Rating for each type \15 \15 10. \Glider Pilots Licence \15 \15 11. \Student Navigators Licence \60 \10 12.

\Flight Navigators Licence \90 \30 13. \Student Flight Engineers Licence \90 \15 14. \Flight Engineers Licence \90 \30 15. \Flight Radio Telephone Operators Licence- \ \ \Provisional \30 \15 16. \Flight Radio Telephone Operators Licence \30 \30 17. \Flight Radio Operators Licence-Provisional \60 \15 18. \Flight Radio Operators Licence \60 \30] by the Aircraft (Amendment) Rules, 2006 .

In the Aircraft Rules, 1937, in Rule 48, sub-rule (2), shall be substituted, in place of : "(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 maxi- \ : \ Rs. 10,000/- mum permissible take off weight below 5,700 kilograms (iii) for a multi-engine aircraft with maxi- \ : \ Rs. 50,000/- mum permissible take off weight below 5,700 kilograms and above upto 50,000 kilograms (iv) for a multi-engine aircraft with maxi- \ \ : Rs. 1,00,000/-" mum permissible take off weight above 50,000 kilograms by the Aircraft (Amendment) Rules, 2006 .

In the Aircraft Rules, 1937, in Rule 48 , after sub-rule (2), the following sub-rule shall be inserted, namely: "(2A) The fee shall be paid by crossed Indian Postal Order or Demand Draft drawn in favour of the Accounts Officer, Central Pay and Accounts Office, Civil Aviation Department, New Delhi." by the Aircraft (Amendment) Rules, 2006 .

PART 6 AIRWORTHINESS

49. Type Certificate for an aircraft, component and items of equipment, designed or manufactured in India and issue of Type Certificate :-

[

(1) The Director General may direct by general or special order that there shall be a Type Certificate in respect of any aircraft, aircraft component or item of equipment designed, manufactured, sold or distributed in India, as a pre-requisite to the issue, renewal or continued validity of a certificate of airworthiness, in respect of an aircraft in which an aircraft component or item of equipment of that type has been fitted or installed.

(2) A person may apply to the Director-General for issue of a Type Certificate in respect of any aircraft, aircraft component or item of equipment.

(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 aircraft, aircraft component or item of equipment 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.]

49A. Issue of Type Certificate to an aircraft, aircraft component and items of equipment imported in India :-

(1) The Director General may direct by general or special order that there shall be a type certificate in respect of any aircraft, aircraft components or item of equipment imported in India.

(2) The Director-General may issue a Type Certificate in respect of any aircraft, aircraft component or item of equipment imported in India.

49B. Validation of Type Certificate for aircraft, aircraft components and items of equipment imported in India :-

(1) The Director-General may validate a Type Certificate in respect of any aircraft, aircraft components and item of equipment, that may be imported. Provided that-

(a) the airworthiness authority of the country in which it is manufactured has issued a Certificate of Airworthiness, Type Certificate or a similar document

(b) it meets with the airworthiness requirements which may be laid down 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 : Provided further that the Director-General may, by order in writing and subject to such conditions as may be stated in that order, exempt any aircraft, aircraft component or item of equipment from the provision of this rule.

49C. Type Certificate-aircraft categories :-

The Type Certificate of an aircraft when issued or validated may be grouped as an aircraft in one or more categories, as may be

specified. The operation of the aircraft shall be restricted to those authorised.

49D. Cancellation, suspension or endorsement on Type Certificate :-

If at any time the Director-General is satisfied that there is a reasonable doubt to indicate that the safety of the aircraft is imperiled because of a defect in the aircraft, aircraft component or item of equipment of that aircraft, he may cancel, suspend or endorse the Type Certificate issued or validated for the aircraft, aircraft component or item of equipment or may require the incorporation of any modification as a condition of the Type Certificate remaining in force, as the case may be.]

50. Certificate of airworthiness :-

(1) The owner or operator of an aircraft may apply to the Director-General for the issue or renewal of a certificate of airworthiness in respect of the aircraft or for the validation of certificate of airworthiness issued elsewhere in respect of the aircraft.

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

(a) the airworthiness authority of the country in other evidence relating to the airworthiness of the aircraft as may be specified and as the Director-General may require by special or general order, and

(b) the Director-General is satisfied that it is airworthy.

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

(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 may be laid down 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 Director-General may issue, renew or render valid a certificate of airworthiness in one or more of the categories of aircraft may be specified. The operations of the aircraft shall be restricted in those categories authorised in the certificate of

airworthiness.

(5) Subject to these rules, a certificate of airworthiness shall remain in force for such period as may be specified in the certificate and may from time to time be renewed by the Director-General. In addition, the Director-General may require the aircraft to be inspected by a person authorised in this behalf by the Director-General or tested in flight, or to be so inspected and so tested and the owner or operator of the aircraft shall give all necessary facilities for such inspection and tests.

50A. Conditions necessary for certificate of airworthiness and inspection, overhaul of aircraft :-

[

(1) The Director-General may specify conditions and standards in respect of 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 remaining in force.]

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.]

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) Modification 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) Modification 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.]

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.]

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.]

54. Persons authorised to certify :-

[The certification required under Parts VI, XIIB and XIII A of these rules shall be signed by appropriate 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 persons authorised by organisations approved by the Director-General in this behalf 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.]

55. Suspension or cancellation of Certificate of Airworthiness and its continued validity :-

[

(1) The 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 otherwise 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 this type to which that aircraft belongs, he may-

(a) suspend or cancel the 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 flying 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 for airworthiness is suspended or deemed to be suspended.

(4) Where the certificate of airworthiness of an aircraft is suspended or deemed to be suspended, the Director-General may, upon an application made by the owner or operator of the aircraft and subject to such requirements as may be specified by him, having regard to the safety of the aircraft and persons thereon,-

- (a) permit the aircraft to ferry-fly to a place without passengers on board, where the maintenance required to remove the suspension of the certificate of airworthiness can be performed in accordance with the rules;
- (b) authorise flights for the purpose of experiment or tests;
- (c) authorise flights where the safety or succour of persons or aircraft is involved;
- (d) authorise flights for special purposes.

(5) 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 any provision of this rule.]

56. Indian aircraft operating outside India :-

[Where an aircraft registered in India is operating in 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 recognised 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 recognised by the Director-General as sufficient for the purpose.]

57. Instruments and equipment :-

(1) Every aircraft shall be fitted and equipped with the instrument and equipment including radio apparatus and special equipment as may be specified 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.

58. Weight and balance :-

(1) Every aircraft shall be weighed and appropriately marked and center of gravity determined. The weight schedule and the load sheet indicating the calculated center and 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 center 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.

