

## PART X-A - INVESTIGATION OF INCIDENTS

**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.

Provided that in case of a serious incident, the information shall be sent as soon as possible by the quickest means available and in any case within 24 hours after the occurrence of such 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.

*[Amended vide GSR No. 168(E) dated 13-03-2009]*

**77C. Investigation of an incident-** (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 witness 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.

*[Amended by GSR No. 956 dated 19-11-1983]*

**77D. Powers of Inquiry Officer-** For the purpose of such Investigation, an Inquiry 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 answer 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;

Provided that the information, books, papers, documents and articles, including cockpit voice recordings and transcripts from such recordings shall not be made available for purposes other than the investigation of the incident, except for the purposes of the right to Information Act, 2005 (22 of 2005).

(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.

*[Amended vide GSR No. 168(E) dated 13-03-2009]*