



सत्यमेव जयते

GOVERNMENT OF INDIA
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTRE, OPP SAFDURJUNG AIRPORT, NEW DELHI

PROCEDURE MANUAL
DIRECTORATE OF REGULATIONS &
INFORMATION

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Revisions

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Chapter 1

Introduction

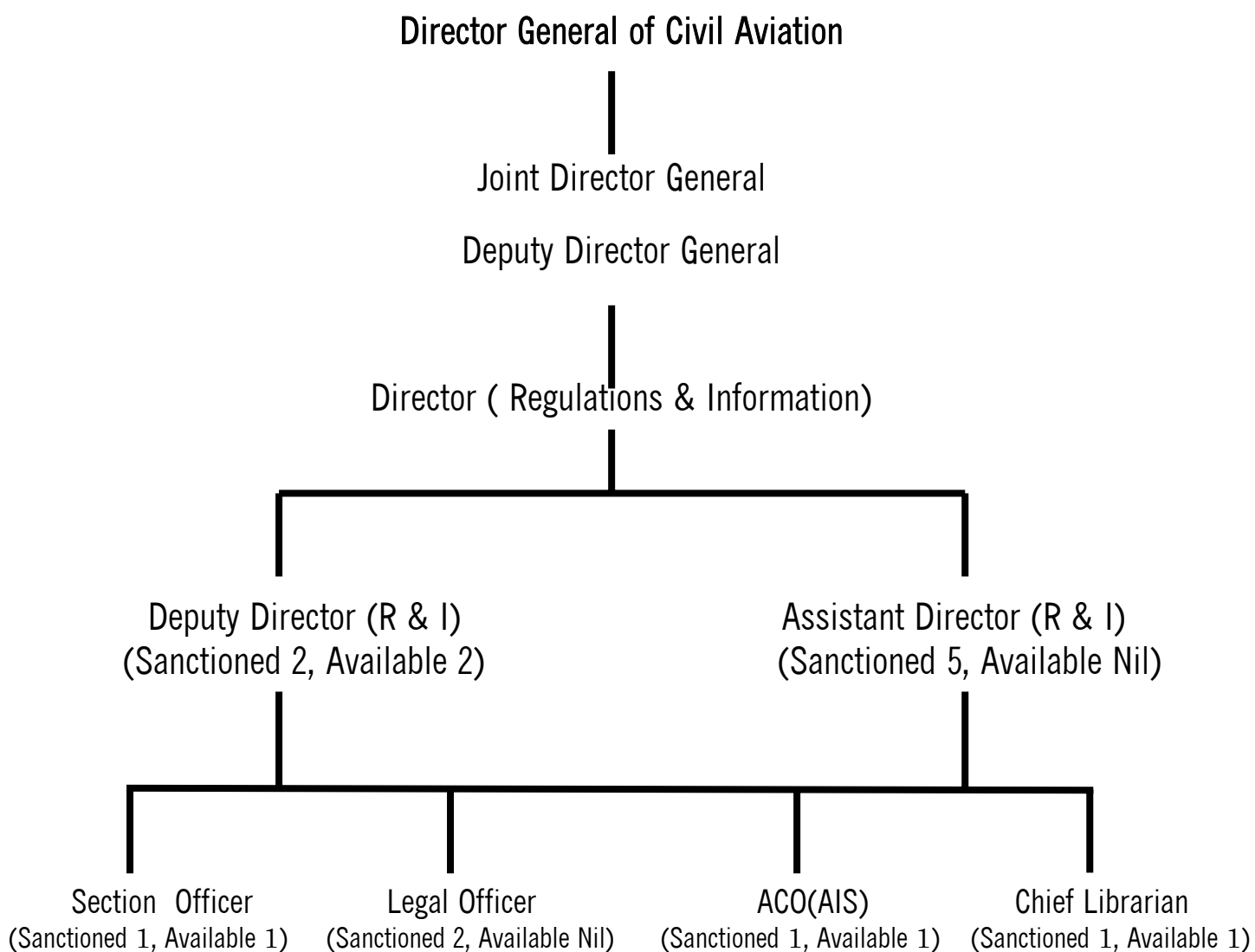
The objective of this Manual is to acquaint the public at large with the procedures being followed for the accomplishment of various tasks and responsibilities assigned to the Directorate of Regulations and Information. It will help them understand the flow of various processes involved and understand the intricacies of the system.

