



GOVERNMENT OF INDIA

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTER, OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI

CIVIL AVIATION REQUIREMENT
SECTION 7 – FLIGHT CREW STANDARDS
TRAINING AND LICENSING

SERIES 'X', PART II
1st SEPTEMBER 2005

EFFECTIVE: FORTHWITH

Subject: Requirement of 'Notice Period' by the Pilots to the airlines employing them.

1. INTRODUCTION

- 1.1 It has been observed that pilots are resigning without providing any notice to the airlines. In some cases, even groups of pilots resign together without notice and as a result airlines are forced to cancel their flights at the last minute. Such resignation by the pilots and the resultant cancellation of flights causes inconvenience and harassment to the passengers. Sometimes such an abrupt action on the part of the pilots is in the form of a concerted move, which is tantamount to holding the airline to ransom and leaving the travelling public stranded. This is a highly undesirable practice and goes against the public interest.
- 1.2 Such an action on the part of pilots attracts the provisions of sub-rule (2) of rule 39A of the Aircraft Rules, 1937, which reads as follows:

"The Central Government may debar a person permanently or temporarily from holding any licence or rating mentioned in rule 38 if in its opinion it is necessary to do so in the public interest."

2. APPLICABILITY

- 2.1 This Civil Aviation Requirement shall be applicable to the pilots working in any Air Transport Undertaking as defined in clause 9A of rule 3 of the Aircraft Rules, 1937, which operates scheduled air transport services.

- 2.2 This CAR shall not be applicable to the pilots of air transport undertakings operating non-scheduled flights, except helicopter pilots performing off-shore oil exploration tasks, who will continue to be governed by this CAR.
- 2.3 This CAR is issued with the approval of the Ministry of Civil Aviation vide their letters No.A2012/08/2005-A dated 1st September 2005 and letter No. A.60015/024/2008-VE dated 16th July, 2009.

3. REQUIREMENTS

- 3.1 It takes about four months to train a pilot to operate an aircraft used for airline operations, as he has to pass technical and performance examinations of the aircraft, undergo simulator & flying training and has to undertake 'Skill Test' to satisfy licence requirements. Even after this training, the pilot can operate only as a co-pilot. To operate an aircraft as Pilot-in-Command (PIC), he needs to gain experience and undertake 'Skill Test' to fly as PIC of an aircraft, which may take another four months or so. Therefore, it would take more than four months for an airline to replace a trained Pilot-in-Command.
- 3.2 Pilots are highly skilled personnel and shoulder complete responsibility of the aircraft and the passengers. They are highly paid for the responsibility they share with the airlines towards the travelling public and are required to act with extreme responsibility.
- 3.3 In view of the above, it has been decided by the Government that any act on the part of pilots including resignation from the airlines without a minimum notice period of six months, which may result into last minute cancellation of flights and harassment to passengers, would be treated as an act against the public interest.
- 3.4 It has, therefore, been decided that every pilot working in an air transport undertaking shall give a 'Notice Period' of at least six months to the employer indicating his intention to leave the job. During the notice period, neither the pilot shall refuse to undertake the flight duties assigned to him nor shall the employer deprive the pilot of his legitimate rights and privileges as per agreed terms of employment. Failure to comply with the provisions of the CAR may lead to action against the pilot or the air transport undertaking, as the case may be, under the relevant provisions of Aircraft Rules, 1937.
- 3.5 It shall be mandatory for the air transport undertaking to issue NOC to the pilot on expiry of the notice period of six months, failing which it shall be liable to penal action by DGCA.

- 3.6 The 'Notice Period' of six months, however, may be reduced if the air transport undertaking provides a 'No Objection Certificate' to a pilot and accepts his resignation earlier than six months.
- 3.7 In case an air transport undertaking resorts to reduction in the salary/perks or otherwise alters the terms and conditions of the employment to the disadvantage of the employee pilot, this CAR shall not be applicable.

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Director General of Civil Aviation

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