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 organisation authorised by him in this behalf for examination.

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

1. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 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 notified 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.]

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

1. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 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 its maintenance.

(b) The Director-General while notifying the maintenance requirements and while approving -a maintenance system shall have regard to-

(i) the maintenance facilities available;

(ii) intervals in flight time, calendar time or any other basis, which may elapse with safety between inspections, tests, or overhauls;

(iii) the contents, disposition 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 or as stipulated in the approved maintenance schedules or system;

(b) maintenance of the aircraft has been carried out by or under the supervision of a person licensed or approved or authorised for the purpose by the Director-General; and

(c) all maintenance carried out has been certified by appropriately licensed engineers, approved 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 disposition, 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 : 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.

61. Licensing of Aircraft Maintenance Engineers :-

(1) For the purpose of rule 54, the Central Government may grant licences, authorisations and approvals to persons to act in the capacity of Aircraft Maintenance Engineers. Authorised or approved persons and to sign, in connection with construction, repair, overhaul and maintenance of aircraft, such certificates as may be prescribed by the Director General or required under these rules.

(2) General Requirements.

(A) Every applicant for the issue of Aircraft Maintenance Engineers licence shall satisfy the following requirements;

(a) The applicant shall be not less than 21 years of age.

(b) The applicant must have passed 10+2 examination with Physics and Mathematics or three years diploma in any branch of engineering or degree in any branch of engineering or equivalent examination.

(c) The applicant shall possess a minimum practical experience of four years in the field of aircraft maintenance engineering: Provided that the Central Government may grant relaxation with respect to the minimum requirement for engineering graduates, if they appear in Aircraft Maintenance Engineers licence examination in the relevant categories as under

(i) Engineering graduates holding aeronautical engineering degree by 18 months in the categories of airframe and engines.

(ii) Engineering graduates holding degree in mechanical and electrical engineering by 12 months.

(iii) Engineering graduates holding degree in electronics/ telecommunications engineering or other allied disciplines by 12 months in the relevant categories:

(B) Every applicant for the extension of a licence already for a particular - category, or for addition of another category in his licence, shall possess maintenance experience relevant to the category or type endorsement specified by the Director-General in the Civil Airworthiness Requirements.

(3) The categories in respect of which licences for Aircraft Maintenance Engineers may be granted shall be as follows:

(a) licence applicable to aircraft bus excluding engines (conforming to International Civil Aviation Organization Type H licences)- Category A;

(b) licence applicable to overhaul of aircraft having maximum all up weight below 5700 kg. but excluding engines (conforming to International Civil Aviation Organization Type I licence)-Category A;

(c) licence applicable to engines (conforming to International Civil Aviation Organization Type II licences)-Category C ;

(d) licences applicable to overhaul of pistons, engines with the power rating not exceeding 500 BHP (conforming to International Civil Aviation Organization Type I licence)-Category D;

(e) licences applicable to electrical systems (conforming to International Civil Aviation Organization Type II licences)-Category E ;

(f) licences applicable to instruments systems including autopilots conforming to International Civil Aviation Organization Type II licences- Category I ;

(g) licence applicable to radio communication navigation and radar system (conforming to International Civil Aviation Organization Type II licences) -Category R;

(h) licences applicable to avionics systems or aircraft where electrical instruments and radio systems are integrated with the use of advanced computer system and the operation of flying controls is based on fly by wire technology (conforming to International Civil Aviation Organization Type II licences)-Category V;

(i) licences applicable to overhaul of instruments, electrical equipment, radio equipment, V.P. propellers and autopilots as installed on aircraft with all up weight below 5700 kgs. (conforming to International Civil Aviation Organization Type II licences)-Category X.

(4) Notwithstanding anything contained in sub-rule (3) microlight aircraft may be certified by any aircraft Maintenance Engineer, holding a licence in Category A, Category B, Category C, Category D or Category X as the case may be.

(5) The privileges of the various Aircraft Maintenance Engineers licence shall be as follows:

(a) For licence in categories A, C, E, I, R and V,-

(i) certification of flight release in respect of aircraft, engine or systems endorsed in the licence in the respective category;

(ii) certification in the logbook of inspection, work done under maintenance schedule approved by the Director-General minor repairs approved by the Director-General, modifications approved by the Director-General, and replacement of components, parts and inspection thereof in respect of aircraft, engine or systems as the

case may be, endorsed in licence in the respective category.

(b) For licence in categories B, D and X,-

(i) certification of overhaul, repairs, modifications, tests or replacement effected in accordance with the procedures and techniques approved by the Director-General, in respect of aircraft, engines, instruments, equipment or endorsed in the licence in the respective category ;

(ii) certification of the construction of components and parts fabricated in accordance with drawings approved by the Director-General and from materials approved by the Director-General and obtained from sources approved by the Director-General unless specifically excluded in the licence.

(6) Issue of Authorisations.-The Central Government may grant Authorisation to the holder of an Aircraft Maintenance Engineers Licence to issue a certificate of maintenance or a certificate of flight release or of both, in respect of any new aircraft, engine, system or items of equipment which have been brought into India and which are not within scope of this licence: Provided that no such authorisation shall be granted unless,-

(i) the Central Government is satisfied that such holder has sufficient training and experience, and

(ii) such holder has passed such examination and furnished such evidence specified by the Director-General in the Civil Airworthiness Requirements.

(7) Issue of approvals.-The Central Government may grant approval to an applicant employed in an organization approved by the Director-General to issue a certificate of maintenance in respect of an aircraft, engine system component, instrument, accessory or item of equipment including radio equipment after inspection, maintenance, overhaul, repair, modification or test performed in accordance with the procedures approved by the Director-General upon being satisfied that the applicant has sufficient knowledge, experience and has passed such examinations as specified by Director-General in the Civil Airworthiness Requirements.

(8) Certificate of competency.-The Central Government may grant a certificate of competency to an applicant employed in a firm approved by Director-General to perform specialized processes which may effect the airworthiness of an aircraft, upon being satisfied that the applicant has competency and skill and has passed such examinations prescribed by Director-General.

(9) An applicant for grant of extension to an aircraft maintenance engineer licence shall undergo tests which consist of:

(a) written examination

(b) oral examination

(c) practical tests:

(10) An applicant who fails in any of the above tests acquiring additional experience of three months or such other period in the appropriate field as may be intimated to the applicant by the Director-General.

