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GOVERNMENT OF INDIA

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION

TECHNICAL CENTRE, OPP SAFDURJUNG AIRPORT, New Delhi

**CIVIL AVIATION REQUIREMENT
SECTION 3 AIR TRANSPORT
SERIES 'C' PART V
17th MAY, 2000**

EFFECTIVE : FORTHWITH

SUBJECT: MINIMUM REQUIREMENTS FOR GRANT OF PERMIT TO OPERATE NON-SCHEDULED AIR TRANSPORT SERVICES (CHARTER OPERATION).

1. INTRODUCTION

Sub-rule 3 of Rule 134 of the Aircraft Rules, 1937 specifies that no air transport service, other than a scheduled transport service or an air transport service to which the provisions of Sub rule 1 or 2 of Rule 134 apply, shall be operated except with the special permission of the central government and subject to such conditions as it may think fit to impose. This Civil Aviation Requirement contains the requirements for grant of permit for Non-Scheduled Air Transport Services (Charter Operations). This CAR is issued under provisions of Rule 133A of the Aircraft Rules, 1937. These requirements are complimentary to the requirements of ICAO Annex 6 Part I, as applicable to non-scheduled operations.

2. APPLICABILITY AND SCOPE

2.1 This CAR is applicable to Non-scheduled Air Transport Services (Charter Operations) using:

- (i) Twin engined aeroplane having maximum seating capacity not exceeding nine seats excluding crew seats;
- (ii) Single turbine engined aeroplane having maximum seating capacity not exceeding nine seats excluding crew seats; or
- (iii) Single piston engined aeroplane having maximum seating capacity not exceeding four seats excluding crew seats.

2.2 No person shall carry out Non-Scheduled Air Transport Services (Charter Operations) using single piston engined aeroplane having maximum seating capacity of more than four seats and single turbine engined aeroplane having maximum seating capacity of more than nine seats excluding crew seats.

3. DEFINITION

For the purpose of this CAR, the following definitions shall be followed:

Non-Scheduled air transport services (passenger) means air transport services other than scheduled air transport services as defined in the Rule 3 of the Aircraft Rules, 1937.

Charter operation is an operation for hire and reward in which the departure time, departure location and arrival locations are specially negotiated with the customer or the customer's representative for entire aircraft. No ticket is sold to individual passenger for such operation.

4. ELIGIBILITY REQUIREMENTS

4.1 A Non-Scheduled Operator's Permit can be granted only to:

a) a citizen of India;

or

b) a company or a body corporate provided that:

- i) it is registered and has its principal place of business within India;
- ii) its chairman and at least two-thirds of its directors are citizens of India; and
- iii) its substantial ownership and effective control is vested in Indian nationals.

4.2 Before the Non-Scheduled Operator's Permit is issued, an applicant shall have:

- (a) a minimum subscribed equity capital as given below, as amended from time to time:

Fleet Strength	Minimum Subscribed equity (Rs. In Crores)
(i) Upto 3 aircraft/helicopters	1.00
(ii) Between 4 and 10 aircraft/ helicopters	2.00
(iii) Above 10 aircraft/ helicopters	5.00

However, in the case of an existing company operating aircraft either in private category or as a non-scheduled operator, instead of subscribed equity, its net worth equivalent to the above said amount would be considered as meeting the minimum requirement to assess the financial soundness of such company or they may raise the subscribed equity for the required amount. The applicant shall submit a certificate from the banker / chartered accountant to confirm the paid up capital of the company;

4.3 Before the Non-Scheduled Operator's Permit is issued, an applicant shall :

4.3.1 Be in possession of an aircraft either by outright purchase or through lease. The aircraft shall be registered in India and shall hold a Certificate of Airworthiness in Normal Passenger category. Aircraft acquired and certified in Private category shall not be used for commercial air transport services. For leased aircraft, a copy of the lease deed shall be filed with DGCA;

4.3.2 Have his own maintenance and repair facilities for carrying out the maintenance as per DGCA requirements specified in CAR Sec-2 Airworthiness

or

Make suitable arrangements with any other DGCA approved maintenance organization, for all maintenance including line maintenance of the type of aircraft. The operator shall provide to DGCA a copy of the agreement made with the maintenance agency in this regard. A suitable person in the organization and acceptable to DGCA shall be designated to ensure that the maintenance is carried out as per DGCA approved program;

4.3.3 Have adequate number of flight crew, duly licensed or authorized by DGCA; and

4.3.4 Have adequate/ appropriate manpower to ensure the following:-

- i) ground handling
- ii) loading of aircraft
- iii) preparation and filing of Flight plan

5 PROCEDURAL REQUIREMENTS

Air Transport Advisory Circular No. 1/97 dated August 97 gives the general requirements and procedure for Air Operator Certification. Broadly, the following steps shall be followed for grant of Operating Permit for Non-Scheduled operations with aircraft having certified seating capacity upto nine passenger seats.

