

## **PART II - GENERAL CONDITIONS OF FLYING**

**4. Use and operation of aircraft** - No person shall use or operate or assist in using or operating an aircraft save in accordance with these rules.

**5. Registration and nationality and registration marks** - Subject to the provisions of rule 33, no person shall fly, or assist in flying, any aircraft unless -

(a) it has been registered, and

(b) it bears its nationality and registrations marks and the name and residence of the owner affixed or painted thereon in accordance with rule 37 or, in the case of aircraft registered elsewhere than in India, in accordance with the regulations of the State in which it is registered:

Provided that the prohibition imposed by this rule shall not apply to aircraft flown in accordance with the special permission in writing of the Central Government and subject to any conditions and limitations which may be specified in such permission.

*[Amended by GSR No. 1567 dated 16-11-1962]*

**5A. Prohibited Flight** - Except under, and in accordance with the terms and conditions of, a permit issued by the Director-General of Civil Aviation -

(1) no aircraft registered in India shall leave India for the purpose of a flight to a place outside India;

(2) no aircraft shall undertake a flight to any territory which the Central Government may, by notification in the Official Gazette, declare to be a prohibited territory.

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 SRO No. 925 dated 12-4-1956 and further amended by GSR No.1674 dated 28-11-1962 and GSR No. 150(E) dated 04-03-2009]*

**6. Licensing of personnel** - Every aircraft shall carry and be operated by the personnel prescribed in Part V and such personnel shall be licensed in the manner prescribed in that part and in Schedule II:

Provided that in the case of an aircraft not registered in India, such personnel shall be licensed in accordance with the regulations in force in the State in which the aircraft is registered:

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

*[Amended by -(i) GSR No. 1238 dated 8-9-1962,*

*(ii) GSR No. 637(E) dated 4-10-1993,*

*(iii) GSR No. 20(E) dated 12-1-1994, and*

*(iv) GSR 481(E) dated 15-05-2017]*

**6A. Type of aircraft to be included in rating-** No person shall fly as pilot of an aircraft which is not included or entered in the aircraft rating of the licence except as provided in rules 6B and 6C.

*[Amendments vide GSR No. 262 dated 7<sup>th</sup> June, 2000]*

**6B. Flights to qualify for extension of a licence-** The holder of a pilot's licence may fly within the Indian territory as pilot of an aircraft of type which is not included in the aircraft rating of his licence for the purpose of qualifying for the inclusion of such type :

Provided that when he is so flying no person shall be carried on board the aircraft unless he is-

- (a) a person required by the rules to be carried as member of the operating crew, or
- (b) a person who is flying, with the consent of the operator of the aircraft, for the purpose of being trained as a member of the operating crew, or
- (c) a person whose presence may be required on board the aircraft for the purpose of imparting or supervision of training or conducting a flight test, or
- (d) a person who may be specially authorised by the Director-General :

Provided further that such flights are carried out within the local flying area or designated flying area of a licenced aerodrome or a Government aerodrome and prior notice of the flight is given to the person-in-charge of the aerodrome from which the flight is made. However, there are no restrictions for carrying out dual flying with Instructor on board even in areas away from the local flying area within the Indian territory, for learning general as well as route flying (navigation).

*[Amended by GSR No. 63 dated 9-1-89. Substituted by GSR 637(E) dated 4-10-93]*

**6C. Flights for testing and other non-revenue specific special purposes –** The Director-General may authorise the holder of a licence to fly an aircraft not entered in the aircraft rating of the licence, for the purpose of testing or non-passenger-carrying flight subject to the terms and conditions of such authorisation, and the authorisation shall be limited in validity to the time needed to complete the testing or the specific flight:

Provided that the holder of the licence produces evidence to show that he meets the requirements of competency as laid down by the Director-General for undertaking such flight:

Provided further that when the aircraft is test flown, no person, other than members of the operating crew, shall be carried on board the aircraft unless he is specifically authorised by the Director-General:

Provided also that the test flight is carried out within the specified area and in accordance with the conditions stipulated by the Director-General in this behalf and prior notice of the flight is given to the officer-in-charge of the aerodrome from which the flight is to be made.

**Explanation.**—For the purpose of this rule, —

- (1) an aircraft shall include an amateur-built aircraft; and
- (2) the expression “specific special purpose non-revenue, non-passenger-carrying flight” shall include flights authorised by the Central Government in the event of national or international crisis, natural calamities, emergencies or otherwise requiring such flights to carry material or goods for relief purposes.