(11) Validity.-

(a) Unless cancelled or suspended, licences shall be valid for the period specified therein, subject to a maximum period of 2 years in each case, and may thereafter be renewed by the Central Government for another 2 years on application, provided that during the 2 years preceding the date of application for the renewal of the licence, the holder has been engaged for a period totalling at least six months in aeronautical engineering either in practical maintenance or repair or overhaul or in a supervisory capacity or as a member of operating crew of an aircraft

(b) licence which has remained expired for a period in excess of two years shall be renewed only after the applicant has passed such tests as prescribed by the Director-General in the Civil Airworthiness Requirements.

(c) Authorisations and certificates of competency shall remain valid, unless cancelled or suspended, for a period not exceeding 6 months and may be extended by the Central Government for a further period of 6 months provided the applicant has been continuously engaged in the performance of the task for two months within the preceding six months.

(d) Approvals shall remain valid unless suspended, for a period not exceeding 1 year provided the applicant has been engaged in the performance of the tasks for 3 months in the preceding one year.

(12) Aircraft Maintenance Engineer licensed in a particular category shall, subject to the provisions of sub-rule (13), be competent to deal with the matters specified in sub-rule (5) in respect of the category of licence which he holds.

(13) Every licence granted under this rule shall specify the type or types of aircraft, aero-engines, instruments, accessories or equipment which the licence is competent to deal with, and may contain restrictions limiting his competence to deal with any particular class of work, and the Central Government may at any time vary such specifications or restrictions.

(14) Without prejudice to the provisions of sub-rule (3) of rule 19, the Central Government may after such inquiry as it may deem fit

and after giving a reasonable opportunity of being heard, cancel, suspend or endorse any licence, authorisation, approval or certificate of competency granted under this rule where it satisfied that,-

(a) 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

(b) the holder has signed a certificate in respect of any matter which he is not licensed to deal with, or

(c) it is undesirable for any other reason that the holder should continue to exercise his privileges granted under this rule.

(15) The Central Government may withhold the grant or renewal of a licence, authorisation, approval or certificate of competence if for any reason it considers it desirable to do so."

61A. Validation of licences of Foreign Aircraft Maintenance Engineers :-

¹ 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 manufacturing/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 and sub-rule (14) of Rule 61."

1. Inserted by "The Aircraft (5th Amendment) Rules, 2001" w.e.f. 28/7/2001

62. Fees :-

[. ~~121122~~" (1) The following fees shall be payable for issue or validation of Type Certificate, issue, renewal or validation of Certificate of Airworthiness and issue, renewal or modification in the scope of licence, Authorization, Approval, or Certificate of Competency required by this part, namely:

"(1) The following fees shall be payable for issue or validation of Type Certificate, issue, renewal or validation of Certificate of Airworthiness and issue, renewal or modification in the scope of licence, Authorization, Approval, or Certificate of Competency required by this part, namely:

(A) Issue of Type Certification under Rule 49-A.(i) for an aircraft having maximum design take off weight-

(a) of 1,000 kilograms or less ■ Rs. 20,0007-

(b) exceeding 1,000 kilograms for every : Rs. 10,0007-1,000 kilograms or part thereof

(ii) for engines

(a) Reciprocating ■ Rs. 2,00,0007-

(b) Turbo prop ■ Rs. 5,00,0007-

(c) Turbo jet ■ Rs. 10,00,0007-

(iii) for helicopters : Fees specified
against

sub-item (i) plus twenty percent of such fee.

(iv) for each aircraft component, equipment, : Rs. 20,0007-instrument and other similar part, when processed individually

(B) Validation of type Certificate under Rule 49-B.(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) Issue, renewal or validation of Certificate of Airworthiness under Rule 50.(i) issue of Certificate of Airworthiness for an aircraft having maximum permissible take-off weight,

(a) of 1,000 kilograms or less ■ Rs. 20,0007-

lent

(b) exceeding 1,000 kilograms for every

1,000 kilograms or part thereof : Rs. 1,000/-

(ii) validation or renewal of the Certificate : Fifty percent fees payable under sub-item (i)

of Airworthiness

(iii) issue of duplicate Certificate of : Ten percent of the fees

Airworthiness payable under sub-item (i)

(D) Issue, renewal or endorsement in the scope of a licence, Authorization, Approval or Certificate of Competency in respect of Aircraft Maintenance Engineers or Authorized persons or Approved persons or Certificate of Competency holder under Rule 61:-

(i) for examination ■ ■ Rs. 500/- per paper

(ii) for issue or validation of licence or rating : Rs. 5,000/-

ing, Authorization, Approval or Certificate of Competency

(iii) for renewal of licence, rating, authorization : Rs. 2,500/-

ation Approval or Certificate of Com-

potency

(iv) for issue of duplicate licence, rating, : Rs. 500/- Authorization, Approval or Certificate of Competency

Note. The maximum permissible take-off weight for the purpose of this rule shall be as indicated in the Flight Manual of the aircraft."

123 "(2) The fee shall be paid by crossed Indian Postal Order or Demand Drafting drawn in favour of the Accounts Officer, Central Pay and Accounts Office, Civil Aviation Department, New Delhi."

(3) Where for any reason, the licence 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 licence, authorisation or a certificate not issued or renewed or validated, as the case may be".

Subs. by G.S.R. 359 dated 6th April, 1972.

In the Aircraft Rules, 1937, in Rule 62 ,sub-rule (1), shall be substituted, in place of :- "A. Issue of Type Certificate under rule 49-A: (i) \Gliders and Sailplanes upto 1,000 Kgs. AUW. \Rs. 10,000.00 (ii) \Light aircraft and self-launching gliders upto \ \1,500 Kgs. AUW. \Rs. 15,000.00 (iii) \Aircraft from 1,501 Kgs. to 5,700 Kgs. AUW. \Rs. 15,000.00 plus Rs. \ \50.00 for every 10 Kgs. or \ \part thereof above 1,500 \ \Kgs. (iv) \Aircraft above 5,700 Kgs. AUW. \Rs. 50,000.00 plus Rs. \ \5,000 for every 1,000 \ \Kgs. or part thereof above \ \5,700 Kgs. (v) \Engines: \ \ (a) Receiprocating \Rs. 200.00 per H.P. \ (b) TurboProp. \Rs. 250.00 per S.H.P. \ (c) Turbojet \Rs. 25.00 per Kgs. of \ \Thurst. (vi) \Helicopter \The charges will be 20% \ \over and above the fee \ \charged for aircraft in the \ \corresponding weight \ \categories. (vii) \Type Certificate in respect of aircrafts \ \components, equipment and instruments, etc. \ \when processed individually. \Rs. 5,000.00 each. B. Validation of Type Certificate under rule 49-B : (i) Import of Aircraft: The fee for validation of type certificate shall be Rs. 5,000 or 25% of the fee payable for issue of Type Certificate, whichever is higher. (ii) Licensed production: The fee for validation of Type Certificate shall be 50% of the fee payable for issue of Type Certificate. C. Issue, renewal or Validation of Certificate of Airworthiness under rule 50: (i) For an aircraft having maximum permissible Rs. 200.00 weight of 1,000 Kgs. or less. (ii) For every 100 Kgs. or a part thereof above the Rs. 10.00 maximum permissible weight of 1,000 Kgs. (iii) Issue of duplicate Certificate of Airworthiness Rs. 100.00 D. Issue, renewal or modification in scope of licence or authorisation in respect of AME/ARME/GME under rule 61 : (i) For each category of licence examination to be Rs. 100.00 held for issue or renewal or modification in scope of a licence and type -endorsement/authorisation/approval. (ii) Issue/renewal or issue of duplicate licence Rs. 100.00" by the Aircraft (Amendment) Rules, 2006 .