5.1 Grant of Initial No-Objection Certificate

5.1.1 An applicant desirous of obtaining a Non-Scheduled Operator's permit for operating aircraft having maximum certified passenger seating capacity not exceeding nine seats excluding crew member seats, shall first apply for an initial No-Objection Certificate (NOC). The application (eight copies) shall be submitted to the Ministry of Civil Aviation, New Delhi, in the proforma prescribed in Annexure I, along with a bank draft of Rs. 30,000/- (Rupees thirty thousand only) payable at any scheduled bank at Delhi in favour of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

5.1.2 The application, as per proforma given in Annexure I shall contain information on the following aspects:

- a) Details of the proposed operations
- b) Particulars of the Directors and Chairman of the firm seeking NOC, for security clearance, as per Annexure IIIA/ IIIB.
- c) Project feasibility report for the proposed operation as per Annexure IV.
- d) Proposed financial structure.
- e) Acceptable proof of the ability of the applicant to run air services on a sustained basis
- f) Ownership pattern of the applicant
- g) Time frame in which the applicant proposes to operationalise the various stages of the project
- h) Aircraft type and maximum type certified seating capacity and its suitability for passenger services

- i) Human resources and maintenance support
 - j) Any other information that may be required by the Ministry of Civil Aviation or DGCA.
- 5.1.3 The applicant shall submit his draft security manual to BCAS, as per Annexure V for approval before issue of NOC.
- 5.1.4 Before grant of NOC, security clearance of the Directors and Chairman of the firm shall be required. Approval of Foreign Investment Promotion Board (FIPB) shall also be required, if foreign investment is envisaged.
- 5.1.5 Foreign equity upto 40% and NRI/OCB investment upto 100% would be permitted in the domestic air transport services. However, equity from foreign airlines will not be allowed, directly or indirectly, in domestic air transport services. The applicant shall fulfill the requirements of AIC No. 4/1998 dated 17.7.1998, as amended from time to time.
- 5.1.6 Foreign financial institutions and other entities that seek to hold equity shall not have any foreign airlines as their shareholders. Applicant shall furnish full and detailed information with regard to shareholding of any airline in the foreign investing institution/entity, if any, and composition of the board of directors and senior management of such foreign investing institution/entity.
- 5.1.7 The applicant shall furnish a declaration that no foreign airline is in financial or commercial tie up with it or has the management/ownership interest in it.
- 5.1.8 The foreign financial institution/entity seeking to hold equity may have representation on the board of directors of the company provided such representation shall not exceed one third of the total.
- 5.1.9 The foreign financial institution/entity seeking equity with the operator shall not be a subsidiary of a foreign airline. The company leasing aircraft to the operator shall also not be a part of an airline.
- 5.1.10 The operator shall not have agreements such as shareholders agreements etc. with a foreign airline containing provisions/arrangements empowering such foreign airlines or others on their behalf to have effective control in the management of the domestic airline. The operator shall not enter into an agreement with a foreign airline, which may give such foreign airline the right to interfere in its management.
- 5.1.11 The operator may enter into financial arrangement with banks and/or other financial institutions for the purpose of lease finance/hire purchase or other loan arrangements. Such a tie up, however, shall not be permitted with a foreign airline.
- 5.1.12 Management contract with a foreign airline shall also not be permitted.
- 5.1.13 The operator may be permitted to get maintenance, overhaul, repair works done and training of pilots/engineers conducted either at the facilities available with other

airlines in India or those approved by the DGCA on such terms and conditions as may be prescribed.

- 5.1.14 After such scrutiny as is considered necessary, applicants who fulfill the basic requirements shall be issued with the initial NOC by DGCA to become a Non-Scheduled operator subject to any conditions that the competent authority deems fit to impose.
- 5.1.15 The NOC shall initially be valid for one year and six months from the date of issue and shall stand automatically cancelled if the applicant does not take effective steps to obtain the Non-Scheduled Operator's Permit within this period. The competent authority may, however, extend the validity of the NOC on genuine grounds against payment of a fee of Rs. 15,000/- (Rupees fifteen thousand only) by a bank draft payable at any scheduled bank at Delhi in favour of the Pay and Accounts Office, Director General Of Civil Aviation, Ministry of Civil Aviation, New Delhi. Extension of NOC may be granted for a period of upto six months depending on the merits of the case. However, where the aircraft proposed to be imported is a new one with a definite delivery schedule, extension of NOC may be allowed for the actual lead time of delivery, even if it exceeds the total period of one and a half years. This restriction would apply both in respect of dry lease and outright purchase. Revalidation of NOC beyond said period may be done in genuine cases with the approval of the competent authority.

5.2 Actions to be completed before acquisition of aircraft

- 5.1.1 After receipt of initial NOC, the applicant shall take necessary steps in accordance with Air Transport Advisory Circular No. 1/97 to the satisfaction of DGCA for establishing the required infrastructure, recruitment and training of manpower, preparation and approval of operations manual, maintenance control manual, Minimum Equipment List, maintenance schedules etc. The applicant shall get the security manual approved by BCAS. The applicant shall show adequate preparedness to DGCA for conducting the operations on a sustained basis.
- 5.1.2 The applicant shall submit to DGCA a maintenance program based on the requirements of manufacturer and DGCA.
- 5.1.3 The applicant shall furnish the necessary information to show that the specific aircraft proposed to be imported meets the requirement for import of aircraft and that all mandatory modifications, Airworthiness Directives and equipment required to be installed have been complied with. A list of Mandatory Modifications and Airworthiness Directives pending compliance or terminal action, if any, shall be submitted to DGCA.
- 5.1.4 On completion of necessary preparedness, the applicant shall apply in the proforma prescribed in Annexure II (eight copies) to the Ministry of Civil Aviation, New Delhi for the issue of permission to import/acquire the aircraft.
- 5.1.5 After such scrutiny as may be considered necessary, the Ministry of Civil Aviation may grant the applicant permission for acquisition of the aircraft with such conditions as may be specified.

