

## PART XII – PERSONNEL OF AIR TRAFFIC SERVICES

**93. Requirement of a licence for air traffic services personnel.**– (1) No person shall engage himself in the provision of air traffic services in the Indian airspace or in any airspace outside the Indian territory for which India has, in pursuance of any international arrangement, undertaken to provide air traffic services, unless he holds a valid air traffic controller's licence issued under these rules.

(2) The designated military authority may provide the air traffic services to the civil aircraft in the airspace designated for military use in accordance with the provisions of this part and subject to the conditions specified by the Director-General:

Provided that any person already engaged in the provision of air traffic services before the commencement of the Aircraft (.....Amendment) Rules, 2012, may continue to provide such services in accordance with the procedure specified by the Director-General till such person obtains the licence or till a date to be notified by the Central Government, whichever is earlier.

**94. Provision of Air Traffic Services at an aerodrome.**– The Director- General may direct an aerodrome operator to make provision for air traffic services, aerodrome flight information service or a means of two-way radio communication or any other service, as deemed fit in the interest of safety of aircraft operations.

**95. Licensing Authority.**– (1) Subject to fulfilment of the requirements specified in this Part and Schedule III, the Central Government may grant or renew the following licences and ratings, namely:-

- (a) Student Air Traffic Controller's Licence
- (b) Air Traffic Controller's Licence
- (c) Aerodrome Control Rating
- (d) Approach Control Procedural Rating
- (e) Approach Control Surveillance Rating
- (f) Area Control Procedural Rating
- (g) Area Control Surveillance Rating
- (h) Flight Information Service Rating
- (i) Oceanic Control Rating

(2) Before grant or renewal of a licence or rating, the licensing authority shall satisfy itself that the applicant meets the requirements of age, qualification, medical standard, knowledge, experience, training and skill, as specified in Schedule III.

(3) The licence shall not be valid unless it bears the signature of the holder.

(4) The licence shall remain valid for the period indicated therein which shall not exceed the period specified in rule 104 unless suspended or cancelled earlier.

(5) The Central Government may withhold the grant or renewal of a licence or rating and may cancel, suspend or vary any licence or rating if it is satisfied that there is a reasonable ground to do so:

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

(6) Notwithstanding anything contained in sub-rule (5), if the Central Government is of the opinion that in the interest of public safety it is necessary so to do, it may, for the reasons to be recorded in writing, summarily suspend the licence or rating with a view to making further enquiry.

**96. Requirement for Radio Telephony Operator's Certificate.**— A Student Air Traffic Controller's or an Air Traffic Controller's License shall be valid only if the licence holder possesses a certificate or authorisation for operating the radio telephony equipment in accordance with the provisions of the Indian Telegraph Act, 1885 (13 of 1885) and rules made thereunder.

**97. Requirement of rating and unit endorsement.**— (1) No person shall perform duty as an air traffic controller in an air traffic services unit unless his licence contains the ratings for the said purpose;

Provided that the holder of an Student Air Traffic Controller's Licence or an Air Traffic Controller's Licence may perform duty in a particular air traffic services unit without the relevant rating, for the purpose of qualifying for endorsement of such rating in his licence, under the direct supervision of a person holding the rating for that particular air traffic services unit and authorised by the Director General to act as an instructor.

(2) A licence may contain ratings for one or more air traffic services units.

(3) Notwithstanding any thing contained in sub-rule (1), the Director-General may authorise deployment of an air traffic controller to perform air traffic control duties temporarily at an airport without endorsement of that airport on his licence, provided he holds similar ratings for another airport with higher air traffic density and is assessed as fit for such duties by an air traffic controller holding the rating for the airport of temporary duty.

**98. Unit Training Plan.**— Every air traffic service unit shall prepare a Unit Training Plan, detailing the syllabus for on the job training, examination and procedures to meet the requirement for ratings as specified in Schedule III and obtain the approval of the licensing authority for the same.

**99. Fees and other charges.**— (1) The candidate who applies for the licence, its renewal, validation and ratings or the issue of duplicate licence and for the test and examination for such licence and ratings shall pay the following fees, namely:-

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| (i) for tests and examination for licence and ratings  | : Rs. 500/- per paper |
| (ii) for issue of a Student Air Traffic Controller's Licence   | : Rs. 1,000/-         |
| (iii) for renewal of a Student Air Traffic Controller's Licence  | : Rs. 500/-           |
| (iv) for issue or validation of a licence other than Student Air Traffic Controller's Licence or endorsement of a rating | : Rs. 5,000/-         |
| (v) for renewal of a licence other than Student Air Traffic Controller's Licence or a rating.                            | : Rs. 2,500/-         |
| (vi) for issue of duplicate Student Air Traffic Controller's Licence   | : Rs. 250/-           |

(vii) for issue of duplicate licence other than Student Air Traffic Controller's Licence. : Rs. 500/-

(viii) for issue of duplicate result sheet of examination : Rs. 500/-

(2) The applicant shall be required to bear all charges in respect of the assessment, if any, and if a government examiner is associated during the assessment, a fee of ten thousand rupees shall be payable for each assessment.