In the Aircraft Rules, 1937, in Rule 62 ,sub-rule (2), shall be substituted, in place of :- "(2) All fees shall be paid by Crossed Indian postal order or Bank Draft, drawn in favour of Director-General of Civil Aviation." by the Aircraft (Amendment) Rules, 2006 .

PART 7 RADIO TELEGRAPH APPARATUS

63. Aircraft for which radio apparatus is obligatory :-

. 1.-

(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).

² ["Note : For the purpose of this rule, foreign registered aircraft falling under sub- rule (3) of Rule I shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-rule (4) of Rule I shall be deemed as aircraft not registered in India."]

1. Substituted for " 63 . Aircraft for which radio apparatus is obligatory .- All aircraft registered in India and required to be operated in accordance with VFR/IFR the condition shall be provided with communication equipment which is capable of conducting two way communication at all times with those aerounatical stations and on those frequencies as prescribe by appropriate authority. The communication equipment so provided shall be of the type approved by the airworthiness authority of the country of manufacture of aircraft and acceptable to be director general. An aircraft shall be provided with navigastion equipment which will enable into proceed: a. In accordance with flight plan and b. In accordance with the requirement of the air traffic service except when (if not so precluded by the appropriate authority, navigation for flight under the visual flight rules is accomplished by visual reference to landmark at atleast every 110 kms.) ", vide " AIRCRAFT RULES, 1937" Dt.21st March, 1994 Published in G.S.R. 323 (E), dated 21st March, 1994. Published in the Gazettc of India, Extraordinary, Pt. II, Sec. 3 (i). No. 125, dated 21st March, 1994.

2. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 1994

64. Suspension of rules :-

The application of the rules in this Part may be suspended when owing to the lack of radio-telegraph organizations available for air traffic in a particular region the employment of radio-telegraph apparatus on board aircraft would serve no useful purpose.

PART 8 AERONAUTICAL BEACON, AERONAUTICAL 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 be 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 be 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.

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.]

PART 9 LOG BOOKS

67. Log books and logs :-

[

(1) The following log books shall be kept and maintained in respect of all aircrafts 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 book 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. ¹["Explanation.-For the purpose of this rule, the expression "journey log book" includes any other form or manner of recording to the Director-General".]

² ["Note : For the purpose of this rule, foreign registered aircraft falling under sub- rule (3) of Rule I shall be deemed as aircraft registered in India and Indian registered aircraft falling under sub-

rule (4) of Rule I shall be deemed as aircraft not registered in India."]

1. Substituted for "Explanation- For the purpose of this rule, the expression journey log book includes any other form or manner of recurring the requisite information and acceptable to the Director general.]", vide " AIRCRAFT RULES, 1937'Dt.21st March, 1994 Published in G.S.R. 323 (E), dated 21st March,1994. Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i). No. 125, dated 21st March, 1994.

2. Inserted vide " AIRCRAFT RULES, 1937'Dt. Published in G.S.R. 20 (E), dated 12th January, 1994 Published in the Gazette of India, Extraordinary, Pt. II, Sec.3 (i), No. 17 dated 12th January, 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 Company or Corporation concerned, in the case of professional pilots,

(b) by the Chief Flying Instructor In the case of members of the Club, and

¹ (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 books 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 authorised to fly in command of that type of aeroplane by virtue of the ratings and privileges of his pilots 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 Pilots 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-rule (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 pilot-in-command of the aircraft.

(8) The holder of a Private Pilots 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, Senior Commercial or Airline Transport Pilots 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 recognised synthetic device which simulates instrument flight conditions.

(13) A pilot who acts as Examiner or Check Pilot may log as pilot-in-command the flight time during which he so acts, provided he is entitled and authorised to fly in command of that type of flying machine by virtue of the ratings and privileges of his pilots 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 Engineers duties. Flight time during which a Flight Engineer performs actual Flight Engineers 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/a Flight Radio Operator shall log the flight time as Flight Radio Telephone Operator/Flight Radio Operator as the case may be, during which he actually performs the duties of a Flight Radio Telephone Operator/Flight Radio Operator.]

1. Substituted for " (c) by Aerodrome Officers, Assistant Aerodrome Officers or such other officers as may be designated by the Director-General, in the case of all other persons. ", vide " AIRCRAFT RULES, 1937" Dt.4th October, 1993Published in G.S.R. 637 (E), dated 4th October, 1993 1. Published in the Gazette of India, Extraordinary, Pt. II, Sec. 3 (i). No. 339,dated 4th October, 1993.

67B. 67B :-

[- No person shall destroy, mutilate, alter or render illegible any entry made, or willfully make or procure or assist in the making of any false or fraudulent entry in or omission from any log book referred to in rule 67 and rule 67A.]

PART 10 INVESTIGATION OF ACCIDENTS

68. Notification of accidents :-

(1) An accident in which an aircraft is involved shall be notified in accordance with the provisions of sub-rules (3), (4) and (5) of this rule if between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked:-

(a) any person suffers death or serious injury as a result of being in or upon the aircraft or by direct contact with the aircraft or anything attached thereto, or

(b) the aircraft receive substantial damage.

(2) The term "substantial damage" used in sub-rule (1) shall include any damage which necessitates the replacement or extensive repair of any major component.

(3) Where an accident occurs which has to be notified under sub-rule (1), the person 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, as the case may be, shall-

(a) send notice thereof to the Director-General, and

(b) give information to the District Magistrate and the Officer-in-charge of the nearest Police Station.

(4) The notice and information shall be sent as soon as possible and by the quickest means available and in any case within 24 hours after the occurrence of the accident.