- 5.1.6 The permission to import the aircraft shall be valid for one year. This permission may be extended on one time basis by 3 months on genuine grounds with the prior approval of the competent authority. However, where the aircraft proposed to be imported is a new one with a definite delivery schedule, the validity of import permission shall be in accordance with the delivery schedule. Extension beyond the said period may be granted in genuine cases with the approval of the competent authority.
- 5.1.7 Acquisition of aircraft by local purchase/lease within the country shall also be with the approval of the competent authority.
- 5.1.8 The applicant shall provide the names, licence details, endorsements and flying details of the pilots and engineers recruited by them.
- 5.1.9 The applicant should get the training programme for pilots and engineers approved by DGCA and ensure that the training is completed before the aircraft is acquired.

5.2 Application for Grant of Operating Permit

- 5.2.1 After import/acquisition of the aircraft in accordance with the requirements of para 4.2 of this CAR, the applicant shall apply to DGCA for grant of the Non-Scheduled Operator's Permit.
- 5.2.2 The application for grant of the permit shall contain information on the following aspects:
- a) Details and particulars of the specific aircraft intended to be used;
 - b) A copy each of Certificate of Registration and the Certificate of Airworthiness of the aircraft;
 - c) Approval of applicant's maintenance organization and details of approved organizations who will undertake major maintenance of the aircraft;
 - d) Details of licenses and type ratings of the operating crew and engineers and approvals of other key personnel by DGCA. If the operator intends to employ foreign pilots and engineers for a specified period, specific approval of the competent authority shall have to be obtained in accordance with AIC 4/98.
 - e) A current comprehensive insurance policy covering passengers and their baggage, crew, third party risks, hull loss, and any other conditions that may be specified by DGCA;
 - f) The financing pattern on which the aircraft has been bought/ leased;
 - g) Details and justification for any changes made in the information supplied at the time of obtaining the initial NOC;
 - h) Acceptable proof of compliance of conditions of the NOC;

- i) Compliance of requirements for leased aircraft operations if the aircraft is acquired on lease;
- j) Information to show the fulfilment of operational, maintenance and security requirements
- k) A statement showing compliance with the conditions specified in AIC No. 4 of 98.

5.2.3 Security clearance of foreign flight crew and engineers, proposed to be employed, shall be necessary before they can be allowed to operate/ maintain Indian registered aircraft in India. The operator shall be permitted to employ foreign, flight crew/engineers, till he is able to train his own manpower subject to the express approval of the competent authority and for such period and terms as may be prescribed by the said authority.

6 AIRCRAFT AND AIRWORTHINESS REQUIREMENTS

- 6.1 The aircraft shall have been type certified to the satisfaction of DGCA as specified in CAR Sec.2 Series F, Part III and shall have maximum certified passenger seating capacity not exceeding nine seats excluding crew member seats.
- 6.2 Single or Multi engine helicopter and multi engine aeroplane can be used for Charter Operations as well as operations involving selling of tickets to individual passengers.
- 6.3 Pressurized aircraft to be imported for non-scheduled operations shall not be more than 15 years in age or have completed 75 percent of its design economic life or 45,000 pressurisation cycles whichever is earlier. However, this requirement will not be applicable for Indian registered aircraft maintained in accordance with DGCA requirements.
- 6.4 For the import of unpressurised aircraft, the decision will be taken on a case-to-case basis depending on a complete examination of the records and, if required, inspection of the aircraft being procured. However, DGCA would normally not allow import of more than 20 years old aircraft. This requirement will not be applicable for Indian registered aircraft maintained in accordance with DGCA requirements.
- 6.5 Permission for import of specific aircraft suitable for non-scheduled operations shall have to be obtained from the competent authority prior to import. The aircraft shall be certified as suitable for the intended operations by the regulatory authority of the country of manufacture which should be acceptable to DGCA, India.
- 6.6 Before import of an aircraft, the applicant shall ensure that no major checks including those applicable to aging aircraft, if applicable, are due within six months.
- 6.7 Eligible applicants can import aircraft from their own foreign exchange resources through arranging/ buying foreign exchange from the open market as per the rules and regulations of the Ministry of Finance and/or Reserve bank of India.

- 6.8 The applicant may, with the approval of the competent authority, acquire suitable aircraft within the country, on purchase/ lease for operation of services.
- 6.9 Before deploying an aircraft for operations, the aircraft shall be endorsed on the Non-Scheduled Operator's Permit.
- 6.10 The aircraft shall be fitted with mandatory equipment's as specified by DGCA from time to time.
- 6.11 The aircraft shall be maintained by an approved organization in accordance with CAR Section 2, Series 'E' and shall comply with the various requirements, as specified from time to time.

