

Telephone No. : 4622495 Telegraphi Address: Commercial : AIRCIVIL NEW DELHI Aeronautical : VIDDYAYX E Mail: dri@dgca.nic.in Fax 011 24629221	<u>GOVERNMENT OF INDIA</u> AERONAUTICAL INFORMATION SERVICES DIRECTOR GENERAL OF CIVIL AVIATION OPPOSITE SAFDARJUNG AIRPORT <u>NEW DELHI-110003</u>	Sl. No. 6/2007 <hr/> 14 th August, 2007
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The following circular is issued for information, guidance and compliance.

This AIC shall supercede AIC 3/2000 dated 5th April, 2000.



(K. Gohain)

Director General of Civil Aviation

**Requirements for grant of Operating Permit to Foreign Airlines
under Bilateral Air Services Agreements.**

1. INTRODUCTION

The bilateral Air Services Agreements between India and the foreign countries provide that upon designation of an airline by one Party, the other Party shall issue the Operating Authorisation / Permit to the designated airline.

The requirements for grant of an operating Authorisation / Permit to a foreign airline for commencement of scheduled international air services under the bilateral air services agreement are given for the information, guidance and compliance by the operators.

2. DESIGNATION OF AIRLINE

The airline shall have been formally designated by the Government of the foreign country in accordance with the bilateral Air Services Agreement concluded between the Government of that country and the Government of India.

3. OPERATING AUTHORISATION / PERMIT

3.1 The following documents shall be submitted by the designated airline to the Directorate General of Civil Aviation:-

- i) A copy of the letter of designation;
- ii) A copy of the instrument relating to incorporation of the airline, including the details about equity participation;
- iii) Names and nationalities of the Board of Directors of the airline;
- iv) Postal address (including Telex and Fax Nos.) of the airline's Headquarters;
- v) The title and postal address (including Telex and Fax Nos.) of the airworthiness, licensing and accident investigation authorities in respect of the airline;
- vi) A copy of the valid Air Operator Certificate or equivalent document authorizing the airline to operate scheduled international air services, issued by the country designating the airline;
- vii) A copy of the approval granted by the competent authority to the Operations Manual of the airline;
- viii) Details of fleet of aircraft indicating whether owned or taken on lease by the airline along with their registration particulars;

[In case of operations with leased aircraft, the authorities exercising the operational and safety control on the aircraft shall be clearly indicated. A copy of the agreement concluded between the State of Registry and the State of Operator for transfer of certain regulatory functions pursuant to Article 83 bis of the Chicago Convention may also be provided.]

- ix) A copy of the approval granted by the Bureau of Civil Aviation Security (India) to the Security Programme of the airline;

[A detailed Security Programme shall be prepared in accordance with the provisions contained in Annex 17 to the Convention on International Civil Aviation, the ICAO Security Manual (Doc. 8973) and instructions issued by the BCAS and filed with the Commissioner of Security (Civil Aviation), Janpath Bhawan, 'A' Wing, 3rd Floor, Janpath, New Delhi-110 001 for approval.]

- x) An undertaking by the Chief Executive of the airline that Indian laws, rules, regulations and requirements shall be complied with.

- xi) A certificate to the effect that local representative(s) of the airline is/are conversant with the Indian laws and regulations;

[This certificate shall be accompanied by the attested signature of the airline's representative(s) in India who are authorised to represent the airline before the aeronautical authorities of India.]

- xii) Details of the International Convention(s) / Protocol(s) on airline liability towards passengers and cargo ratified by the country designating the airline.

[A letter to this effect shall be obtained from the Government of the country designating the airline and submitted to the DGCA.]

3.2 The above documents shall be furnished at least 60 days prior to the proposed date of commencement of air services.

3.3 On submission of the aforesaid documents and fulfilment of other requirements specified in the air services agreement, the airline may be issued the Operating Permit/Authorisation.

3.4 The DGCA reserves to itself the right to seek at any time information in respect of particulars mentioned in sub-para 3.1 above and any other relevant information so as to satisfy itself that the designated airline continues to meet all the requirements on the fulfilment of which the Operating Permit/Authorisation was issued.

4. CODE-SHARE FLIGHTS

Certain bilateral Air Services Agreements provide for operation of code-share flights by entering into cooperative marketing arrangements with the airline(s) of the same Party, airline(s) of the other Party or airline(s) of a third country. In such cases, one of the designated airlines performs the agreed services as the operating airline while other airlines operate as marketing airline(s). Although both the operating as well as the marketing airline(s) are required to obtain the Operating Authorisation / Permit from the DGCA under the respective Air Services Agreements, the marketing airlines(s) shall not be required to submit the documents/information specified in v), vii), viii) and ix) of paragraph 3.1 above.

5. COORDINATION OF SLOTS

Before filing the schedule with DGCA, the designated airline shall coordinate allocation of slots with the owner/operator of the airport to which flights are proposed to be operated.

6. FILING OF SCHEDULE

After slot clearance, the designated airline shall file their proposed flight schedule with the office of the DGCA, Technical Centre, opposite Safdarjung Airport, New Delhi for approval, at least 30 days prior to the commencement of the agreed services. The schedule shall contain information relating to the type of service and its frequency, the type of aircraft to be used and the flight timings. The flights shall be operated only after the schedule has been approved by the DGCA.