(5) The notice to the Director-General shall contain the following information, namely:-

(i) the type, nationality and registration marks of aircraft;

(ii) the name of the owner, operator and hirer of the aircraft;

(iii) the name of the person-in-command of the aircraft;

(iv) the names and description of the crew of the aircraft;

(v) the nature and purpose of the flight;

(vi) the date and time of the accident;

(vii) the place where the accident occurred;

(viii) the last point of departure and the next point of intended landing of the aircraft;

(ix) the nature of the accident;

(x) the number and description of the persons killed and injured as a result of the accident; and

(xi) the extent of known damage to the aircraft.

69. Report on accidents :-

The person in command or the owner of the aircraft which has been involved in an accident, whether or not it is required to be notified under rule 68(1), shall, if so required by the Director-General, submit to him a written report on such accident in such form as he may prescribe.

70. Removal and preservation of damaged aircraft :-

(1) In the case of an accident which requires to be notified under rule 68 or rule 69, or in any other case in which the Director-General gives notice to the owner or other person incharge of the aircraft to this effect, the aircraft shall not, except under the authority of the Director-General, be removed or otherwise

interfered with: Provided that, subject to compliance with the provisions of R.61 of the Indian Aircraft Rules, 1920, in so far as they may be applicable-

(i) 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;

(ii) the aircraft or any parts or contents thereof may be removed or interfered with so far as may be necessary for the purpose of extricating persons or animals dead or alive, of 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;

(iii) goods shall not be removed from the aircraft except under the supervision and with the concurrence of an officer of the Civil Aviation Department;

(iv) passengers and crews personal luggage may be removed from the aircraft under the supervision of an Officer of Police Department, a Magistrate, an Officer of the Civil Aviation Department, and

(v) mails may be removed under the supervision of an Officer of the Police Department, a Magistrate, an Officer of the Civil Aviation Department or an Officer of the Posts and Telegraphs Department.

(2) The Director-General may, for the purposes of any investigation or inquiry under these rules authorise any person to take measures for the preservation of any aircraft involved in an accident, and such person may thereupon have access to examine or otherwise deal with the aircraft.

(3) 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 Director-General shall not be bound to postpone any action which he may consider necessary under this rule by reason of the absence of the owner or his representative,

71. Inspectors investigation :-

(1) The Director-General may order the investigation of any accident involving an aircraft whether, such accident is required to be notified under rule 68 or not, and may, by general or special order, appoint any person (hereinafter referred to as an "Inspector of Accidents") for the purpose of carrying out such investigation.

(2) The investigation referred to in sub-rule (1) shall be held in private.

(3) The investigation shall be conducted in such a manner that if a charge is made or likely to be made against any person and if it appears to the Inspector of Accidents to be practicable so to do that person shall be given notice that blame may be attributed to him; and thereupon he may be given a reasonable opportunity of being present and making any statement or giving any evidence and producing witnesses on his behalf and examining any witnesses from whose evidence it appears that blame may be attributed to him.

(4) A public notice that such investigation is taking place may be given by the Director-General in such manner as he thinks fit and every such public notice shall state that any person who may desire to make representation concerning the circumstances or causes of the accident may do so in writing within the time specified in the notice.

(5) The Inspector of Accidents shall make a report to the Director General stating all relevant facts with regard to the accident and his conclusions with regard to the causes of the accident and adding any observations and recommendations which he may think fit to make with a view to preservation of life and avoidance of similar accidents in future.

(6) The Director-General shall forward the report of the Inspector of Accidents 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 manner as it may consider fit.

72. Powers of Inspector of Accidents :-

For the purpose of such investigation an Inspector of Accidents shall have power-

(a) by summons under his hand to require the attendance of any person 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; and

(d) to have access to and examine any aircraft involved in the accident, the place where the accident occurred or any other place, the entry upon and examination of which appears to the Inspector necessary for the purpose of the investigation.

73. Inspectors fee :-

When a person other than an officer of Government is appointed an Inspector of Accidents he may be granted such fee and expenses as may be determined by the Central Government.

74. 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 accident in which an aircraft is involved, and such a Committee shall have the same powers as an Inspector of Accidents under rule 72.

(2) The Committee of Inquiry may at its discretion hold the inquiry in public or in private.

(3) The Inquiry shall be conducted in such a manner that if a charge is made or likely to be made against any person, that person, shall be given notice that blame may be attributed to him and thereupon he may be given a reasonable opportunity of being present and making any statement or giving any evidence and producing witnesses on his behalf and examining any witnesses from whose evidence it appears that blame may be attributed to him.

(4) A public notice that an inquiry is taking place may be given by the Central Government in such manner as it may think fit 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.

(5) The Committee of Inquiry shall make a report to the Central Government stating all relevant facts with regard to the accidents and its conclusions with regard to the causes of the accident, and adding any observation and recommendation which it may think fit to make with a view to preservation of life and avoidance of similar accidents in future.

(6) The Central Government may cause the whole or part of any

such report of the Committee of Inquiry to be made public in such manner as it may think fit.

(7) 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.

(8) 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.

75. 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 investigation or an inquiry has been made under rule 71 or rule 74, 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.

¹ [(2) 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

(3)

(i) The Court shall have, for the purpose of the investigation, all the powers of a Civil Court under the Code of Civil Procedure, 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 this Indian Penal Code.

(ii) The assessors shall have the same powers of entry and inspection as the Court.

(4) The investigation shall be conducted in such manner that, if a charge is made or likely to be made against any person, that person shall have an opportunity of being present and of making any statement or giving any evidence and producing witnesses on his behalf.

(5) Every person attending as a witness before the Court shall be allowed such expenses as the Court may consider reasonable : 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.

(6) The Court shall make a report to the Central Government stating its findings as to the causes of the accident and the circumstances thereof and adding any observations and recommendations which the Court thinks fit to make with a view to the preservation of life and avoidance of similar accidents in future, Including, a recommendation for the cancellation, suspension or endorsement of any licence or certificate issued under these rules.

(7) The assessors (if any) 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. The Central Government may cause any such report and reservation or dissent and reasons (if any) to be made public, wholly or in part, in such manner as it thinks fit.

1. Subs. by G.S.R. 816 (E), dated 29th October, 1985

76. Obstruction of proceedings :-

(1) No person shall obstruct or impede the Court or a member of the Committee of Inquiry or an Inspector of Accidents or an assessor or any person acting in the exercise of any powers or duties under the rules in this part.

(2) No person shall without reasonable excuse (the burden of proving which shall lie on him) fail to comply with any summons or requisition of a Court or a Committee of Inquiry or an Inspector of Accidents holding an investigation or an Inquiry under the rules in this Part.