7 OPERATIONAL REQUIREMENTS

- 7.1 Except under the provisions of para 7.3 of this CAR, Non-Scheduled Operators shall operate services to destinations within India including on routes operated by scheduled operators.
- 7.2 Prior permission of DGCA is not required for individual non-scheduled flights covered under this CAR except charter flights to foreign destinations.
- 7.3 Multi engine aircraft may be permitted to operate non- scheduled charter flights to foreign destinations. There would be no restriction on the frequency for such international operations. A notice of three working days will be required by DGCA for clearing such flights. This notice period may be waived off for medical evacuation flights, relief flights, during natural calamities and ambulance flights (in which case the name of the patient and doctor should be provided to DGCA). Such services can be operated in accordance with the requirements contained in CAR Section 3, Series 'C' Part VII.
- 7.4 Non-Scheduled Operators can operate to/from all the airports in the country, having suitable ATC facilities, necessary security arrangements and suitable for the type of aircraft. For operations to defence airfields. Specific clearance of concerned defence authorities shall be obtained by the operator.
- 7.5 Non-Scheduled Operators shall ensure that all the security requirements stipulated by Bureau of Civil Aviation Security are strictly followed in respect of their operations at all airports.
- 7.6 Airports Authority of India/ Defence Authorities/ State Government authorities and owners of other licensed/ approved aerodromes, as the case may be, shall provide safety services for operation of non-scheduled services from their aerodromes within the normal watch hours. For operation outside ATC watch hours, necessary clearances from the competent authorities for extension of watch hours shall be taken before commencing the flight. The flight shall be conducted in accordance with the conditions specified and approved by such authorities.
- 7.7 The operator shall ensure that a copy of the Operations Manual of the aircraft type is carried on board each aircraft. The operator shall operate flights in conformity with the provisions of the Operations Manual.
- 7.8 Flight and duty time of the crew shall be within the limits stipulated in the Aircraft Rules and the requirements laid down by DGCA.

- 7.9 The operator shall submit the flight plan of each flight with the air traffic services unit in the normal course and obtain clearance thereto well before the expected time of operation. In case of Air Defence Identification Zones (A.D.I.Z.), the additional requirement of obtaining Air Defence Clearance shall be strictly adhered to.
- 7.10 The Pilot-in-Command of the aircraft or an authorised person shall obtain meteorological and ATC briefings before undertaking the flight.
- 7.11 Articles classified as dangerous goods, arms, ammunition, explosives and inflammable materials and such other articles as the Director General may decide from time to time shall not be carried on board.
- 7.12 For operations under instrument meteorological conditions, the aircraft shall be fitted with suitable equipment required for instrument flying and type certified for Instrument Flight Rating (IFR) operations and the pilot shall hold appropriate and valid instrument rating.
- 7.13 All aircraft shall carry a route guide.
- 7.14 A copy of the permit issued for non-scheduled operations shall be carried on board the aircraft when operating such services. The Permit shall also be displayed in the office of the chief executive of the company.
- 7.15 The applicable requirements enumerated in CAR Section 8 - Flight Operations, Series 'A' Part II relating to safety regulation and oversight of flight operations shall be complied with by all non-scheduled operators.

8 ISSUE OF OPERATING PERMIT

After such scrutiny as necessary, DGCA shall issue the operating permit for Non-Scheduled Operations along with Operations Specifications stipulating any conditions, if considered necessary, to those applicants who meet all the requirements and have established the necessary infrastructure and systems and have the required qualified manpower. DGCA may grant short term authorisation to commence operations, if considered necessary, pending compliance of certain requirements.

9 RENEWAL OF OPERATING PERMIT

- 9.1 Non-Scheduled Operators Permit shall be renewable by DGCA every year against payment of a fee of Rs. 15,000/- (Rupees Fifteen thousand only) by a bank draft drawn on a scheduled bank at Delhi in favour of the Pay and Accounts Office, Director General Of Civil Aviation, Ministry of Civil Aviation, New Delhi.
- 9.2 The operator shall submit its internal safety audit report within 30 to 60 days prior to expiry of the permit. DGCA may also carry out an audit of the operator's facilities if considered necessary.

9.3 The operator shall demonstrate continued capability to conduct the operations authorised under the operating permit.

10 GENERAL REQUIREMENTS

10.1 Any change in the Board of Directors at any time shall be intimated to the Ministry of Civil Aviation and DGCA along with the details of new chairman or director as per annexure IIIA/IIIB. New chairman and directors shall be appointed only after obtaining their security clearance.

10.2 Non-Scheduled Operators' Permit (Charter Operations) shall not be transferable.

10.3 Prior permission of DGCA/Ministry of Civil Aviation shall be required for

- a) Change in the name of the Company;
- b) Change in management of the Company arising out of changes in the equity holdings of the Company;
- c) Take over of the Company by another Company.

10.4 Landing and parking charges shall be payable to the owner of the airfield. For operations from defence airfields where Airports Authority of India have civil enclaves, a separate charge may be payable to the Airports Authority. The Route Navigation Facilities Charges (RNFC) shall be payable to the organisation which provides these facilities

10.5 For charter operations using single engined aeroplanes, airworthiness and operational requirements detailed in CAR Section 3, Series C, Part VI shall be complied with.

10.6 The operator shall regularly submit to DGCA, information relating to their operational, engineering, commercial and financial performance.

10.7 Passenger tickets required to be issued for operations carried out with multi engined aeroplane shall be in accordance with the provisions of the Carriage By Air Act, 1972 and any other requirements which may be prescribed by DGCA. The tickets shall stipulate the conditions of carriage including the liability of the operator which shall be the same as applicable to the scheduled air transport operators. A sample copy of the ticket shall be submitted to DGCA.

10.8 The operator shall maintain a current insurance for an amount adequate to cover its liability towards passengers and their baggage, crew, cargo, hull bss and third party risks in compliance with the requirements of the Carriage by Air Act, 1972, or any other applicable law/requirement.

