

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) "Accident" means an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight until such time as all such persons have disembarked, in which—

a) a person is fatally or seriously injured as a result of—

- (i) being in the aircraft, or
- (ii) direct contact with any part of the aircraft, including parts which have become detached from the aircraft; or
- (iii) direct exposure to jet blast,

except when the injuries are from natural causes, self inflicted or inflicted by other persons, or when the injuries are to stowaways hiding outside the areas normally available to the passengers and crew; or

b) the aircraft sustains damage or structural failure which—

- (i) adversely affects the structural strength, performance or flight characteristics of the aircraft, and
- (ii) would normally require major repair or replacement of the affected component,

except for engine failure or damage, when the damage is limited to the engine, its cowlings or accessories; or for damage limited to propellers, wing tips, antennas, tires, brakes, fairings, small dents or puncture holes in the aircraft skin; or

c) the aircraft is missing or is completely inaccessible.

Explanation 1.— For the purposes of this clause "fatally injured" means an injury resulting in death within thirty days of the date of the accident.

Explanation 2.— For the purpose of this clause "aircraft is missing" means the wreckage of the aircraft has not been located when the official search has been terminated.

[Inserted by GSR No 687(E) dated 26-9-2008]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) "Class Rating" shall comprise

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

(13) "Contracting State" means any State which is for the time being a party to the Convention on International Civil Aviation concluded at Chicago on December 7, 1944, and any amendment which may be made thereto under the provisions of Article 94 thereof;

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

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

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

(15) Deleted

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(22) "Flight time" –

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

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

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

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

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

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

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

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

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

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

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

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

(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;

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

(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;

[Inserted by GSR No. 537 dated 23-4-1980]

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

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

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

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

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

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

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

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

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

[Inserted by GSR No. 757 dated 14.10.2009]

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

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

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

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

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

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

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

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

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

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

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

(35) "Military aircraft" includes naval, military and air force aircraft, and every aircraft commanded

by a person in naval, military or air force service detailed for the purpose;

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

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

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

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

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

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

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

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

(39A) "Permit to Fly" in relation to microlight aircraft, means a document issued by the Director-General of Civil Aviation authorising the flight of a microlight aircraft in accordance with these rules.

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

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

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

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

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

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

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

(45) "Public transport" means all carriage of persons or things effected by aircraft for a remuneration of any nature whatsoever, and all carriage of persons or things effected by aircraft

without such remuneration if the carriage is effected by an air transport undertaking;

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

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

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

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

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

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

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

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

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

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

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

(50A) "Serious incident" means an incident involving circumstances indicating that an accident nearly occurred.

Note. – The difference between an accident and a serious incident lies only in the result.

[Inserted by GSR No. 168(E) dated 13-03-2009]

(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;

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

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

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

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

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

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

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

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

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

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

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

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

(57A) "Type Certificate" means a 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;

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

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

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

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

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

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

(3) The exercise or discharge of any power or duty conferred or imposed by the rule 19 or part V or part VI of these rules on the Central Government by an authority outside India specified by the Central Government in that behalf, shall have effect in India as though the powers have been

exercised or the duty discharged by a person authorised in this behalf under sub-rule(1) of this rule.

3B. Appeals - If any person is aggrieved by an order passed by an officer in exercise of a power conferred on him by these rules or delegated to him under rule 3A, he may prefer an appeal to the next higher officer within sixty days of the date of the order.

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

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