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

(4) When in any case the licence or rating is not issued, validated or renewed or a duplicate licence or rating is not issued, the Central Government may order the refund to the applicant of a proportionate part of the sum paid as fees, or adjust the amount to be refunded against fees required to be paid by the candidate for a future examination.

**100. Minimum educational qualification for holding a licence.**— No person shall be granted a licence under this Part unless he possesses the educational qualification as specified in Schedule III.

**101. Minimum age for holding a licence.**— The minimum age of a person who is otherwise qualified and to whom a licence may be granted shall be as specified in Schedule III.

**102. Maximum age limit for holding licence or rating.**— No person shall exercise the privileges of the licence granted under this Part after he has attained the age of sixty years.

**103. Medical standards-** (1) No licence or rating granted under this Part shall be issued or renewed unless the applicant holds a medical fitness assessment issued by the Director-General after undergoing a medical examination with an approved medical authority and satisfying the medical standards as specified by the Director-General for the purpose:

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

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

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

**104. Period of validity of licences and medical fitness assessment.–**

(1) A Student Air Traffic Controller's Licence shall remain valid for a maximum period of three years from the date of issue and shall not be renewed.

(2) An Air Traffic Controller's Licence shall be valid for maximum period of five years from the date of issue and may be renewed for a further period of five years on each occasion.

(3) The maximum period of validity of a medical fitness assessment shall be two years from the date of medical examination.

(4) The period of validity of medical fitness specified in sub-rule (1), shall be reduced to half after the holder of the licence has attained the age of fifty years.

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

(b) In case of renewal, the period of validity shall commence from the date following the date of expiry of the previous validity, irrespective of the date of renewal, provided the application for renewal has been submitted within a period of thirty days preceding the date of expiry and all the requirements for renewal are met on the date of application.

(c) In any other case, the validity of renewal of licence shall commence from the date of renewal.

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

(b) In case of renewal, the period of validity shall commence from the date following the date of expiry of the previous validity, irrespective of the date of renewal, provided the application for renewal has been submitted within a period of thirty days preceding the date of expiry and all the requirements for renewal are met on the date of application.

(c) In any other case, the validity of renewal of medical fitness assessment shall commence from the date of renewal.

**105. Licence not valid without valid medical fitness assessment.–** A licence granted under this Part shall not be valid unless it is accompanied by a valid medical fitness assessment and the holder shall not exercise the privileges of the licence in the absence of a valid medical fitness assessment.

**106. Decrease in medical fitness .—** (1) The holder of a licence shall not exercise the privileges of his licence and ratings during any period when he is aware that his physical condition has deteriorated and the medical fitness has decreased below the standard required for that category of licence.

(2) The holder of a licence shall not exercise the privileges of his licence without being declared fit after a fresh medical examination in the event of his having suffered from a sickness or injury rendering him incapable of discharging his duties for a continuous period of more than twenty days, or which is likely to cause incapacity or impair his efficiency in the discharge of his duties.

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

(4) The licence of a person rendered incapable under sub-rule (2), shall be deemed to be invalid until the holder undergoes a fresh medical examination.

**107. Maintenance of validity of ratings and endorsements.**— (1) The holder of an Air Traffic Controller's Licence shall not exercise the privileges of the licence and the rating endorsed on the licence unless he meets the competency and recency requirements and the rating is valid for—

- (a) the air traffic services unit or place at which he so acts;
- (b) the sector on which or the operational position at which he so acts; and
- (c) the surveillance equipment, if any, with which he so acts.

(2) Even when a person ceases to act as an air traffic controller at a particular unit, he may keep his rating current by complying with the recency requirement specified in Schedule III.

**108. Licence holder's obligation to notify change of unit.**— When a rating ceases to be valid for a unit or operational position, the holder of the licence shall forthwith inform the person-in-charge of the air traffic service of that place and shall not work in that position till such rating is revalidated.

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

- (a) is habitually intemperate in the use of alcohol, or is addict of narcotics, drugs and the like, or
- (b) has, by his previous conduct as Air Traffic Controller, shown that he is irresponsible in the discharge of his duties connected with his employment or is likely to endanger the safety of the aircraft or any person, in the air or on ground; or
- (c) is a habitual criminal or has been convicted by a court in India for an offence involving moral turpitude or an offence which amounts to heinous crime; or
- (d) has obtained the licence or rating, by suppression of material information or on basis of wrong information, or
- (e) has unauthorisedly varied or tampered with the particulars entered in a licence or rating or any other relevant document,

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

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

(3) (a) Upon the issue of any order under sub-rule (1) or sub-rule (2), the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority, if the licence has not already been surrendered.

(b) The licensing authority shall keep the licence until the expiry of the period for which the person has been disqualified or debarred, or if he has been debarred permanently, for a period of five years.

**110. Renewal of expired licence or rating.**— If, on the date of application for renewal, the licence or rating has expired, the applicant shall be required to undergo on the job training and qualify the examinations and skill assessment tests as may be specified by the Director-General to assess the applicant's competency to hold that licence or rating.