10.9 The operator shall be responsible for payment to the concerned authorities all applicable charges and taxes such as passenger service fees, inland air travel tax, foreign travel tax, etc., pertaining to the operation of air transport services.

- 10.10 An operator may, with prior permission of the competent authority, borrow an aircraft from another operator in case of need.
- 10.11 DGCA/Ministry of Civil Aviation may stipulate any other condition to ensure safety of operations or relax any requirements, if considered necessary.
- 10.12 Degradation of the operator's capability below the required level or breach of any of the requirements of this CAR or of any provisions of Aircraft Act, 1934, Aircraft Rules, 1937, Civil Aviation Requirements, orders/ directions/ requirements issued under the said act or rules and as amended from time to time, shall render the Operating Permit liable to alteration, suspension or cancellation.

Sd/-
(SATENDRA SINGH)
JOINT DIRECTOR GENERAL OF CIVIL AVIATION

ANNEXURE I

**APPLICATION FOR GRANT OF N O C TO OPERATE
NON-SCHEDULED AIR TRANSPORT SERVICES (CHARTER OPERATIONS)**

1. Applicant's details

A. In case of an individual

- a) Name
- b) Nationality
- c) Address in India with Telephone, Telex, Fax numbers

B. In case of a company or a corporate body

- a) Name of the company/corporate body with details of registration.
- b) Address with telephone, telex, Fax numbers of the registered office.
- c) Address of principal office of business, including operations and maintenance bases.
- d) Full details of any other business the company are engaged in.
- e) Names and nationality of the Board of Directors.
- f) Details of the share holding of the company.
- g) Percentage share of foreign nationals or company, if any, in the capital of the company.
- h) A copy each of the certificate of incorporation and Memorandum and Articles of Association.
- i) State whether Air Transport operations is one of the objectives of your company and enclose a copy of Certificate of Incorporation and MOU.
- j) Details of experience in civil aviation field/activities

2. Details of Organisation

- a) Overall set up including details of operational, management, engineering quality control set up, flight safety cell etc.
- b) Proposed maintenance facility with details of organisation, equipment and approved program.
- c) Staff strength of the proposed maintenance personnel and plans of their training.
- d) Number of flight crew with details of their licences and plans of their training for each type of aircraft in the fleet
- e) Sources of pilots and engineers
- f) Main maintenance base and operational bases
- g) Place(s) where the aircraft will night stop with the number of aircraft at each place.

3. Details of aircraft proposed to be operated

- a) Whether the aircraft is acquired on outright purchase or lease finance (indicate wet lease or dry lease).
- b) Name and address of Owner /Lessor for the purpose of registration of aircraft.
- c) Number and type of aircraft.

- d) Passenger capacity of each type of aircraft.
 - e) Maximum all up weight
 - f) Whether the aircraft is type certified
 - g) Arrangements for ground handling equipment at each airport of proposed operations.
 - h) Details of personnel to handle dangerous goods
4. Details of routes proposed to be operated with the type of aircraft.
 5. Potential need for the proposed services
 6. Projected profitability (a copy of feasibility study as given in Annexure IV may be enclosed).
 - 11 State if the applicant has at any time contravened any provision of the Aircraft Act 1934 and/or the rules made thereunder. If so, give details.
 - 12 Particulars of fees, the name of the Bank (to be drawn on any scheduled bank in Delhi, payable to Pay and Accounts Office, Director General Of Civil Aviation, Ministry of Civil Aviation, New Delhi).
 - 13 Statement showing compliance with the Civil Aviation Requirements CAR Section 3 Series 'C' Part I (if the aircraft is leased by the operator).
 - 14 Statement showing compliance with the requirements of CAR Section 3 Series 'E' Part I for operations to new stations, if proposed.
 - 15 By what time the operations are proposed to be started
 - 16 Other information to meet the provisions of the Aircraft Rules 1937.
 - 17 Details of the security program filed with BCAS.

Certified that the statement made/information given in this application are true.

(Signature of the applicant/authorised signatory.)

Note : Eight copies of the application are required to be submitted to the Ministry of Civil Aviation (Department of Civil Aviation). All copies of the application should be supported by documents wherever necessary.

ANNEXURE II

**APPLICATION FOR IMPORT/ ACQUISITION OF AIRCRAFT FOR
NON-SCHEDULED AIR TRANSPORT SERVICES (CHARTER OPERATIONS)**

Part I General Information

1. Name and Address of the operator
2. Name(s) of Directors of the firm/company. If any change in the list of Directors is made, the same should be furnished along-with address, fax no. etc.
3. Existing fleet strength, type-wise and their seating capacity
4. (a) Aircraft type, number, configuration and other technical details in respect of the aircraft proposed to be imported/acquired. (Details of aircraft to be furnished as per format given below in Part II)
(b) Maintenance and operational base of the proposed aircraft.
5. Proposed financing pattern and aircraft lease (whether on purchase, wet lease or dry lease etc.) and purchase terms.
6. Source of crew and their names.
 - (a) For existing fleet.
 - (b) For proposed fleet.
7. Arrangements for training of crew.
8. Source of engineers/technical staff and their names.
 - (a) For existing fleet
 - (b) For proposed fleet
9. Arrangements/level of readiness for maintenance of aircraft.
10. Level of readiness of security arrangements.
11. Proposed route pattern.
12. Estimates of market demand.
13. Profitability analysis.
14. Evidence on compliance with the guidelines on scheduled operations.
15. Evidence on compliance with the guidelines issued vide AIC No. 4/1998 as amended from time to time.