77. Accident to aircraft registered in a foreign State :-

Where an investigation by an Inspector of Accidents or an Inquiry by a Committee of Inquiry or a formal investigation by a Court relates to an accident which has occurred in or over India to an aircraft registered in a country other than India, an accredited representative of the country in which the aircraft is registered, and of any other country which has on request furnished information in connection with the accident, may participate in the investigation, inquiry or formal investigation as the case may be, he may be accompanied by such technical or other advisers as may be considered necessary by the authorities of the country by which he is appointed.

77A. Saving :-

Nothing in this Part shall limit the power of the Central Government with regard to the cancellation, suspension or endorsement of any licence or certificate issued under these rules.

77B. Notification of Incidents :-

(1) Where an aircraft is involved in an incident, the Pilot-in-Command, the owner, the operator and the hirer, if any, of such aircraft shall notify the incident to the Director-General within 48 hours of the incident.

(2) The communication notifying the incident under sub-rule (1) shall contain the following information, namely :-

- (i) the type, nationality and registration marks of the aircraft;
- (ii) the name of the owner, operator and hirer of the aircraft;
- (iii) the name of the Pilot-in-Command.
- (iv) the names and description of the crew of the aircraft;
- (v) the nature and purpose of the flight;
- (vi) the date and time of the incident;
- (vii) the place where the incident occurred;
- (viii) the last point of departure and the next point of intended

landing of the aircraft;
(ix) the nature of the incident.

77C. Investigation of an incident :-

¹ [(1) The Director General may order the investigation of any incident involving an aircraft or a person associated with the maintenance and operation of aircraft, or both, and may, by general or special order, appoint a competent and duly qualified person having experience in aviation accident/incident investigation as Inquiry Officer for the purpose of carrying out such investigation].

(2) The investigation referred to in sub-rule (1) be held in private.

(3) The investigation shall be conducted in such a manner that if a charge is made or is likely to be made against any person and if it appears to the Inquiry Officer to be practicable so to do that person shall be given notice that blame may be attributed to him, and thereupon he may be given a reasonable opportunity of being present and making any statement or giving any evidence and producing witnesses on his behalf and examining any witnesses from whose evidence it appears that blame may be attributed to him.

(4) A public notice that such investigation is taking place may be given by the Director General in such manner as he thinks fit and every such public notice shall state that any person who may desire to make a representation concerning the circumstances or causes of the incident may do so in writing within the time specified in the notice.

(5) The Inquiry Officer shall make a report to the Director General stating all relevant facts with regard to the incident and his conclusions with regard to the causes of the incident and adding any observations and recommendations which he may think fit to make with a view to avoidance of similar incidents in future.

(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.

1. Subs. by G.S.R. 956, dated 19th November, 1983.

77D. Powers of Inquiry Officer :-

[For the purpose of such Investigation Inquiry an Officer shall have power :-

(a) by summons under his hand to require the attendance of any person 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, papers, 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; and

(d) to have access to and examine any aircraft involved in the incident, the place where the incident occurred or any other place, the entry upon and examination of which appears to the Inquiry Officer necessary for purposes of investigation.]

PART 11 AERODROMES

78. Licensing of Aerodromes :-

. .

(1) No 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, 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 such person obtains the licence from the Director-General by the date to be notified by the Central Government.

(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 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.

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;

(ii) 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).

80. Procedure for grant of licence :-

. .

(1) An application for the grant of licence for an aerodrome shall be made to the Director-General alongwith 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.

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; and

(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 is overall responsible 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 prescribed by the Director-General shall be made available by the licensee to all units of the aerodrome.

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, enter any place to which access is necessary and to inspect and carry out tests on the aerodrome facilities, services and equipment, inspect aerodrome operators documents and records, and verify the aerodrome operators safety management system before the aerodrome licence is granted or renewed and subsequently, at any other time, for the purpose of ensuring 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 operators personnel and shall co-operate in conducting the activities referred to in sub-rule (1).

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 an aerodrome licence is in force, no alteration to the landing area or to the building or other structure 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 alteration including alteration 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 aerodrome 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 aerodrome 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 inform the Director-General.

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.

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 any other contracting State. Every such aerodrome shall be open to use by any aircraft in the service of the Central Government.

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 aerodrome belonging to the Authority, the charges mentioned in sub-rule (1) shall be levied by the Authority in accordance with Sec. 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 Organization and such charges shall be notified by the licensee with the approval of the Central Government or any authority constituted in this behalf by such Government.

Explanation. For the purpose of this rule, "Authority" means the Airports Authority of India constituted under Sec :i of the Airports Authority of India Act, 1994 (55 of 1994).

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 chargeable for the grant of the licence.

(3) The fee shall be payable by Bank Draft drawn in favour of Accounts Officer, Central Pay and Accounts Office, Civil Aviation Department, New Delhi.

88. Passenger Service Fees :-

. . The licensee is entitled to collect fees to be called as Passenger Service Fees from the embarking passengers at such rate as the Central Government may specify and is also liable to pay for security component to any security agency designated by the Central Government for providing the security service.

89. User Development Fees :-

. . The licensee is entitled to collect fees to be called as User Development Fees at such rate as the Central Government may specify.

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 other officer authorized by him in this behalf.

(2) No person, without permission in writing, by general or special order, of the Central Government or any officer authorized by that Government in this behalf, shall

(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 other officer authorized by the Central Government in this behalf.

(4) Notwithstanding anything contained in this rule, the officer in-charge of an aerodrome or any other officer authorized by the Central Government in this behalf, 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.

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 or Joint Director General of Civil Aviation or Deputy Director General of Civil Aviation, as the case may be, 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.

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 is permitted by the Central Government to provide such service:

Provided that such ground handling service provider shall be subject to the security clearance of the Central Government.;

PART 12 RULES 88-133

PART 12A REGULATORY PROVISIONS

133A. Directions by Director General :-

[The Director General may, through Notices to Airmen (NOTAMS), Aeronautical Information Publications, Aeronautical Information Circulars (AICs) Notices to Aircraft Owners and Maintenance Engineers and publication entitled civil airworthiness 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.]

PART 12 B ENGINEERING, INSPECTION AND NORMAL 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 aircraft components and items of equipment;

(iii) manufacture, storage, distribution and supply of aircraft fuel, lubricants, special products;

(iv) storage and distribution of aircraft, aircraft components, items of equipment, materials, standard parts;

(v) laboratories and tests to be carried out therein;

(b) In this part manual means Quality Control Manual; Design Manual, Training Manual, Stores 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) The Director General, may, on request and on being satisfied, approve an organisation or person to operate under the system of approval. Where considered necessary, organisation or person engaged in specific activities may be required by the Director General to operate under an approved system. For operating under an approved system, the organisation or person shall comply with such requirements as may be specified by the Director General.

