

PART XII-A—AERONAUTICAL TELECOMMUNICATION

119. Certification of communication, navigation and surveillance equipment or air traffic management facilities.— (1) No person shall permit or cause to be permitted any communication, navigation and surveillance of air traffic management equipment facility to be established or used unless it has been certified by the Director-General:

Provided that the Director-General may approve a facility for temporary use subject to such conditions as he may deem fit to impose, for the purpose of operation of air traffic services or aircraft operation or navigation in the event of national crisis, natural calamities, emergencies or otherwise requiring operation of such facilities:

Provided further that any person already permitted and operating communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station before the commencement of these rules may continue operation of such services till he obtains the certificate from the Director-General by the date to be notified by the Central Government.

(2) This rule shall not apply in respect of any communication, navigation, surveillance or air traffic management facility, whose establishment and operation –

(a) is under the control of military authorities and is primarily for the military use;

(b) is for testing purposes and not used for supporting air traffic services or not used for aircraft operation or navigation.

(3) Nothing in this rule shall exempt any person from the provisions of the Indian Telegraph Act, 1885 (13 of 1885) and the rules made thereunder for establishment and operation of communication, navigation, surveillance or air traffic management facility for air traffic services and aircraft operation at an aeronautical telecommunication station.

120. Eligibility for grant of certificate.— A certificate for communication, navigation, surveillance or air traffic management facilities to be established or used at an aeronautical telecommunication station in support of air traffic services or aircraft operation shall be granted –

(a) to a company or a body corporate set up for the purpose of providing communication, navigation, surveillance or air traffic management facility by the Central Government or to an air navigation service provider approved for the purpose by the Director-General;

(b) to an aerodrome licence holder for establishing a navigational facility primarily for use as landing aid to support instrument let down procedure.

121. Procedure for grant of certificate.— (1) An application for the certification for communication, navigation, surveillance or air traffic management facility to be established or used at an aeronautical telecommunication station in support of air traffic service or aircraft operation or navigation shall be made to the Director-General along with the communication, navigation and surveillance manual.

(2) The application under sub-rule (1) shall be in such form and contain such particulars as may be specified by the Director-General.

(3) The Director-General may, for disposal of the application, require the applicant to furnish any additional information which he considers necessary.

(4) The Director-General shall certify a communication, navigation, surveillance or air traffic management facility, subject to any conditions as may be considered necessary.

122. Communication, navigation, surveillance or air traffic management facility manual.— (1) Every holder of certificate shall have a communication, navigation and surveillance manual in the form as specified by the Director-General containing the information provided in item 2 of Schedule IV and

approved copy of the manual shall be maintained by the holder of certificate in respect of all communication, navigation, surveillance or air traffic management facilities, certified under these rules.

(2) A copy of the manual or such part of the manual as may be specified by the Director-General shall be made available by the holder of certificate to all units.

123. Period of validity of Certificate.— The Director-General may grant the certification of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station for a period not exceeding sixty months, and on each occasion may be renewed for any period not exceeding twenty four months.

124. Fee.—(1) No certificate of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall be granted unless there shall be paid the fees specified in the following Table, namely:

TABLE

| (A) | Communication Facility | Fee in rupees |
|------------|---|---|
| (i) | Standalone Very High Frequency Transmitter or Receiver, Digital Automatic Terminal Information System, High Frequency Transmitter or Receiver, Data Links (including standby frequency) in operation. | 50,000 (50,000 upto five frequencies and 20,000 for each frequency) |
| (ii) | Automatic Message Switching System Air Traffic Services Message Handling System | 50,000 |
| (iii) | Master Clock System | 15,000 |
| (iv) | Stations equipped with Voice Controlled Communication System with Very High Frequency Transmitter/or Receiver, High Frequency Transmitter/ or Receiver, inter unit communication and other accessories for capacity : | |
| | (a) Up to 50 Controller work stations | 50,000 |
| | (b) for each additional work stations above 50 | 5,000 |
| (B) | Navigation Systems | |
| (i) | Non-Directional Beacon or Locator, Marker | 50,000 |

| | | |
|------------|---|-----------|
| | (ii) Distance Measuring Equipment | 50,000 |
| | (iii) Very High Frequency Omni-Range or Doppler Very High Frequency Omni -Range | 100,000 |
| | (iv) Instrument Landing System or Distance Measuring Equipment | 200,000 |
| | (v) Co-located (VOR/DVOR/DME) | 125,000 |
| (C) | Very high frequency omni range, Surveillance Facility | |
| | (i) Airport Surveillance Radar | 200,000 |
| | (ii) Air Route Surveillance Radar | 200,000 |
| | (iii) Monopulse Surveillance Secondary Radar | 200,000 |
| | (iv) Surface Movement Radar without multi-lateration | 200,000 |
| | (v) Automatic Dependent Surveillance-Broadcast or Contact | 200,000 |
| (D) | Air traffic management facility | |
| | (i) Air traffic management automation system with facilities like Radar Data Processing system, Flight Data Processing system, Automatic Self Briefing System | 1,000,000 |
| | (ii) Advanced Surface Movement Guidance Control System (Surveillance and Multi-lateration components) | 3,00,000 |
| | (iii) Ground Based Augmentation System | 300,000 |
| | (iv) Satellite Based Augmentation System. | 500,000 |

(2) The fee for renewal of certification of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall be fifty per cent, of the fee payable under sub-rule (1).

