



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

CIVIL AVIATION REQUIREMENTS
SECTION 4 – AERODROME STANDARDS
AND LICENSING
SERIES 'B' PART IV
20th SEPTEMBER, 2006

EFFECTIVE: FORTHWITH

Subject : Exemption procedure for non-compliances at aerodromes.

1. INTRODUCTION

An Aerodrome licensee is expected to comply with the requirements laid down in the Civil Aviation Requirements for the Aerodrome Design and Operations. There may be some circumstances where compliance of requirement have not been followed at an existing aerodrome because of physical constraints and where the facility had been provided earlier as per old regulations and continued to be in operation. Similarly there may be situation where compliance is not possible also for a new aerodrome due to physical constraints. These situations require regulatory authorities to have procedures for accepting cases for non-compliance in respect of an aerodrome being issued with a license.

This CAR is issued under Rule 133A of the Aircraft Rules, 1937 in accordance with the provision contained in para 1.2.2 of CAR Section 4 Series B Part – I, on Aerodrome Design and Operation and stipulates the procedures for application and grant of exemptions for non-compliance of requirements detailed in the said CAR.

2. PURPOSE

The purpose of this CAR is to harmonise the procedure for licensing of aerodromes which do not conform to all the specifications contained in the CAR on Aerodrome Design and Operations Standard and are required to be complied for licensing of aerodrome.

When non-compliance are present, the effects on safety needs to be analysed and compensatory measures and/or limitations on its use to mitigate any non-compliance has to be established. The harmonisation of this aspect of the licensing process is therefore important for ensuring safety. The need for an aeronautical study for granting exemptions is recognized by ICAO and contained in Annex 14 as well as in the Safety Management Manual as Safety Assessment Process.

The ultimate goal is to require the non-compliance's to be corrected and to deal with the situations where this is not possible, either due to physical constraints like terrain etc.

3. NON-COMPLIANCES

3.1 Non-compliances are primarily related to the following aspects at the Aerodrome for which some examples are given below:

Facilities and equipment

- Visual and non-visual aids.
- Obstacles on the strip and the obstacle limitation surfaces i.e. approach, departure and transitional surfaces.
- Strip areas - dimensions and quality. Inadequate runway strip with, inadequate taxiway width and lack of fillets
- Runway end safety areas
- Inadequate runway – taxiway separation distances.
- Landing systems.
- Rescue and fire-fighting vehicles and equipment.
- Meteorological equipment.

3.2 Categories of Exemptions

Exemptions for non-compliance shall be:

- i. **Temporary Exemptions:** where the non-compliance is expected to be removed and inter-operability is the predominant aspect of the requirement, such as mandatory signs, availability of runway strip etc.
- ii. **Permanent Exemptions:** where non-compliance is not reasonably, be removed and interoperability is not the predominant aspect of the requirement, such as the infringement of high ground into an obstacle limitation surface etc.

4 PROCEDURE FOR SEEKING EXEMPTIONS

4.1 The aerodrome licensee shall submit separate application for each non-compliance in the prescribed proforma for seeking exemption (Appendix I).

4.2 The application for exemption shall be supported with the reasons for non-compliance, safety assessment reports, means of mitigation and indication as to when compliance can be expected.

4.3 An application for a standard exemption includes:

- i. the applicant's name and address. Name of aerodrome where exemption is being sought. (Aerodrome license number to be quoted if already issued)
- ii. the relevant provisions of Civil Aviation Requirements for which the exemption is sought.
- iii. the category under which exemption sought (temporary/ permanent) and justifiable reasons why the applicant needs the exemption. The reasons provided should be detailed and self-explanatory.

- iv. the period for which the exemption is required.
 - v. whether the exemption will affect a particular kind of operation, the details thereof;
 - vi. The action plan for rectification and review of non-compliance for temporary exemption, including risk assessment and mitigation measures adopted for ensuring the equivalent / acceptable level of safety during the exemption period.
 - vii. In case of permanent exemption is sought, the applicant has to indicate the mitigation measures adopted to reduce the risk arising due to non-compliance after carrying out a safety assessment.
 - viii. undertaking by the licensee that he shall annually review the conditions or mitigation measures and any other resultant non-compliance in particular when any significant changes in the activity or aerodrome development is proposed
- 4.3 The applicant should provide adequate information in the prescribed proforma for consideration for granting exemptions with supporting documents. Failure to provide adequate information may delay processing / refusal of the application.
- 4.4 The DGCA after examining the applications for exemptions may exempt, in writing, an aerodrome operator from complying with specific provisions of the CAR and may impose conditions for such exemptions to ensure the safety and regularity of aircraft operation.
- 4.5 On approval of the exemption, it shall be included in the Aerodrome Manual and notified through NOTAM/ AIP.
- 4.6 On removal of the exemption the license holder shall notify the same to the DGCA and after approval of DGCA, the same shall be deleted from Aerodrome Manual and AIP/ NOTAM shall be withdrawn/cancelled.
- 4.7 The exemption granted shall be reviewed during renewal of the license.

(M. Sathiyavathy)
Director General of Civil Aviation

APPLICATION FOR SEEKING EXEMPTION

(In duplicate)

1. DETAILS OF APPLICANT

1.1 Name of Aerodrome

1.3 License Number

1.4 Full name of applicant (in capital letters)

2. DETAILS OF EXEMPTION SOUGHT

2.1 Relevant provisions of CAR / procedures for which exemption is sought.

2.2 The category under which exemption sought (TEMPORARY/ PERMANENT)

2.3 Reasons why the exemption is needed. *(The reasons provided should be detailed and self explanatory)*

2.4 Period for which exemption is required.

2.5 If the exemption will affect a particular kind of operation, the details thereof

2.6 For temporary exemption, the action plan for rectification and review of non-compliance, including the risk assessment and mitigation measures adopted for ensuring the safety during the exemption period.

2.7 For permanent exemption, the mitigation measures adopted to ensure safety of aircraft operation. Complete safety assessment report shall be enclosed.

I hereby certify that the forgoing information is correct in every respect and no relevant information has been withheld. I also undertake the responsibility for annually reviewing the conditions or mitigation measures and any other resultant non-compliance in particular when any significant changes in the aerodrome activity and development are proposed.

SIGNATURE OF
APPLICANT

DATE.....

NAME.....
(in capital letters)

POSITION HELD.....
(with official seal)

Note: i) It is an offence to make any false representation with the intent to deceive, for the purpose of procuring exemption ii) Application not completed in all respect and not accompanied with relevant enclosures is likely to be rejected.

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