Note: In case of any change in information under any head from the information supplied at the time of grant of NOC. Full justification and details should be given.

Part II Details of the Aircraft

- a) Type and Make of the aircraft:
- b) Nationality and Registration of the aircraft:
- c) Year of manufacture of the aircraft:
- d) Name of manufacturer of the aircraft:
- e) Serial number of the aircraft:
- f) No. of passenger seats / Weight of cargo permissible as per type certificate of the aircraft/ helicopter:
- g) Maximum certified take-off mass:
- h) Engine type mounted on aircraft
- i) Number of hours flown since new:
- j) Number of landing since new:
- k) Number of pressurisation cycles since new:
- l) Last major check done and number of hours since flown:
- m) Next major check due
- n) Name of the company from which the aircraft/helicopter is being taken on lease:
- o) Previous history of aircraft with details of any incident/accident involving structural damage:
- p) Name of the Authority and country which issued the last Certificate of Airworthiness:

UNDERTAKING

It is confirmed that the aircraft after registration in India shall be maintained, operated and de-registered (if required) in accordance with the Indian rules, regulations, procedures and any condition specified by DGCA India and there is no binding or limitation of any kind in this regard in the lease agreement for the acquisition of the aircraft.

(Signature of the Applicant/Authorised Signatory)

**INFORMATION REQUIRED FOR SECURITY CLEARANCE
OF CHAIRMAN AND DIRECTORS OF BOARD
(INDIAN NATIONALS)**

- 1) Name and full address of the organisation:
- 2) Name in full:
- 3) Qualification:
- 4) Father's/husband's name in full:
- 5) Date and place of birth:
- 6) Permanent address:
- 7) Present address in India:
- 8) Passport No. Date and place of issue.
and its validity:
- 9) Present occupation:
- 10) Bankers:
- 11) Any other information:

Authorised signatory of the company.

ANNEXURE III B

**INFORMATION REQUIRED FOR SECURITY CLEARANCE
OF CHAIRMAN AND DIRECTORS OF BOARD
(NRI / FOREIGN NATIONALS)**

- 1) Name and full address of the organisation:
- 2) Name in full:
- 3) Qualification:
- 4) Nationality
- 5) Father's/ husband's name in full:
- 6) Date and Place of birth:
- 7) Present address in India:
- 8) Permanent Address a) In India:
 b) Abroad:
- 9) Present Occupation:
- 10) Passport. No. Date and Place of issue and its validity:
- 11) Duration of stay abroad:
- 12) Bankers:
- 13) Any other relevant information:

Authorised signatory of the company.

ANNEXURE IV

PROJECT FEASIBILITY REPORT

I. The applicant's project feasibility report should clearly indicate the following:-

- i) The applicant's background and credentials.
- ii) Estimates of market demand.
- iii) Proposed route pattern.
- iv) Aircraft type, number and source including aircraft lease/purchase terms.
- v) Source of crew and technical personal.
- vi) Source and deployment of funds.
- vii) Profitability projections.
- viii) Details of Foreign investment/equity participation and parawise comments on AIC No. 4/1998.
- ix) Arrangements for maintenance and training of aircraft maintenance engineers and crew.

II. Other details should include:-

- i) Ownership pattern and proposed financial structure.
- ii) Acceptable proof of the applicants activity to run air transport services on a sustained basis.
- iii) Time-frame in which the project would be operationalised, schedule of activities and time frame for each activity.

GOVERNMENT OF INDIA

**BUREAU OF CIVIL AVIATION SECURITY
"A" WING, JANPATH BHAWAN, JANPATH, NEW DELHI -110001**

**GUIDELINES / INSTRUCTIONS FOR FILING
"DRAFT SECURITY PROGRAMME" BY AIR OPERATORS**

1. Each Contracting State shall require the Appropriate Authority to define and allocate the tasks for implementation of the National Civil Aviation Security Program as between agencies of the State, airport administrations, operators and others concerned.
 - 3.1.7 – of 6th edition (March 1997) of ICAO Annex 17 (Mandatory Requirement – Standard practice).
2. Each Contracting State shall require operators providing service from that State to implement a security programme appropriate to meet the requirements of the National Civil Aviation Security Programme of that state.
 - 3.1.18 – of 6th edition – (March-1997) of Annex –17-ICAO (Mandatory Requirement Standard practice)
3. The appropriate authority requires each operator to appoint a chief security officer. Such an appointment is essential to the development and effective implementation of the operator's Security Programme –
 - 3.1.18 ICAO Security Manual.
4. The operator's Chief Security Officer should be established at the corporate level. The incumbent should have a professional security background and be familiar with aircraft and airline operations. The chief security officer must have the authority required to ensure full implementation and enforcement of the operator's programme
 - 3.13.9 – ICAO Security Manual.
5. Security Programme should be prepared in the same sequence of chapters as shown in the format/structure.
6. In case of a foreign airline already having Security Manual of its own, it should submit the Draft Security Manual on all chapters as "India supplement".
7. Agencies responsible for providing various services (ground handling/security functions etc.) should be mentioned in each chapter, wherever required. Extracts of agreements regarding implementation of Aviation Security Measures, if any, should be attached.
8. Various formats referred to in the Programme, company's organisational charts, aircraft diagrams etc. should be attached.
9. If a particular point/chapter is not applicable, it should be stated so, under that chapter.
10. Each point/chapter should be quite clear, concise and self contained.
11. Ambiguous explanations should be avoided.
12. The Draft Security Manual to be submitted in a book-let form furnishing information on the following chapters:-
 - (i) Introduction

