



GOVERNMENT OF INDIA

**OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION**  
TECHNICAL CENTRE, OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI

**CIVIL AVIATION REQUIREMENT**  
**SECTION 7 – FLIGHT CREW STANDARDS**  
**TRAINING AND LICENSING**

**SERIES X PART II**

**ISSUE III, 16<sup>th</sup> August 2017**

**EFFECTIVE: FORTHWITH**

F. No. 23-5/2016-AED

**Subject: Requirement of ‘Notice Period’ by the Pilots to the airlines employing them.**

**1. INTRODUCTION**

1.1 It has been observed that pilots are resigning without providing any notice to the airlines. In some cases, even groups of pilots resign together without notice and as a result airlines are forced to cancel their flights at the last minute. Such resignation by the pilots and the resultant cancellation of flights causes inconvenience and harassment to the passengers. Sometimes such an abrupt action on the part of the pilots is in the form of a concerted move, which is tantamount to holding the airline to ransom and leaving the travelling public stranded. This is a highly undesirable practice and goes against the public interest.

1.2 Such an action on the part of pilots attracts the provisions of sub-rule (2) of rule 39A of the Aircraft Rules, 1937, which reads as follows:

*“The Central Government may debar a person permanently or temporarily from holding any licence or rating mentioned in rule 38 if in its opinion it is necessary to do so in the public interest.”*

**2. APPLICABILITY**

2.1 This Civil Aviation Requirement shall be applicable to the pilots in regular employment of any air transport undertaking as defined in clause (9A) of rule 3 of the Aircraft Rules, 1937.

- 2.2 Provision of this CAR shall be subject to the outcome of WP(C) 12387/2009 pending before Hon'ble High Court Delhi.
- 2.3 This CAR is issued with the approval of the Ministry of Civil Aviation vide their letters No.A2012/08/2005-A dated 1<sup>st</sup>September 2005, No. A.60015/024/2008-VE dated 21<sup>st</sup>October 2009, No. AV.140111/1/2016-A dated 12<sup>th</sup> May 2017 and AV-32018/1/2017-DG dated 14<sup>th</sup> Aug 2017.

### **3. REQUIREMENTS**

- 3.1 It takes about eight to nine months to train a pilot to operate an aircraft used for airline operations, as he has to pass technical and performance examinations of the aircraft, undergo simulator & flying training and has to undertake 'Skill Test' to satisfy licence requirements before he is released to fly.
- 3.2 Pilots are highly skilled personnel and shoulder complete responsibility of the aircraft and the passengers. They are highly paid for the responsibility they share with the airlines towards the travelling public and are required to act with extreme responsibility.
- 3.3 In view of the above, it has been decided by the Government that any act on the part of pilots including resignation from the airlines without a minimum notice period of one year in respect of commanders and six months in respect of co-pilots, which may result into last minute cancellation of flights and harassment to passengers, would be treated as an act against the public interest.
- 3.4 It has, therefore, been decided that pilots working in an air transport undertaking shall give a 'Notice Period' of at least one year in respect of commanders and six months in respect of co-pilots to the employer indicating his intention to leave the job. During the notice period, neither the pilot shall refuse to undertake the flight duties assigned to him nor shall the employer deprive the pilot of his legitimate rights and privileges with respect to the assignment of his duties. Failure to comply with the provisions of the CAR may lead to action against the pilot or the air transport undertaking, as the case may be, under the relevant provisions of Aircraft Rules, 1937.
- 3.5 In case an air transport undertaking resorts to reduction in the salary / perks or otherwise alters the terms and conditions of the employment to the disadvantage of the employee pilot during the notice period, the pilot shall be free to make a request for his release before the expiry of the notice period and the air transport undertaking shall accept his request.

- 3.6 It shall be mandatory for the air transport undertaking to issue NOC to the pilot on expiry of the notice period as indicated in Pare 3.3 of this CAR, failing which it shall be liable to penal action by DGCA.
- 3.7 The 'Notice Period', however, may be reduced if the air transport undertaking provides a 'No Objection Certificate' to a pilot and accepts his resignation earlier than the requisite notice period.



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