The Directorate of Regulations and Information has been assigned a wide range of tasks such as ratification of the International Conventions, amendment of the Aircraft Act / Rules, grant of Operating Authorisation to foreign airlines, approval of schedules of foreign airlines and grant of approval to the Dangerous Goods Training Programmes. It is also responsible for issuance of various kinds of statutory permits under the Aircraft Rules, 1937.

It has been our endeavour to place the details of the procedures being followed in this Directorate in a cogent and easily understandable manner. Therefore, the language used is simple and unnecessary details have been avoided. In order to make the reader comfortable, the references to various legislations and documents have been kept at the bare minimum. We hope that the public at large would find it easy to refer to and appreciate the processes and procedures leading to the accomplishment of the tasks and achievement of the targets assigned to the Directorate of Regulations and Information.

(K P Maggon)
Deputy Director General

Chapter 2
Organisation



Regulations and information Directorate

Functions

- i) Participation in the bilateral air talks for negotiating and reviewing the Air Services Agreements with foreign countries.
- ii) Advising the Government on matters relating to bilateral Air Services Agreements and on international air transport in general.
- iii) Grant of Operating Authorisations to foreign airlines under the bilateral Air Services Agreements.
- iv) Approval of Summer/Winter schedules of foreign airlines operating to India.
- v) Participation in the meetings of the ICAO Legal Committee and Air Law Conferences etc.
- vi) Formulation of recommendations with regard to ratification/accession of the International Conventions on civil aviation.
- vii) Co-ordination of the work relating to International Civil Aviation Organisation (ICAO), including amendments to Annexes to the Chicago Convention.
- viii) Amendment of the Aircraft Act, Aircraft Rules and the Aircraft (Carriage of Dangerous Goods) Rules.
- ix) To advise other Directorates on legal matters with particular reference to aviation law and International Conventions etc.
- x) Compilation of the material for inclusion in the Annual Report of the Ministry of Civil Aviation.
- xi) Approval of Dangerous Goods Training Programmes.
- xii) Grant of permission for carriage of arms and ammunition by air.

- xiii) Grant of permission for ground photography at aerodromes and aerial photography in India.
- xiv) Recommendations to MHA for grant of visa to employees of foreign airlines
- xv) Management of the Aeronautical Information Service (AIS).
- xvi) CAD Library.

Chapter 4

Ratification of the International Conventions

1. India is a signatory to the Chicago Convention and has been playing a significant role in the formulation and development of various legal instruments of international civil aviation. It is, therefore, expected that we ratify/accede to such International Conventions.
2. Whenever the International Civil Aviation Organisation(ICAO) promulgates any Convention, it sends a request to all the contracting States to ratify or accede to it.
3. On receipt of such request, the Convention is examined in detail in consultation with all the stake holders.
4. Thereafter, the recommendations of this office are sent to the Ministry of Civil Aviation with justification for ratification of / accession to the Convention or otherwise.
5. In case the Government considers it appropriate to ratify or accede to the Convention, a draft Note for the Cabinet is prepared containing the detailed justification in support of the proposal.
6. After approval of the Cabinet or the enactment of a statute by Parliament, as the case may be, the instruments of Ratification/Accession are deposited with the depositary for that Convention.

Chapter 5

Adoption of ICAO SARPs.

1. The International Civil Aviation Organisation (ICAO) regularly issues new Standards and Recommended Practices (SARPs) in the form of amendment to the Annexes to the Convention on International Civil Aviation (Chicago Convention).
2. The nodal officer designated for the purpose forwards the State letters (e-mail) to concerned agencies like AAI, IMD, BCAS and various Directorates of DGCA for their comments with a copy to Deputy Director (R&I).
3. The matter is monitored in R & I Directorate for receipt of the comments from all concerned. If no comments are received within a reasonable time, a reminder is sent to the concerned agency/directorate for their comments.
4. The comments are examined and the file is put up to the Director General for approval of the proposed action. The ICAO is advised about the agreement or for filing of difference(s), as the case may be.
5. In case of adoption, the concerned Directorate is advised to initiate necessary action for issuance or amendment of a CAR/AIC or amendment to Aircraft Rules, 1937, as necessary.