*(Inserted by GSR No. 262 dated 7th June, 2000; and*

*Amended by GSR No. 1358(E) dated 1.11.2017)*

**7. Documents to be carried on aircraft** - (1) No person shall fly an aircraft unless valid documents, as required by the law of the country in which the aircraft is registered, are carried on board and are kept in such form and manner as laid down by that country.

(2) An aircraft registered in India shall carry on board valid documents as required by these rules:

Provided that where a licence or other document has been submitted to a competent authority under these rules for renewal or other action, that fact shall be deemed a valid excuse for its not being carried on board the aircraft.

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

**7A. Prohibition of carriage of persons without passport** - (1) No person-in-charge of any aircraft shall allow such aircraft to enter India from a place outside India unless all persons on board the aircraft are in possession of valid passports as required by rules for the time being in force made under the Indian Passport Act, 1920 (XXXIV of 1920).

(2) Where an aircraft is brought into India in contravention of sub-rule (1), any authority empowered by the Central Government generally or specially in this behalf may direct the owner or the person in-charge of the aircraft to take on board and remove from India, or otherwise arrange for the immediate removal from India of the person or persons without valid passports, and the owner, or as the case may be, the person-in-charge, of the aircraft shall comply with such directions.

**7B. Carriage of Cock-pit Check Lists in aircraft**- Every aircraft registered in India shall carry Cock-pit Check Lists and Emergency Check Lists specified by the Director-General for that particular type of aircraft. Such lists shall be carried in the cock-pit of the aircraft readily accessible to the pilot in flight.

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

**8. Carriage of arms, ammunition, explosives, military stores, etc.** - (1) No person shall carry or cause or permit to be carried in any aircraft to, from, within or over India, any arms, ammunitions, munitions of war, implements of war, explosives and military stores, except with the written permission of the Central Government and subject to the terms and conditions of such permission.

(2) Where the carriage of any goods is permitted under sub-rule (1), it shall be the duty of the pilot, the consignor and every person concerned with the booking, handling or carriage of such goods, to take all precautions to avoid danger to the aircraft or to the persons on board or to any other person or property and in particular, to ensure that -

(a) the goods are so packed, protected and secured as to avoid any possibility of them being a source of danger;

(b) the goods are so carried as not be accessible to the passengers on board the aircraft; and

(c) the nature of the goods is clearly and conspicuously marked on the package containing them.

(3) The consignor of such goods shall give the operator a written notice specifying the nature, weight and quantity of the goods and the name and full address of the consignee; and the operator shall inform the pilot-in-command of the aircraft of all such particulars before the goods are placed on board the aircraft.

(4) Where any officer, authorised in this behalf by the Central Government, has reasons to believe that the provisions of this rule are, or are about to be, contravened, he may cause such goods to be placed

under his custody pending detailed examination of the nature of the goods or pending a decision regarding the action, if any, to be taken in the matter.

*[Inserted by GSR 601(E) dated 27.9.2006]*

**8A. Deleted** - *[Inserted by GSR No. 315 dated 16-2-1979 and deleted by GSR 481(E) dated 15-05-2017]*

**9. Radio-telegraph apparatus** - (1) No person shall operate radio transmitting apparatus in any aircraft registered in India unless he holds a licence of the type required by the provisions of Part V in respect of aircraft required by these rules to carry radio-telegraph or radio-telephone apparatus, as the case may be, and issued in accordance with those provisions.

(2) Radio-transmitting apparatus carried in aircraft shall be operated under the conditions defined by the International Tele-communication Convention (Madrid, 1932) and the general radio-communication regulations annexed thereto as far as these apply and shall be operated only during the hours in which such operation is permitted by the Central Government.

(3) Aircraft registered in India and required by these rules to carry radio-telegraph apparatus shall be fitted with such apparatus in accordance with the provisions of Part VII.

(4) Nothing in this rule shall exempt any person from those provisions of the Indian Telegraph Act, 1885, and the rules made thereunder which require that radio-telegraph apparatus shall be licensed.

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

*[Amended by GSR No. 20(E) dated 12-1-1994]*

**10. Mails** - No person shall carry mails or allow mails to be carried in any aircraft except with the consent in writing of the Director-General of Posts and Telegraphs.

**11. Aerodromes** - (1) No pilot or person-in-charge of any aircraft carrying passengers for hire or reward shall use any place for a series of landings and departures, and no pilot or person-in-charge of any aircraft employed on a scheduled air transport service shall use any place as a regular place of landing or departure other than an aerodrome licensed or approved for the purpose in accordance with the provisions of Part XI.