138" (3 A) The approval granted under sub-rule (3), unless suspended or cancelled, shall remain valid for a period not exceeding one year and on being satisfied, the Director General may renew the approval for a further period of one year."

(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 Civil Aviation Department 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 air-worthiness 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 Airworthiness Requirements.

139 [(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 .]

In the Aircraft Rules, 1937, in Rule 133B, after sub-rule (3), the following sub-rule shall be inserted, namely: "(3A) The approval granted under sub-rule (3), unless suspended or cancelled, shall remain valid for a period not exceeding one year and on being satisfied, the Director General may renew the approval for a further period of one year.". by the Aircraft (Amendment) Rules, 2006 .

Subs. by G:S.R. 1005, dated 19th November, 1983, (w.e.f. 24th December, 1983).

133C. Fees :-

[.-**140141** (1) The following fee shall be payable for any inspection, examination or test to be conducted for grant of approval under

Rule 133-B, in respect of an organisation having-

(a)	Approval to an organisation to engage in the design and manufacture of aircraft	Rs. 10,000.00
(b)	Renewal of approval referred to at (a)	2,000.00
(c)	Approval to an organisation employing 100 and more persons in the manufacture of aircraft components and items of equipment including materials, forging, castings, standard parts	2,000.00
(d)	Renewal of approval referred to at (c).	400.00
(e)	Approval to an organisation employing less than 100 persons in the manufacture of aircraft components and items of equipment including materials, forging, castings, standard parts -	500.00
(f)	Renewal of approval referred to at (c)	100.00
(g)	Approval to an organisation or a person to engage in workshop processing, treatment and inspection	250.00
(h)	Renewal of approval referred to at (g)	50.00
(i)	Approval to an organisation to engage in maintenance, overhaul) modification repair, inspection, treatment, processing of aircraft components and items of equipment installed in aircraft having an all-up weight above 15,000 kgs-	5,000.00
(j)	Renewal of approval referred to at (i)	1,000.00
(k)	Approval to an organisation or a person to engage in maintenance, overhaul, modification, repair, inspection, treatment processing etc. of aircraft, aircraft components and items of equipment installed in aircraft having all-up weight of 15,000 kgs. and below	500.00
(l)	Renewal of approval referred to at (k)	100.00
(m)	Approval to an organisation or person to engage in storage and distribution of aircraft, aircraft components, items of equipment, material, standard parts	500.00
(n)	Renewal of approval referred to at (m)	100.00
(o)	Approval to an organisation or a person to engage in storage, distributions and supply of aircraft fuel,	

	lubricants and special products	500.00
		for each station
(p)	Renewal of approval referred to at (o)	100.00
		for each station
(q)	Approval as testing laboratory	250.00
(r)	Renewal of approval referred to at (q)	50.00
(s)	Approval to an organisation for imparting training in activities referred to in rule 133B	500.00
(t)	Renewal of approval referred to at (s)	100.00
(u)	Approval to a person for certification of airworthiness of an aircraft, aircraft components or items of equipment	50.00
(v)	Renewal of approval referred to at (u)	25.00
(w)	Approval to an organisation to engage in the maintenance, overhaul, modification, repair and inspection of aircraft components and items of equipment, including emergency equipment but excluding engines	500.00
(x)	Renewal of approval referred to at (w)	100.00

(2) No fees will be charged for approval or renewal from Flying Clubs/Institutes/Schools and Gliding Clubs/Centers/Wings engaged in maintenance, overhaul, modification, repair, inspection, treatment, processing, etc. of aircraft, aircraft components and item of equipment installed in aircraft having all-up weight of 15,000 kgs and below.

(3) The validity of approval/renewal of approval shall not exceed one year.

(4)

(1) For extension in the scope of approval under categories C (Maintenance) and A (Manufacture) to cover additional type of aircraft, air-components and items of equipment, a fee equal to renewal fee in that Category shall be charged.

(2) All fees payable shall be paid by crossed Indian Postal Order or a Bank Draft.

(3) Where for any reason the approval is not granted or renewed, as the case may be, the Director General may refund to the applicant such portion of the fees paid as may represent the cost of any inspection, examination, test not carried out.]

Subs. by G.S.R. 485(E), dated 7th June. 1985.

In the Aircraft Rules, 1937, in Rule 133C, Sub-rule(1) shall be substituted in place of :- (a) \Approval to an organisation to engage in the design and \Rs. \manufacture of aircraft \10,000.00 (b) \Renewal of approval referred to at (a) \2,000.00 (c) \Approval to an organisation employing 100 and more \ \persons in the manufacture of aircraft components and \ \items of equipment including materials, forging, castings, \ \standard parts \2,000.00 \ \ (d) \Renewal of approval referred to at (c). \400.00 (e) \Approval to an organisation employing less than 100 \ \persons in the manufacture of aircraft components and \ \items of equipment

including materials, forging, castings, \ \standard parts - \500.00 (f) \Renewal of approval referred to at (c) \100.00 (g) \Approval to .an organisation or a person to engage in \ \workshop processing, treatment and inspection \250.00 (h) \Renewal of approval referred to at (g) \50.00 (i) \Approval to anorganisation to engage in maintenance, \ \overhaul) modification repair, .inspection, treatment, \ \processing of aircraft components and items of equipment \ \installed in aircraft having an all-up weight above 15,000 \ \kgs- \5,000.00 (j) \Renewal of approval referred to at (i) \1,000.00 (k) \Approval to an organisation or a person to engage in \ \maintenance, overhaul, modification, repair, inspection, \ \treatment processing etc. of aircraft, aircraft components \ \and items of equipment installed in aircraft having all-up \ \weight of 15,000 kgs. and below \500.00 (l) \Renewal of approval referred to at (k) \100.00 (m) \Approval to an organisation or person to engage in \ \storage and distribution of aircraft, aircraft components, \ \items of equipment, material, standard parts \500.00 (n) \Renewal of approval referred to at (m) \100.00 (o) \Approval to an organisation or a person to engage in \ \storage, distributions and supply of aircraft fuel, lubricants \ \and special products \500.00 \ \for each station (p) \Renewal of approval referred to at (o) \100.00 \ \for each station (q) \Approval as testing laboratory \250.00 (r) \Renewal of approval referred to at (q) \50.00 (s) \Approval to an organisation for imparting training in \ \activities referred to in rule 133B \500.00 (t) \Renewal of approval referred to at (s) \100.00 \ \ (u) \Approval to a person for certification of airworthiness of \ \an aircraft, aircraft components or items of equipment \50.00 (v) \Renewal of approval referred to at (u) \25.00 (w) \Approval to an organisation to engage in the maintenance, \ \overhaul, modification, repair and inspection of aircraft \ \components and items of equipment, including emergency \ \equipment but excluding engines \500.00 (x) \Renewal of approval referred to at (w) \100.00 by the Aircraft (Amendment) Rules, 2006 .

