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The following circular is issued for information, guidance and compliance.

This AIC shall supercede AIC 6/2007 dated 14<sup>th</sup> August, 2007.

*Nasim Zaidi*

(Nasim Zaidi)

**Director General of Civil Aviation**

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**Requirements for grant of Operating Authorisation to Foreign Airlines  
under Bilateral Air Services Agreements.**

**1. INTRODUCTION**

The bilateral Air Services Agreements between India and the foreign countries provide that upon designation of an airline by one Party, the other Party shall issue the Operating Authorisation to the designated airline.

The requirements for grant of an operating Authorisation to a foreign airline for commencement of scheduled international air services under the bilateral air services agreement are given for the information, guidance and compliance by the operators.

**2. DESIGNATION OF AIRLINE**

The airline shall have been formally designated by the Government of the foreign country in accordance with the bilateral Air Services Agreement concluded between the Government of that country and the Government of India.

### **3. OPERATING AUTHORISATION / PERMIT**

3.1 The following documents shall be submitted by the designated airline to the Directorate General of Civil Aviation:-

- i) A copy of the letter of designation;
- ii) A copy of the instrument relating to incorporation of the airline, including the details about equity participation;
- iii) Names and nationalities of the Board of Directors of the airline;
- iv) Postal address (including Telex and Fax Nos.) of the airline's Headquarters;
- v) The title and postal address (including Telex and Fax Nos.) of the airworthiness, licensing and accident investigation authorities in respect of the airline;
- vi) A copy of the valid Air Operator Certificate or equivalent document authorizing the airline to operate scheduled international air services, issued by the country designating the airline;
- vii) A copy of the approval granted by the competent authority to the Operations Manual of the airline;
- viii) Details of fleet of aircraft indicating whether owned or taken on lease by the airline along with their registration particulars;

*[In case of operations with leased aircraft, the authorities exercising the operational and safety control on the aircraft shall be clearly indicated. A copy of the agreement concluded between the State of Registry and the State of Operator for transfer of certain regulatory functions pursuant to Article 83 bis of the Chicago Convention may also be provided.]*

- ix) A copy of the approval granted by the Bureau of Civil Aviation Security (India) to the Security Programme of the airline;

*[A detailed Security Programme shall be prepared in accordance with the provisions contained in Annex 17 to the Convention on International Civil Aviation, the ICAO Security Manual (Doc. 8973) and instructions issued by the BCAS and filed with the Commissioner of Security (Civil Aviation), Janpath Bhawan, 'A' Wing, 3rd Floor, Janpath, New Delhi-110 001 for approval.]*

- x) An undertaking by the Chief Executive of the airline that Indian laws, rules, regulations and requirements shall be complied with.

- xi) A certificate to the effect that local representative(s) of the airline is/are conversant with the Indian laws and regulations;

*[This certificate shall be accompanied by the attested signature of the airline's representative(s) in India who are authorised to represent the airline before the aeronautical authorities of India.]*

- xii) Details of the International Convention(s) / Protocol(s) on airline liability towards passengers and cargo ratified by the country designating the airline.

*[A letter to this effect shall be obtained from the Government of the country designating the airline and submitted to the DGCA.]*

3.2 The above documents shall be furnished at least 60 days prior to the proposed date of commencement of air services.

3.3 On submission of the aforesaid documents and fulfilment of other requirements specified in the air services agreement, the airline may be issued the Operating Authorisation.

3.4 The validity of the Operating Authorisation shall be for a period not exceeding five years. For renewal of the Operating Authorisation, the designated airline shall make an application to DGCA at least 90 days prior to the date of expiry, giving all documents / information listed in paragraph 3.1 except those shown against clauses i) and ix) thereof.

3.5 The DGCA reserves to itself the right to seek at any time information in respect of particulars mentioned in sub-para 3.1 above and any other relevant information so as to satisfy itself that the designated airline continues to meet all the requirements on the fulfilment of which the Operating Authorisation was issued.

#### **4. CODE-SHARE FLIGHTS**

Certain bilateral Air Services Agreements provide for operation of code-share flights by entering into cooperative marketing arrangements with the airline(s) of the same Party, airline(s) of the other Party or airline(s) of a third country. In such cases, one of the designated airlines performs the agreed services as the operating airline while other airlines operate as marketing airline(s). Although both the operating as well as the marketing airline(s) are required to obtain the Operating Authorisation from the DGCA under the respective Air Services Agreements, the marketing airlines(s) shall not be required to submit the documents/information specified in v), vii), viii) and ix) of paragraph 3.1 above.

#### **5. COORDINATION OF SLOTS**

The designated airline shall coordinate the allocation of slots with the slot coordinator and prepare the flight schedule in accordance with the approved slots.

#### **6. FILING OF SCHEDULE**

After slot clearance, the designated airline shall file the proposed flight schedule with the Directorate of Regulations and Information in the DGCA for approval. The schedule shall be filed at least 30 days prior to the commencement of the proposed air services, and shall contain information relating to the type of service and its frequency, the type of aircraft to be used and the flight timings. The flights shall be operated only after the schedule has been approved by the DGCA.

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