(2) No person being the proprietor of an aerodrome other than an aerodrome mentioned in sub-rule (1) shall permit the aerodrome to be used in contravention of that sub-rule.

(3) No person other than the occupant of an aircraft manoeuvring in accordance with these rules may enter upon the landing area of an approved or licensed aerodrome without the consent of the person-in-charge of the aerodrome.

**12. Prohibited areas** - (1) No person shall fly or assist in flying an aircraft over any of the areas specified in Schedule I save in accordance with the conditions specified in that schedule.

(2) Every pilot who, when flying an aircraft, finds himself above a prohibited area in contravention of sub-rule (1), shall, as soon as he is aware of the fact, give the signal of distress specified in the Rules of the Air referred to in rule 16 and shall land the aircraft as soon as possible outside the prohibited area at one of the nearest aerodromes in India:

Provided that he shall not, unless compelled by stress of weather or other unavoidable cause, fly further into the prohibited area nor commence to descend while still above the prohibited area.

(3) When the signals prescribed in the Rules of the Air referred to in rule 16 to warn an aircraft that it is flying in the vicinity of restricted, prohibited or danger area are given, the pilot of the aircraft shall immediately change his course and fly away from the prohibited area.

(4) When the signals prescribed in light signals from aerodrome control tower, as prescribed in the rules of the Air referred in rule 16 are given, the pilot shall immediately give the signal referred to in sub-rule (2) of this rule and land the aircraft in accordance with that sub-rule.

*[Amended by –*

*(1) GSR No. 1225 dated 15-10-1959.*

*(2) GSR No. 672 (E) dated 12-10-2004.]*

**13. Photograph at aerodromes or from aircraft in flight** - No person shall take, or cause or permit to be taken, at a Government aerodrome or from an aircraft in flight, any photograph except in accordance with and subject to the terms and conditions of a permission in writing granted by the Director-General, a Joint Director General, a Deputy Director-General or the Director of Regulations and Information of the Civil Aviation Department:

Provided that the Director-General from time to time, may, by notification in the official Gazette, direct that these restrictions shall not apply to photography at any Government aerodrome, or within such limits of any Government aerodrome as may be specified in the order.

*[Amended by SRO No. 380 dated 28-1-1957]*

*[Amended by G.S.R. 813(E) dated 21-11-2008]*

**13A. Carriage of photographic apparatus in aircraft-** (1) No camera or other apparatus for recording photographic impressions shall be carried in any aircraft except where -

(a) the permission for taking photographs from the air has been granted by any of the officers empowered under rule 13; or

(b) the carriage of a camera or such other apparatus by any person in the aircraft is permitted by general or special order in writing by the Director-General, a Deputy Director-General or the Director of Regulations and Information of the Civil Aviation Department, subject to such conditions and limitations as may be specified in that order.

(2) Any customs officer, any aerodrome officer and any other person specially authorised in this behalf by the Director-General may search any aircraft or any person therein and may, without prejudice to any other remedy, seal any camera or other apparatus for recording photographic impressions, or a bag containing cameras or such apparatus which in his opinion is being or is about to be carried in the aircraft in contravention of sub-rule (1), and no person shall tamper with any such seal until the camera or apparatus or bag is removed from the aircraft.

*[Amended by GSR No. 783 dated 16-6-1972]*

**14. Aerial work and public transport reserved for certain aircraft** - No aircraft registered in accordance with Part IV in Category B shall be used as an aerial work aircraft or as a public transport aircraft:

Provided that the Central Government may, from time to time, permit and impose restrictions on the performance of aerial work or public transport by aircraft other than those registered in accordance with Part IV in Category A, and such restrictions shall be deemed to have been effectively imposed if they have been notified in writing to the owner or operator of such aircraft.

*[Amended by GSR 481(E) dated 15-05-2017]*

**15. Conditions to be complied with by an aircraft in flight** – No aircraft shall be flown unless the following conditions are complied with, namely:–

(i) the aircraft possesses a valid certificate of airworthiness or special certificate of airworthiness issued by the Director-General;

(ii) the aircraft shall be certified as airworthy and shall be maintained in accordance with the provisions of Part VI or in the case of an aircraft not registered in India, in accordance with the regulations of the State in which the aircraft is registered;

(iii) all the terms or conditions on which the certificate of airworthiness or special certificate of airworthiness was granted shall be duly complied with;

(iv) the aircraft shall carry on board its certificate of airworthiness or special certificate of airworthiness and any other certificate prescribed by Part VI, or by the regulations of the State in which the aircraft is registered, which it is required to carry on board:

