

PART XIV – GENERAL

156. Inspection.— (1) The Director-General, or any officer of the Directorate General of Civil Aviation authorised by him by general or special order in writing, may inspect an aircraft or aviation facility for the purpose of granting an approval or a certificate under these rules, and subsequently to carry out surveillance including unannounced inspections to ensure continued compliance with these rules.

(2) The Director-General may authorise any person, subject to such conditions as may be specified by the Director-General, for the purpose of examining, and testing any person or aircraft or inspecting any document or aviation facility for the purpose of grant of a licence or a certificate or an approval under these rules or the provisions of the Aircraft Act, 1934 (22 of 1934) and such authorisation shall specify the functions of the person so authorised to perform on behalf of the Director-General and the said authorisation shall be for a period as specified therein.

(3) The persons so authorised under sub-rules (1) and (2) shall be issued credentials and shall perform the functions as assigned to them in the authorisation.

(4) The Director-General or the person referred to in sub-rule (1) and sub-rule (2) –

(a) shall have unrestricted and unlimited access to aircraft and aviation facilities, as applicable, for the performance of their functions and duties under these rules;

(b) may enter, inspect and search any aircraft or any aviation facility, including air navigation services, and also interact with any personnel, and inspect documents and records for the purpose of securing compliance with these rules and the provisions of the Aircraft Act, 1934 (22 of 1934).

(5) The owner or operator of aircraft, organisation or air navigation facility shall allow the Director-General, or the person referred to in sub-rules (1) and (2), access to any part of the aircraft, organisation or air navigation facility including equipment, records, documents and personnel, and shall co-operate in conducting the activities referred in sub-rules (1) and (2).

*[Substituted by GSR No. 1202 dated 23-7-1976
Amended by GSR No. 812(E) dated 21-11-2008
Substituted by GSR No. 832(E) dated 30-06-2017]*

157. Fraudulent of Documents- No person shall fraudulently lend any licence, certificate, authorisation or approval issued under these rules or allow it to be used by any other person.

[Substituted by GSR No. 1202 dated 23-7-1976]

158. Foreign military aircraft- No person shall fly or land, or assist in flying or landing, any foreign military aircraft over or in India except on or with the invitation or permission in writing of the Central Government and on such conditions as may be specified in the invitation or permission.

158A. Aircraft registered in or belonging to a foreign State- Except as provided in rules 134 and 158, no aircraft registered in, or belonging to a foreign State, shall be flown into, over, across or within India except with the prior permission of the Director-General and except in accordance with such terms and conditions as he may think fit to impose while granting such permission:

Provided that the Director-General may, by general or special order, exempt any aircraft or class or aircraft either generally or in respect of any specified flight from the provisions of this rule.

Note:- For the purpose of this rule, foreign aircraft falling under sub-rule(3) of rule 1 shall be deemed as aircraft registered in India and Indian aircraft falling under sub-rule(4) of rule 1 shall be deemed as aircraft not registered in India.

[Inserted by GSR No. 83, dated 1-1-1966 and further amended vide GSR No. 150(E) dated 04-03-2009]

159. Obstruction of authorized persons- No person shall voluntarily obstruct any person acting in the exercise of his powers or in the discharge of his duties under these rules.

160. General Power to exempt- The Central Government may, by general or special order in writing, exempt any aircraft or class of aircraft or any person or class of persons from the operation of these rules, either wholly or partially, subject to such conditions, if any, as may be specified in such order.

161. Penalties- (1) Any person who has contravened or failed to comply with any of these rules or any direction issued under rule 133A shall, where no punishment is provided for such contravention in the Aircraft Act, 1934 (22 of 1934), be punishable to the extent laid down in Schedule VI of these rules.

(2) It shall be a defence to any proceedings for contravention of or failure to comply with these rules if the contravention or failure is proved to have been due to accident, stress of weather or other unavoidable cause; and it shall be a defence to any proceedings under these rules against the owner, hirer, operator, pilot or commander of an aircraft that the alleged contravention took place without his actual fault or privity.

[Amended vide GSR No. 167(E) dated 13-03-2009]