PART 13 AIR TRANSPORT SERVICES

134. 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 Sch. XI : Provided that any person already permitted and operating scheduled air transport service before commencement of the Aircraft (Second Amendment) Rules, 1994, or any successor to such person under Sec. 3 of the

Air Corporation (Transfer of Undertakings and Repeal) Ordinance, 1994 (Ord. 4 of 1994), may continue operation of such services subject to the provisions of sub-rule (1-A)."

(1-A) 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 conditions 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 an 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.

(3) No air transport service, other than a scheduled air transport service or an air transport service, to which the provisions of sub-rule (1) or (2) apply, shall be operated 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.]

135. Tariff for international air transportation :-

¹ (1) Every operator of an air transport service operating in accordance with Rule 134 shall, having regard to all relevant factors, including the cost of operation, reasonable profit and the general prevailing tariff, establish tariff showing fares, rates and charges for international air transportation.

(2) Every operator 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.

(3) Every operator 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 operator has established excessive or predatory tariff under sub-rule (1) or has indulged in oligopolistic practice, he may by order, issue direction

to such operator.

(5) Every direction issued under sub-rule (4) shall be complied with by the such operator";

1. Ins. by G.S.R. 324 dated 17th February, 1972.

135A. Levy of fixed fares, rates and charges :-

12 OMITTEED

1. Ins. by G.S.R. 324, dated 17th February, 1972.

2. Rule 135A, shall be OMITTED, by theAIRCRAFT (2ND AMENEMENT) RULES, 2004.

135B. . :-

12 OMITTED

1. G.S.R. 324, dated 17th February, 1972 dated 26th August, 1975.

2. Rule 135B, shall be OMITTED, by theAIRCRAFT (2ND AMENEMENT) RULES, 2004.

135C. . :-

1 OMITTEED

1. Rule 135C, shall be OMITTED, by theAIRCRAFT (2ND AMENEMENT) RULES, 2004.

135D. . :-

OMITEED

135E. . :-

OMITEED

135F. . :-

OMITEED

136. . :-

OMITEED

137. . :-

OMITEED

138. . :-

OMITEED

139. . :-

OMITEED

139A. . :-

OMITEED

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.

140A. Director-Generals 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 ¹ ["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 routes or for the introduction or a new time-table or, as the case may be, for the discontinuance of an existing route.]

1. In Rule 140A, for the word "Corporation", the word "Operator" shall be substituted, by Aircraft (6th Amendment) Rules, 2001.

Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

140B. Operational Manual :-

[

(1) An Operations Manual in the form approved by the Director-General, shall be maintained by ¹["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) instruction 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 equipments 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 ² [* * *], engaged in scheduled air transport services.)

1. In Rule 140B sub-rule (1), for the words "the Corporation", the words "every operator engaged in air transport services" shall be substituted; by Aircraft (6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

2. In Rule 140B in sub-rule (3), the words "of the Corporation" shall be omitted by Aircraft (6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

140C. Route Guides :-

All aircrafts ¹ [* * *] engaged in scheduled air transport services shall carry a Route Guide, which shall be 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 minimum 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.

1. In Rule 140C, the words "of the Corporation" shall be omitted, by Aircraft(6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

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.] rule 142, rule 143, rule 144, rule 145, rule 146, rule 147, rule 147A, rule 148, rule 148A, rule 148B, rule 149, rule 150, rule 151 and rule 152 shall be omitted.

142. . :-

Omitted

143. . :-

Omitted

144. . :-

Omitted

145. . :-

Omitted

146. . :-

Omitted

147. . :-

Omitted

148. . :-

Omitted

149. . :-

Omitted

150. . :-

Omitted

151. . :-

Omitted

152. . :-

Omitted

153. Carriage of Mails :-

¹ ["Every operator engaged in scheduled air transport services shall carry by such services"]such mails as may, from time to lime, 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.

1. In Rule 153, for the words "The Corporation shall cause to be carried by its schedule air transport services", the words "Every operator engaged in scheduled air transport services shall carry by such services" shall be substituted, by Aircraft(6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

P A R T 1 3 A ENGINEERING, INSPECTION AND MANUAL REQUIREMENTS- OWNERS OR OPERATORS

154. Definition :-

(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

155. 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 aircrafts, 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 airworthiness requirements.

155A. 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.

¹"(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 the 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 or 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, equipment 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 airworthiness requirements.

² [(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 Airworthiness 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 approve granted under this rule, or to issue a warning or an admonition.]

1. In Rule 155A, sub-rule (2), shall be substituted by, Aircraft(6th Amendment) Rules, 2001. Noti. No. F.No. AV-11012/4/98-A, dated. 23/7/2001, Gaz. of India, Part.II, Sec.3(i), dated. 4/8/2001, page. 2590

2. Subs. by G.S.R. 1005, dated 19th November, 1983, (w.e.f. 24th December, 1983).

PART 14 GENERAL

156. Inspection :-

[

(1) Any person, authorised by the Director General by general or special order in writing in this behalf, may-

(a) at all reasonable times enter any place to which access is necessary for the purpose of exercising his powers or carrying out his duties under these rules;

(b) at all times during working hours enter that portion of any organization, factory or place in which aircraft, aircraft components; place of equipment, materials are being designed, manufactured, overhauled, repaired, modified, assembled tested, stored, and inspect any such organisation, factory or place, aircraft, aircraft component and item of equipment and drawings relating thereto;

(c) at any time inspect any aircraft including a private aircraft which is required by these rules to be certified as airworthy or in

respect of which a certificate of airworthiness is in force or has been suspended or deemed to be suspended;

(d) enter, inspect and search any aircraft for the purpose of securing compliance with any of these rules or the provisions of the Aircraft Act, 1934 (22 of 1934).

(2) Any person authorised by the Director General to inspect under sub-rule (1) shall advise the owner or operator of the aircraft and the organisation in the method of inspection, manufacture and maintenance of aircraft.]

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.]

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 rule 134 and rule 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 of aircraft either generally or in respect of any specified flight from the provisions of this rule.]

159. Obstruction of authorised 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 contravening any of these rules shall, where no punishment is provided for such contravention in the Aircraft Act, 1934 (XXII 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 those 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. Comment The contravention of any of the Aircraft Rules, 1937 has been made an offence.