Provided that an aircraft not in compliance with the aforesaid conditions may be flown under a special flight permit issued by the Director-General under rule 55A subject to such conditions as may be specified in the special flight permit;

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

*[Amended by- (i) GSR No. 1296 dated 20-9-1962;*

*(ii) GSR No. 1347 dated 27-11-1973;*

*(iii) GSR No. 1202 dated 23-7-1976;*

*(iv) GSR No. 218 dated 13-3-1991;*

*(v) GSR No. 20(E) dated 12-1-1994; and*

*(vi) GSR No 721(E) dated 23-6-2017]*

**15A. Operation of Remotely Piloted Aircraft System.** – (1) No remotely piloted aircraft of all-up-weight more than 250 grams shall be flown unless such aircraft has been allotted a Unique Identification Number by the Director-General.

(2) A remotely piloted aircraft with all up weight exceeding a limit as specified by the Director-General from time to time shall not be flown by the operator, save, as per the conditions of the permit issued by the Director-General. Such permit shall be granted by the Director-General on being satisfied that the applicant meets the requirements as specified by the Director-General in this behalf. The continued validity of the permit shall be subject to compliance of such conditions as may be stipulated by the Director-General in the permit.

(3) The permit granted under sub-rule (2) shall, unless suspended or cancelled, remain valid for a period not exceeding five years, and may be renewed for a period not exceeding five years at a time.

(4) In case of non-compliance with the conditions of the permit or for any other violation of the provisions of these rules, the Director-General may suspend or cancel the permit after giving a show cause notice to the holder.

(5) The fee for issue of unique identification number for a remotely piloted aircraft shall be rupees 1000 only.

(6) The following fees shall be payable for, grant and renewal of permit to operate a remotely piloted aircraft:

(i) for grant of permit: Rupees 25,000 only;

(ii) for renewal of permit: Rupees 10,000 only.

(7) The fee shall be paid in the manner as specified by the Director-General.

*[Inserted by GSR No. 1358 dated 01-11-2017]*

**16. Rules of Air.**— Every person shall comply with the Rules of the Air issued by the Director-General in accordance with Annex 2 to the Convention as may be applicable to that person.

*[Amended by (i) GSR No. 1225 dated 15-10-1959,]*

*(ii) GSR No. 390(E) dated 24.06.2004, and*

*(iii) GSR 481(E) dated 15-05-2017]*

**17. Production of licences, etc.** - Any licence (other than a licence issued under Part XIII), certificate, authorisation and approval, log book or document granted or required to be maintained under these rules shall, on demand for the purpose of inspection, by any magistrate, any police officer above the rank of sub-inspector, any Customs officer, any commissioned officer of the Naval, Military or Air Force of the Union, any gazetted officer of the Civil Aviation Department in Government of India, or any other person authorised by the Central Government by special or general order in writing in this behalf, be produced by the licensee or, in the case of an aircraft or of a licensed aerodrome, by the owner, hirer or person-in-charge thereof ;

Provided that any such licence, certificate, authorisation and approval, log book or document relating to an aircraft or its personnel which is not by these rules required to be carried in the aircraft shall be produced within seven days of the making of the demand.

*[Amended by -(i) SRO No. 1019 dated 25-5-1952,*

*(ii) GSR No. 1567 dated 16-11-1962, and*

*(iii) GSR No. 1202 dated 23-7-1976, and*

*(iv) GSR 481(E) dated 15-05-2017]*

**18. Prevention of flights in contravention of the rules** - (1) An authority authorised under section 8 of the Aircraft Act, 1934, to detain aircraft may do so by the issue of a written direction to the pilot or other persons for the time being in-charge of the aircraft to be detained, or by taking or causing to be taken such other steps as may, in the opinion of such authority, be necessary to make the detention effective, including the use of force, denial of access by any person to the aircraft, removal of parts and components of the aircraft, defuelling of the aircraft or otherwise interfering with the aircraft. If an aircraft detained by a person so authorized is housed or kept at a Government aerodrome, the housing or picketing charges normally applicable shall be payable in respect of the whole period during which it is detained.

(1A) Officers of the Central Government or a State Government, employed at or in the neighbourhood of any airport, including the officers of police, naval, army, air force or customs department and such other officers of the Central Government or a State Government as may be specified by the Central Government by general or special order issued in this behalf shall, on being required to do so by the authority authorised under section 8 of the Aircraft Act, 1934 (22 of 1934) to detain an aircraft, assist such authority in detaining the aircraft and taking such steps as may, in the opinion of that authority, be necessary to make the detention effective.