Chapter 6

Amendment to Subordinate Legislation

1. The need for amendment of Aircraft Rules, 1937 may arise out of India's obligation to ensure compliance with the Standards and Recommended Practices (SARPs) promulgated by ICAO or any other reason such as the industry demand or to give effect to the Govt. policy.
2. The proposed amendment is examined for its legal implications and the proposal is put up to the Director General for his approval.
3. Thereafter, the draft notification along with a justification for the amendment is prepared and sent to Ministry of Civil Aviation for the approval of the Hon`ble Minister of Civil Aviation.
4. The draft notification is then sent by the Ministry of Civil Aviation to the Law Ministry for vetting. More often than not, the Ministry of Law invites an officer from the Administrative Ministry to discuss the proposed amendment with Law Ministry and invariably an officer from this Directorate is nominated for discussion with Law Ministry.
5. The draft notification is then fair typed having regard to the legal vetting carried out by Law Ministry and translated into Hindi. It is then sent to Ministry of Civil Aviation, who sends it to Government of India Press for publication of the draft rules in the official Gazette. As provided in the Aircraft Act, 1934, the draft rules are published in the Official Gazette inviting objections or suggestions from the persons likely to be affected thereby.
6. The objections or suggestions, if any, received from the public within the stipulated time are examined and comments of DGCA are sent to Ministry of Civil Aviation for their consideration. Based on the decision of the Ministry, a final notification is prepared along with Hindi version and forwarded to the Ministry. After taking approval of the Minister of Civil Aviation, the Ministry sends it for final publication in the Gazette of India.

7. Where the Government is of the opinion that a particular rule is required to be amended urgently and it is in public interest to proceed with the publication of the rules without previous publication, approval of the Minister is sought for dispensing with the requirement of pre-publication in accordance with the proviso to Section 14 of the Aircraft Act, 1934.

Chapter 7

Grant of Operating Authorisation to Foreign Airlines

1. For grant of Operating Permit to a foreign airline, it is necessary that there should be an Air Services Agreement between Govt. of India and the Govt. of the country designating the airline.
2. As provided in the bilateral Air Services Agreement, the airline is designated by the Government of the country of the airline.
3. The designated airline shall submit a request for issuance of the Operating Authorisation accompanied by the information/documents in accordance with the provisions of AIC 09 /2009 (**Appendix 'A'**).
4. The documents submitted by the airline are examined vis-à-vis the requirements specified in AIC 09/2009.
5. Where the airline does not meet the laid down requirements, it is advised to furnish additional documents or clarification, as required.
6. After the requirements laid down in the said AIC have been complied with, the airline is issued an Operating Permit under the signature of the Director General.
7. The period validity of the Operating Authorisation is not exceeding five years.

Chapter 8

Approval of Summer/Winter Schedules of foreign airlines

1. The designated airlines of foreign countries are required to file their Schedules for every IATA season (Summer/Winter) at least 30 days prior to the commencement of operations for that particular schedule.
2. The Schedules filed by foreign airlines operating to/from India are approved under the provisions of the respective bilateral Air Services Agreement.
3. On receipt of the request, the schedule is forwarded to the Airports Authority of India (the Slot Co-ordinator) for slot clearance.
4. In case the slots requested by the airline are not cleared by the AAI or alternate slots are offered, the airline is advised to file a revised schedule in accordance with the cleared slots.
5. The request is then examined for its accuracy in terms of the airline's entitlements and the associated restrictions / limitations under the provisions of the bilateral Air Services Agreement. Whenever any deviation or difference is noticed, the airline is requested to clarify the same and if need be, the airline is advised to amend the proposed schedule so as to be within the bilateral entitlements.
6. If the request is found to be in order, including the slot clearance, the airline is granted the approval for that particular IATA Season (winter/summer).
7. After the Schedule is approved, it is placed on DGCA website.