- (ii) Security Set up of the airline
- (iii) Aircraft Security
- (iv) Security Control of Registered baggage/Checked baggage/hold baggage.
- (v) Security Control of passengers and hand baggage.
- (vi) Security of Cargo and unaccompanied baggage.
- (vii) Security of Courier bags.
- (viii) Security of mail/diplomatic bags/Company mail stores
- (ix) Security of Catering.
- (x) Security of handling of interline/transfer/transit passengers/baggage
- (xi) Handling and carriage of arms and ammunitions.
- (xii) Security handling of dead body/human/crematal remains etc. as cargo.
- (xiii) Response to acts of unlawful interference.
- (xiv) Handling of bomb threat contingency, sabotage.
- (xv) Procedure of surveillance and internal communication during operation hours.
- (xvi) Additional points.

FORMAT/STRUCTURE OF OPERATOR'S SECURITY MANUAL

CHAPTER – I

INTRODUCTION

Introductory details of the airline specifically on following points :

- 1) Inception and brief history.
- 2) Names, addresses, phone Nos. and fax Nos. of important and top functionaries at corporate office, regional office and local office etc.
- 3) Objectives, Area of operations, Types of aircraft, diagram of the aircraft and its flight frequency.
- 4) Nature of operation: whether private air operator for private purposes or company purpose, if code sharing arrangement and joint venture operation to be undertaken, whether scheduled/non-scheduled, passenger flight or cargo services.

CHAPTER – II

SECURITY SET-UP OF THE AIRLINE

- 1) Organisational chart of security set-up starting from Chief Security Officer at the corporate level downward to Security Asstt. at local level – their names, courses attended on aviation training, experience in the field of aviation security handlings, etc.
- 2) Details of duties assigned to chief security officer and others in the security organisation.

- 3) Details of security equipment held.

**CHAPTER – III
AIRCRAFT SECURITY**

- 1) The exterior and interior inspection of aircraft
- 2) Security of flight manuals and crew baggage
- 3) Review of security communication and signal procedure for the purpose of analysing any intelligence and threat information for its impact upon the flight
- 4) Confirmation of the presence and seat adjustment of any authorised armed passengers, person in custody and their escorts.
- 5) Anti-sabotage checks at originating station/transit station/turn-around station.
- 6) Access control to the aircraft (doors/cargo hold), frisking of staff entering into and physical check of items being carried into the aircraft and maintenance of aircraft 'Entry Register'.
- 7) On the job supervision during cleaning/maintenance.
- 8) Secondary ladder point check whenever required
- 9) In-flight vigilance by the crew staff.
- 10) In-flight duties of pilot-in-command and flight crew.
- 11) Detailed instructions relating to protection of 'flight deck'.
- 12) Agency responsible for above security functions.
- 13) In-flight aircraft search procedure.

**CHAPTER – IV
SECURITY CONTROL OF REGISTERED BAGGAGE/ CHECKED BAGGAGE/HOLD
BAGGAGE.**

- 1) Protection of blank registered baggage tags and security seal stickers etc. (Sample of such tags and stickers to be attached for approval of BCAS).
- 2) Security measures for the baggage and pax profiling, manual check/X-ray screening, procedure of identification/reconciliation/ Gate No Show Drill (Percentage of physical check of hold baggage in addition to Xray BIS to be specified and its records to be maintained).
- 3) Arrangement for security supervision of baggage during its movement starting from X-ray BIS to check in area/baggage make up area and up to the aircraft.
- 4) Agency responsible for above security functions.
- 5) Special measures to be taken for security cleared electric, electronic and battery operated items.
- 6) Mishandled (expedite) baggage (normal and high threat situations, including system of inquiry into the circumstances leading to separation of baggage from passengers and the airline official responsible for making judgement as to the nature of additional security control required before transporting it).

- 7) Off-airport check-in procedure for hold baggage.
- 8) Special measure for high-risk flights.

CHAPTER – V

SECURITY CONTROL OF PASSENGERS AND HAND BAGGAGE

Airport Security Unit (APSU) as the authority of security control :

- 1) Protection of blank boarding card/hand baggage tags etc. (Samples of such tag and card to be attached for approval of BCAS).
- 2) Procedure of frisking and hand baggage screening by APSU for pax/cabin crew and other staff on duties.
- 3) List of VVIPs exempted for pre-embarkation checks i.e. frisking and hand baggage screening.
- 4) Procedure for pre embarkation check of the sick/wheel-chair/handicapped/disabled passengers.
- 5) Size and number of hand baggage authorised to be carried by passengers.
- 6) List of items prohibited from being carried into hand baggage.
- 7) Handling procedure of security removed items as per Govt. of India instructions.
- 8) Special measures to security-cleared electric, electronic and battery operated items.
- 9) Off-airport check-in procedure for passengers.
- 10) Special measures for high-risk flights.