(3) The fee payable under sub-rule (1) shall be paid by Demand Draft drawn in favour of the Pay and Accounts Officer, Directorate General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

125. Conditions governing the grant of Certificate.— (1) Certification of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall be granted or renewed subject to such conditions as the Director-General considers necessary to ensure compliance with the Convention relating to International Civil Aviation signed at Chicago and the safety of Air Traffic Services or aircraft operation or navigation.

(2) While certification is in force, except required for the purpose of maintenance, no change in the system of equipment or configuration, shall be undertaken save with the previous approval of the Director-General and application for such approval shall be addressed to the Director-General which shall be accompanied with full particulars of such change.

(3) The necessary approval may be granted or withheld, and, if granted, may be subject to such conditions as the Director-General may consider necessary.

(4) The holder of the certificate shall maintain communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station in a serviceable state as per the provision of certificate for use by air traffic services or aircraft operation or navigation.

126. Notification on availability of facility.—The person in charge of communication, navigation, surveillance or air traffic management facilities at an aeronautical telecommunication station shall notify type and availability of facility or any service which is available for use by air traffic services or aircraft operation and navigation in the manner specified by the Director-General.

127. Information on the operational status of navigational aids.— While a radio navigation aid is in operation, information on its operational status shall be made available by the holder of the certificate to the concerned Air Traffic Services unit giving the following details, namely:

- (i) services for the aerodrome where the radio navigation aid is located; and
- (ii) en-route services using that radio navigation aid.

128. Automatic recording of voice communications, signal and data.— (1) The holder of certificate of any communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station and any associated facility required thereto shall, make provision for recording and replaying the messages, voice communication, signals and data transmitted or received through equipment and maintain such records for such period and in such manner as may be specified by the Director-General.

(2) If any recording facility provided in compliance with sub-rule (1) ceases to be capable of recording the matters required by that sub-rule, it shall be ensured that, as far as practicable, a record of the following is kept in writing —

- (a) a summary of voice communications exchanged between the Aeronautical Telecommunication Station and aircraft by Air Traffic control unit; and
- (b) voice communication, message exchanged with other Aeronautical Telecommunication Station.

(3) If any recording facility provided in accordance with sub rule (1) becomes unserviceable, the person in charge of communication, navigation, surveillance or air traffic management facility at an Aeronautical Telecommunication Station shall ensure that the apparatus is rendered serviceable again as soon as possible within reasonably practicable time.

(4) The person in charge of communication, navigation and surveillance of air traffic management facility at an Aeronautical Telecommunication Station shall preserve every record for a period of thirty days from the date on which the terms or content of the message, data or signal were recorded for the purpose of investigation or for such longer period as may be specified by the Director-General.

(5) The person in charge of communication, navigation, surveillance or air traffic management facility at an aeronautical telecommunication station shall produce such record to investigating official or to any other person authorised by Director-General.

129. Aeronautical telecommunication equipment calibration and check.—(1) The holder of certificate shall establish a procedure for calibration of the equipment in accordance with the specifications laid down by the Director-General.

(2) The holder of certificate shall check and accurately record the operating condition of any aeronautical telecommunication equipment that may have been used by an aircraft involved in an accident or serious incident and make such record available for the investigation purpose.

(3) The air calibration of navigation facilities shall be carried out by an entity approved by the Director-General.

130. Time in air traffic services.— (1) Air traffic service units shall be equipped with clocks indicating the time in hours, minutes and seconds.

(2) Clocks and other time recording devices shall be checked periodically to ensure correctness of time to within plus or minus thirty seconds of coordinated universal time.

(3) Wherever data link communications are utilised by an air traffic services unit, clocks and other time-recording devices shall be checked periodically to ensure correctness of time within one second of coordinated universal time.

(4) The correct time shall be obtained from a standard time station, or if not possible, from another unit which has obtained time from such station.

131. Protection of critical and sensitive areas.—Any critical and sensitive area around an aeronautical facility required to be protected for the operational efficiency of the equipment, shall be —

(a) clearly identified on the site drawings for the aeronautical facility;

(b) physically protected by suitable signposts at the site; and

(c) protected by aerodrome operator or holder of certificate, as appropriate, through barriers or otherwise to ensure that site restrictions are not infringed in any form.

132. Suspension, cancellation or withdrawal of a certificate.— (1) The Director-General may, by giving notice in writing to the holder of a certificate, impose any condition or suspend or cancel the certificate, if there are reasonable grounds to believe that —

(a) there has been a breach of any condition to which the certificate is subject; or

(b) the facilities, operations or maintenance are not of the standard necessary in the interests of the safety of air traffic services or air navigation.

(2) The Director-General shall give a show cause notice to the holder of certificate before suspending or cancelling a certificate stating —

(a) the facts and circumstances which justify the suspension or cancellation; and

(b) ask the holder of the certificate to submit explanation in writing, within thirty days from the date of receipt of the show cause notice.

(3) The Director-General shall, before taking a decision take into account all facts and pass an appropriate order.

(4) If the holder of a certificate wishes to surrender a certificate, the holder shall give not less than sixty days' notice in writing of the date on which the holder wishes the certificate to be surrendered.

[Inserted by – GSR No. 31(E) dated 14-1-2015]