(2) Any person acting in contravention of any direction given under this rule shall, without prejudice to any other penalty he may incur, be deemed to have acted in contravention of these rules.

*[Amended by GSR No. 1608 dated 12-10-1966, and*

*GSR 413 dated 23-07-2001]*

**19. Cancellation, suspension or endorsement of licences, certificates, authorisation and approval** - (1) Where any person is convicted of a contravention of, or failure to comply with, these rules or any direction issued under rule 133A in respect of any aircraft, the Central Government may cancel or suspend any certificate of registration granted under these rules relating to that aircraft.

(2) The Central Government may cancel or suspend any certificate granted under these rules relating to airworthiness of an aircraft or a Type Certificate of an aircraft component, or item of equipment, if the Central Government is satisfied that a reasonable doubt exists as to the -

(a) safety of the aircraft or the type of aircraft; or

(b) the airworthiness of the aircraft component or item of equipment in respect of which a Type Certificate exists, and may vary any condition attached to any such certificate if the Central Government is satisfied that reasonable doubt exists as to whether such conditions afford a sufficient margin of safety.

(2A) Where the licensing authority is satisfied, after giving him an opportunity of being heard, that any person has contravened or failed to comply with these rules or any direction issued under rule 133A, it may, for reasons to be recorded in writing, suspend or cancel or vary any particulars entered in any licence, certificate, authorization or approval granted by it, and may require the holder of the licence, certificate, authorization or approval to surrender the same for cancellation, suspension, endorsement or variation.

(3) If the Central Government is satisfied that there is sufficient ground for doing so or, in the case of suspension during investigation that suspension is necessary in the public interest, it may, for reasons to be recorded in writing-

(a) suspend any certificate, rating or licence, authorisation and approval or any or all of the privileges of any certificate, rating or licence, authorisation and approval, for any specified period;

(b) suspend any certificate, rating or licence, authorisation and approval during the investigation of any matter;

(c) cancel any certificate, rating or licence, authorisation and approval; or

(d) endorse any adverse remarks on any certificate, rating or licence, authorisation and approval,

(4) The Central Government may cancel or vary any particulars entered by it or under its authority in any licence or certificate, authorisation and approval granted or in any journey log book issued under these rules.



(5) The Central Government may require the holder of any licence, certificate, authorisation and approval or other document granted or issued under these rules, or any person having possession or custody of such licence, certificate, authorisation and approval or document, to surrender the same to it for cancellation, suspension, endorsement or variation and any person failing to comply with any such requirement within a reasonable time shall be deemed to have acted in contravention of these rules.

NOTE- The decision of the Central Government as to whether any ground constitutes sufficient ground for suspension of any certificate, rating, licence, authorisation or approval in the public interest under the foregoing sub-rule shall be final and binding.

*[Amended by- (i) GSR No. 1238 dated 8-9-1962,  
(ii) GSR No. 1202 dated 23-7-1976,  
(iii) GSR No. 218 dated 13-3-1991, and  
(iv) GSR No. 167 (E) dated 13-03-2009; and  
GSR No 721(E) dated 23-6-2017]*

**19A. Restrictions on licence, certificate, authorisation or approval.** – (1) The Director-General may impose restrictions, as deemed fit, on any licence, certificate, authorisation or approval, —

(a) in the event of non-compliance with any condition imposed on the said licence, certificate, authorisation or approval;

(b) if any safety concern that emerged during an inspection has remained unresolved beyond the period specified by the Director-General.

(2) The Director-General may, during an inspection, direct any person not to exercise privileges of his licence or certificate if he is satisfied that there is sufficient ground for so doing and such direction shall be reduced in writing on the next working day along with reasons thereof, and further action for allowing the person concerned to exercise his privileges shall be taken thereafter in accordance with the process specified by the Director-General in this behalf.

*[Inserted by GSR No. 832(E) dated 30-06-2017]*

**20. Certain rules not applicable to Gliders, Kites and Remotely Piloted Aircraft System.**— (1) The rule 7 shall not apply to gliders, and rules 5, 6, 7, 12, 15, 17, 19 and the rules in Part III, with the exception of rule 26, shall not apply to kites.

(2) The rules 5, 6, 15 in Part II, all rules in Part III with the exception of rules 21, 21A, 26 and all rules in Part IV, Part V, Part VI and Part VII, shall not apply to remotely piloted aircraft system.”;

*[Amended by (i) GSR No. 1238 dated 8-9-1962; and*

*(ii) GSR No. 1358 dated 01-11-2017]*