

Telephone No. : 4622495 Telegraphi Address: Commercial : AIRCIVIL NEW DELHI Aeronautical : VIDDYAYX E Mail: dri@dgca.delhi.nic.in Fax 011 24629221	GOVERNMENT OF INDIA AERONAUTICAL INFORMATION SERVICES DIRECTOR GENERAL OF CIVIL AVIATION OPPOSITE SAFDARJUNG AIRPORT <u>NEW DELHI-110003</u>	Sl. No. 8/2009 <hr/> 17 July, 2009
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The guidelines for grant of permission to operate scheduled international air transport services by the Indian Air Transport Undertakings are issued for information and guidance.

This AIC shall supercede AIC 2/2005 dated 21st January, 2005.

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Director General of Civil Aviation

**GUIDELINES FOR GRANT OF PERMISSION TO INDIAN
AIR TRANSPORT UNDERTAKINGS FOR OPERATION OF
SCHEDULED INTERNATIONAL AIR TRANSPORT SERVICES.**

1. Introduction

- 1.1 Rule 134 of the Aircraft Rules, 1937 provides that no person shall operate any scheduled air transport service from, to, in, or across India except with the permission of the Central Government, granted under and in accordance with and subject to the provisions contained in Schedule XI. This power has been delegated to the DGCA.
- 1.2 In accordance with Schedule XI to the said Rules, the Director General of Civil Aviation shall be the authority to examine the applications for grant of permit for operation of scheduled air transport services, and for issuing, cancelling or suspending such permits.

- 1.3 Accordingly, it has been decided that the following guidelines shall be followed for grant of permission to Indian air transport undertakings to operate scheduled international air transport services.
- 1.4 This Aeronautical Information Circular is issued pursuant to sub-rule(1) of rule 133A of the Aircraft Rules, 1937.

2. Eligibility Criteria

- 2.1 Any Indian air transport undertaking shall be eligible to apply for operation of international scheduled air transport services, if it is in possession of –
- (i) a valid permit for operation of scheduled air transport services;
 - (ii) a minimum of five years' experience of continuous operation of domestic scheduled air transport services; and
 - (iii) at least twenty aircraft in its fleet.
- 2.2 The requirements listed in clauses (ii) and (iii) of sub-paragraph 2.1 shall not be applicable to all-cargo services.

3. Allocation of Routes and Capacity

- 3.1 Any air transport undertaking meeting the eligibility criteria specified in the preceding paragraph and planning to operate international scheduled air transport services shall make an application to the Director General of Civil Aviation in duplicate in the prescribed proforma given at Appendix 'A'. The application may be submitted in the first and third quarter every year.
- 3.2 The traffic rights shall initially be allocated for a period of one year only, whereafter these shall be reviewed.
- 3.3 The allocation of traffic rights to an applicant shall depend on the availability of such rights under the respective bilateral air services agreement. In case the available traffic rights are not sufficient to cover the requirements reflected in the applications, the allocation of traffic rights to various eligible applicants shall be in the ratio of Available Seat Kilometers (ASKMs) deployed by the applicants on domestic scheduled air transport services during the last five years.

The quantum of traffic rights so arrived shall be rounded off to the nearest whole number and allocated to the applicant.

Explanation – For the purposes of this sub-paragraph, the ASKMs shall be computed twice a year i.e. on 1st January and 1st July.

- 3.4 The traffic rights allocated for a schedule i.e. summer or winter schedule of a particular year, shall be utilised during the same schedule. Failure to do so shall render the applicant ineligible for allocation of these rights for the next two years.
- 3.5 After allocation of traffic rights on the international routes, the air transport undertaking shall not reduce its ASKMs deployed on the domestic routes. In case of any reduction in the ASKMs on the domestic routes, the allocation of traffic rights on international routes shall be reviewed and a decision, as deemed fit, shall be taken.
- 3.6 Due consideration shall be given to the operational plans submitted by National Aviation Company of India (NACIL) before allocation of the traffic rights to other eligible applicants.
- 3.7 The Central Government (Ministry of Civil Aviation) may at its discretion grant or deny allocation of traffic rights to any air transport undertaking having regard to its preparedness to undertake such operations, viability of the operations on a particular route, overall interests of the civil aviation sector etc.

4. Code-share Operations and Airline Alliance

- 4.1 The Indian air transport undertakings shall also be required to obtain prior permission of the Central Government (Ministry of Civil Aviation) for –
 - (a) entering into any code-share arrangement with foreign airlines, under which the Indian air transport undertaking is the marketing carrier and the foreign airline is the operating carrier; and
 - (b) joining any global alliance of airlines such as Star Alliance, One World, Sky Team etc.

- 4.2 Since the aircraft belonging the Indian air transport undertaking shall not be involved in the operation of air services under clause(a) of sub-paragraph 4.1, the requirements specified in clauses (ii) and (iii) of sub-paragraph 2.1 shall not be applicable in such cases.
- 4.3 The application for grant of permission under sub-paragraph 4.1 shall be made at least two months in advance.

5. Designation under the Air Services Agreement

After allocation of traffic rights or grant of permission for entering into a code-share agreement, as the case may be, the Ministry of Civil Aviation may designate the Indian air transport undertaking to operate the agreed services under the respective Air Services Agreement with the foreign Government and keep the DGCA informed about it.

6. Action by DGCA

On being satisfied that the air transport undertaking is competent to undertake operation of scheduled services on international routes and has been allocated the requisite traffic rights, DGCA shall appropriately endorse the Air Operator's Permit. Thereafter, the air transport undertaking shall file the schedule with DGCA in accordance with the approved slots, and operate the flights as per approved schedule.

**APPLICATION FORM FOR FILING REQUESTS
FOR ALLOCATION OF TRAFFIC RIGHTS ON INTERNATIONAL ROUTES**

1.	Name of the Airline			
2.	Date from which continuous operations in domestic sector			
3.	Fleet size (with details)			
4.	Details of traffic rights sought (maximum four IATA schedule periods)			
IATA Schedule period				
	Country	Route	Frequency (per week)	Aircraft type/ number of seats
IATA Schedule period				
	Country	Route	Frequency (per week)	Aircraft type/ number of seats
5.	Plan for aircraft induction			
	a)	Whether aircraft already in fleet or to be acquired?		
	b)	If to be acquired then status of i. NOC of AAC to import ii. Permission of DGCA to import iii. Estimated date of arrival of aircraft in India		
	c)	Name of pilots who have the proper licence / ratings		
	d)	Name of engineers who have the ratings/licence		
	e)	If foreign pilots and engineers are required, whether security clearance has been obtained or applied for?		
	f)	Arrangements for operations/maintenance at the foreign destination and whether necessary approvals have been obtained from DGCA?		
6.	Availability of slots at the airport to which landing rights are sought (details with proof)			
7.	Any other relevant information			

**Signature of Chairman/Director/CEO of the Company
(Seal of the Company)**

Date:

Note: Failure to utilize traffic rights once granted by the Government would lead to a ban of two years on that route.