**111. Proof of competency—**(1) An applicant for grant and renewal of any licence and ratings shall produce proof of having acquired the competency and having passed satisfactorily the tests and examinations specified in Schedule III in respect of the licence or rating.

(2) The Director General may, exempt a person who is a qualified Air Traffic Controller from Indian Air force or Indian Navy and who produces satisfactory evidence to show that he possesses the necessary experience, competency and standard of physical fitness as required under these rules from all or any of the examinations and medical or other technical examinations.

(3) The Director-General may, on examination of the syllabi, determine the relative equivalence of examinations for granting exemptions to such applicants from passing the examinations required under Schedule III.

(4) The Director-General may, require any candidate or training organisation to produce for examination all relevant training records, including the syllabi, certificates, mark-sheets, on-the-job training test reports, assessments, etc., in respect of the candidate who has undergone a course of training, with such training establishment.

**112. Tests, assessment and examination –** (1) The Director-General may, conduct examinations to test the level of knowledge specified in Schedule III, fix examination centres within India, appoint invigilators and specify the procedure for conducting the examinations.

(2) The Director-General shall, specify the detailed syllabi for the examinations for issue of the licences and ratings.

(3) (a) The Director-General may, appoint examiners for carrying out examinations and assessment required under Schedule III and may also appoint a Board to conduct oral examinations and assessment, wherever necessary.

(b) The examiners shall be selected on the basis of criteria specified for the purpose by the Director-General and the examination and assessment reports shall be submitted to the licensing authority in respect of any examination and assessment conducted for issue or renewal of a licence or endorsement of a rating on a licence.

(4) The Director-General may determine the manner in which the assessment and proficiency checks shall be carried out.

(5) The Director-General may, debar permanently or temporarily a person from any assessment or examination if, in his opinion, the person has adopted unfair means during the assessment or examination.

(6) (a) The Director-General may, declare any examination or assessment conducted by an authorised person or a Board null and void, if in his opinion, the examination or assessment has not been carried out to his satisfaction, and require the examination or assessment to be carried out again by another authorised person or a Board.

(b) The Director-General may also take such action against such authorised person or Board as he may deem fit.

**113. Use of radio call signs of air traffic services units.—** A licence holder using two-way radio communication shall not use or cause or permit to be used any call sign for a purpose other than the purpose for which that call sign has been notified.

**114. Approved training organization.—** (1) The Director-General, on being satisfied, may approve a training organisation for conducting an approved training course for students to enable them to attain the level of competency required for obtaining a licence or rating specified in rule 95.

(2) The training organisation shall submit a Training and Procedures Manual containing the information specified by the Director-General for approval and the simulator training in such organisations shall be undertaken only on the simulators approved by the Director-General.

(3) Approval of a training organisation shall be valid for a period of five years and may be renewed for a period not exceeding two years at a time subject to the terms and conditions specified by the Director-General.

(4) (a) For the grant of approval, a training organization shall pay, a fee of one lakh rupees and fifty thousand rupees for renewal on each occasion.

(b) The fee shall be paid by a demand draft drawn in favour of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

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

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

**115. Record of experience and logging of on-watch period –** (1) Every licence holder shall maintain a personal log book in the form specified by the Director-General and log the actual watch period during which he has performed any duty for exercising the privileges of his licence or ratings, or for on-the-job-training.

(2) All entries in log books shall be made either in ink or logged electronically.

(3) Log books shall be preserved for not less than five years after the date of the last entry therein.

(4) (a) Every licence holder shall certify the accuracy of the entries in his log book with respect to the watch period at least at the end of each calendar month.

(b) At the end of every quarter, the log books shall be certified for correctness of entries therein by the in-charge of the air traffic services unit, or any other person authorised to do so by the Director-General.

(5) The watch time during which a licence holder is under on-the-job training shall be entered in his log book as "on the job training" and the instructor shall also countersign the entries in the log book of the licence holder indicating the nature of the training given.

(6) The instructor shall log as watch period in his log book the period during which he acts as an Instructor and the log entries shall indicate in the remarks column that the time was logged for instructional purpose.

**116. Watch duty time limitations.**— Every holder of a licence issued under this Part shall follow the watch duty time limitations specified by the Director- General.

**117. Aeronautical station operator.**— Every aeronautical station operator forming a part of Flight Information Service shall operate in accordance with the requirements specified by the Director-General.

**118. Validation of foreign licences.**— (1) When a licence has been granted by the competent authority of a Contracting State and is for the time being in force, the Central Government may, subject to such conditions and limitations and for such period as it shall think fit, confer on such licence the same validity for the purpose of provision of air traffic service in India as if it had been granted under these rules.

(2) The validation granted under sub-rule(1) shall –

- (a) not extend beyond the period of validity of the licence
- (b) cease to be valid if the licence upon which it was issued is revoked or suspended; and
- (c) be subject to the provisions of rule 19.

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