Chapter 9

Approval of Dangerous Goods Training Programme

1. Rule 12A of the Aircraft (Carriage of Dangerous Goods) Rules, 2003 provides that the Initial and Recurrent Dangerous Goods Training Programmes shall be established and maintained by or on behalf of operators and others like shippers, freight forwarders and ground handling agencies etc.
2. The requirements and procedure for approval of the Dangerous Goods Training Programmes have been laid down in CAR Section 11 Series 'C' Part I dated 8th January, 2010 (**Appendix 'B'**).
3. On receipt of the duly completed application and the Dangerous Goods Training Manual, an inspection is carried out to verify whether the training organisation is fully equipped and is competent to provide the training.
4. Upon being satisfied that the training organisation has the competence and capability to conduct the training in a proper and efficient manner in accordance with the provisions of the CAR, approval to the Dangerous Goods Training Programme is granted.
5. As provided in rule 12A of the Aircraft (Carriage of Dangerous Goods) Rules, 2003, the validity of the approval is for a period not exceeding one year. Thereafter, it may be renewed on a year-to-year basis subject to continued compliance with the laid down requirements / conditions.
6. The approval of the Dangerous Goods Training Programme may be withdrawn at any time in case of non-compliance with any of the provisions of the Aircraft (Carriage of Dangerous Goods) Rules, 2003 or with the requirements specified in the relevant CAR.

Chapter 10

Permission for carriage of Dangerous Goods by Air

1. The Aircraft (Carriage of Dangerous Goods) Rules, 2003 provide that the dangerous goods may be carried by air to/from/over India provided:
 - a) the operator is certified to carry dangerous goods; and
 - b) the dangerous goods are carried in accordance with the provisions of the Technical Instructions issued by ICAO.
2. However, for carriage of radio-active material (Class 7), permission of the competent authority under Section 16 of the Atomic Energy Act, 1962, is required.
3. For grant of permission for carriage of arms and ammunition/explosives, military stores etc. (Class 1) under rule 8 of the Aircraft Rules, 1937, the following procedure is followed:-
 - a) The application shall be made to the Director (Regulations & Information) on the prescribed proforma (**Appendix 'C'**).
 - b) The application is examined in the Directorate under the provisions of the Aircraft Rules, 1937 and the Technical Instructions issued by ICAO.
 - c) Where the application is found to be incomplete or inaccurate, the applicant is informed accordingly in writing.
 - d) If the application is complete in all respects and the article / substance is permissible for carriage by air, a permit is issued to the applicant subject to compliance with certain conditions mentioned in the permit.
 - e) The permit is valid for 2-3 months from the date of issue so as to enable the applicant to plan the transportation of the shipment.

Chapter 11

Permission for ground / aerial photography

1. Rule 13 of the Aircraft Rules, 1937 provides that photography at Govt. aerodromes and from the air may be undertaken subject to and in accordance with the permission in writing granted by the Director General, Jt. Director General, Dy. Director General and Director of Regulations & Information.
2. However, the DGCA vide Order No. S.O. 1353(E) dated 9th December, 2004 has directed that the restrictions on photography at a Govt. aerodrome shall not apply to the terminal building of civil aerodromes and civil enclaves of Defence aerodromes.
3. Moreover, the bonafide passengers are permitted to take photography from inside the aircraft while in flight and while landing, take-off or on ground at civil aerodromes.
4. For photography in the movement area of aerodromes, the applicant is required to submit an application giving name of the airport, area within the airport to be photographed and the intended date of the photography. The permission is valid for a period of 15 – 20 days so as to enable the applicant to plan the photography work.
5. For aerial photography, the application is made to the Director (Regulations and Information) on the prescribed proforma (**Appendix 'D'**) in seven copies which are sent to various agencies in the Government for their concurrence. On receipt of the NOC from these agencies, permission for aerial photography is granted.
6. The permit for aerial photography is generally valid for 3-4 months.