

Telephone No. : 4622495 Telegraphi Address: Commercial : AIRCIVIL NEW DELHI Aeronautical : VIDDYAYX E Mail: dri@dgca.nic.in Fax 011 24629221	GOVERNMENT OF INDIA AERONAUTICAL INFORMATION SERVICES DIRECTOR GENERAL OF CIVIL AVIATION OPPOSITE SAFDARJUNG AIRPORT NEW DELHI-110003	Sl. No. 10 /2009 <hr/> 10 th Nov., 2009
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The following circular is issued for information, guidance and compliance.

Nasim Zaidi

(Dr.Nasim Zaidi)

Director General of Civil Aviation

**Guidelines for grant of Permission to Foreign Airlines to operate
Additional Capacity to/from India**

1. Introduction

The Kaw Committee which was set up by the Government for restructuring and strengthening of the DGCA, had recommended that NOC from Air India or Indian Airlines may not be obtained for clearing extra-section flights of foreign airlines, if these flights fall within their bilateral entitlements. However, in the case of requests for additional flights by foreign airlines going beyond their entitlements, the Government should lay down some guidelines, based on which such requests may be dealt with by DGCA without the need to obtain NOC from Air India, Indian Airlines or any other Indian carrier designated under the bilateral agreement. The guidelines of the Government should take into consideration the bilateral aspects such as grant of reciprocal privileges to our carriers by the respective foreign government.

2. Guidelines for operation of additional capacity

2.1 The Government has accepted this recommendation of the Kaw Committee and has laid down the following guidelines for grant of permission for operation of additional flights or upgradation of aircraft:-

- i) The airline shall make a request to the DGCA (Directorate of Regulations and Information) at least one week prior to the proposed date of operation giving full justification for operation of extra-section flight.
- ii) The request for additional capacity shall be granted if it falls within their capacity entitlements enshrined in the respective bilateral Air Services Agreement.
- iii) The additional capacity beyond the bilateral entitlements shall be granted under the following circumstances:-
 - a) Any emergency situation such as outbreak of epidemic or natural calamity necessitating operation of additional capacity for the purpose of evacuation or relief work;
 - b) Any conference or meeting having global character such as NAM or CHOGM etc. which may require the movement of delegates on particular days;
 - c) Any international sports events such as World Cup etc. necessitating huge movement of sports persons, spectators/audience etc; and
 - d) Peak period or seasonal rush such as during Christmas / New Year etc.

2.2 The operation of additional capacity on the above grounds shall be subject to the caveat that the total additional capacity mounted by the airlines in a particular schedule period shall not exceed 10% of the weekly capacity entitlements enshrined in the respective bilateral arrangements between the Government of India and the Government of the country of the foreign airline.

2.3 The privilege to operate additional capacity in accordance with clause (iii) of sub-paragraph 2.1 and sub-paragraph 2.3 shall be extended to the designated airlines of a foreign country on the basis of reciprocal facility being made available to the Indian designated airlines, if and when requested.

3. Applicability

These guidelines will be applicable only for the scheduled designated foreign carries and will not include the non-scheduled or charter flight.