CHAPTER – VI

SECURITY OF CARGO AND UNACCOMPANIED BAGGAGE

- 1) Security procedure (X-ray/physical check/cooling off) for cargo
- 2) Known/unknown shipper concept
- 3) Security supervision during storage, movement and transshipment
- 4) Handling of dangerous items
- 5) List of prohibited items as per IATA
- 6) Treatment of suspected cargo
- 7) Whether airline intends to use cargo warehouse of AAI or it has a warehouse of its own. In case of its own, the following details :
 - i) Premises
 - ii) Fencing
 - iii) Lighting
 - iv) Provision of access control to the warehouse
 - v) Regulation of vehicles in airside

- vi) Movement of people and vehicle
- vii) Character and antecedents verification of cargo warehouse employees.

**CHAPTER – VII
SECURITY OF COURIER BAGS**

- 1) Time for opening and closing of courier counters
- 2) Security procedure (X-ray/physical check) for courier bags
- 3) Items prohibited from being carried in courier bags
- 4) Format for manifest and identity certificate of courier on board.
- 5) Identification/reconciliation of courier bags.
- 6) Agency responsible for implementing the above procedures.

**CHAPTER – VIII
SECURITY OF MAIL/DIPLOMATIC BAGS/COMPANY MAIL STORES**

- 1) Security procedures (X-ray/physical check/cooling off) for postal mail/speed post/diplomatic stores/company stores.
- 2) Security supervision during movement and transshipment.
- 3) Procedure for Tarmac Transfer.
- 4) Agency responsible for security implementation.

**CHAPTER – IX
SECURITY OF CATERING**

- 1) Procedure of pre-setting catering items, affixing of security seal, security supervision and surveillance during its movement till its handling over to the flight steward.

**CHAPTER – X
SECURITY HANDLING OF INTERLINE/ TRANSFER/ TRANSIT
PAX / BAGGAGE**

- 1) Procedure/Agent responsible for the security of interline/transfer/transit pax/ baggage
- 2) Declaration that no interlining of baggage/pax shall be done unless a passenger has confirmed ticket reservation for the onward journey
- 3) Declaration that such baggage shall not be loaded unless it has been actually identified by the concerned pax.

**CHAPTER – XI
HANDLING AND CARRIAGE OF ARMS AND AMMUNITION**

- 1) Legal provisions
- 2) Airline's policy as to carriage of weapons
- 3) Valid documents of the arms and ammunition required for the purpose
- 4) Procedure to be adopted by the pax at check-in counter for the purpose of carrying weapon
- 5) Weapons and ammunition to be kept separately
- 6) Agency responsible for ensuring implementation of the above procedure

**CHAPTER – XII
SECURITY HANDLING OF DEAD BODY/ HUMAN CREMATAL REMAINS ETC. AS
CARGO**

- 1) Security procedure (X-ray/physical check) for the dead body/human remains
- 2) Death certificate from the appropriate authority.
- 3) Embalming certificate by the hospitals/ competent authority
- 4) Police clearance certificate for transportation
- 5) To establish identity of the relative/person when accompanying such consignments
- 6) To establish identity of the deceased.

FROM FOREIGN STATIONS :

- 1) Death certificate issued by the appropriate authority.
- 2) Embalming certificate issued by competent authority
- 3) Police clearance certificate
- 4) Clearance from the Indian Mission for carriage
- 5) Copies of cancelled passport of the deceased to establish nationality/citizenship.
- 6) Identity of the relative/person when accompanying such consignment to be established
- 7) In case no relative/person accompanies the coffin/human remains, such consignments may be screened through X-ray and accepted for transportation, when certificates mentioned at serial No. (1) to (3) are available.

- 8) In the absence of X-ray screening at a particular station, the Station Manager/Airport Manager concerned may inspect such consignments visually and satisfy themselves about the genuineness of the dead body/human remains and transport the same provided the certificates as mentioned above are available.

CHAPTER – XIII

RESPONSE TO ACTS OF UNLAWFUL INTERFERENCE

- 1) Details of officials to be notified when information is received on operator's channel
- 2) Details of responsibilities of airlines operators in such situation

CHAPTER – XIV

HANDLING OF BOMB THREAT CONTINGENCY, SABOTAGE

- 1) Responsibility/procedure and duties of person receiving bomb threat calls over telephones
- 2) Duties of carriers in such contingency
- 3) Constitution and functioning of Bomb Threat Assessment Committee
- 4) Formats required to be filled-up in such situations.

CHAPTER – XV

**PROCEDURE OF SURVEILLANCE AND INTERNAL COMMUNICATION DURING
OPERATION HOURS**

CHAPTER – XVI

TRAINING

Details of security trainings and refresher courses to be attended by security staff flight deck staff, cabin crew, ground operations staff, cargo staff, catering staff, passenger service staff and others.

CHAPTER – XVII

ADDITIONAL POINTS

- 1) Number and type of aircraft being acquired.
- 2) Airports from where being operated
- 3) Time table if any, whether DGCA clearance obtained or not.
- 4) In case of acquisition of additional aircraft to the existing aircraft already in operation following additional details may also be given:
 - (i) Number of Security staff being proposed to be posted for this additional aircraft operation.
 - (ii) Security persons trained in AVSEC (BCAS or any other agency)
 - (iii) Level of Security officer being inducted.
 - (iv) Diagram of command structure of security.
 - (v) Whether there is separate baggage hold for registered baggage or not.
 - (vi) Lock for cockpit door should be available.
 - (vii) Public address system with intercom facility with the pilot should be available in aircraft.

- END -