

PART III - GENERAL SAFETY CONDITIONS

21. Dangerous flying - No person shall fly any aircraft in such circumstances as, by reason of low altitude or proximity to persons or dwellings or for other reason, to cause unnecessary danger to any person or property.

21A. General safety. – No person shall, act in any manner, either directly or indirectly, so as to –

- (a) endanger safety and security of an aircraft or aircraft operation;
- (b) cause interference with the normal functioning of any facility established for the safe and secure operation of aircraft; or
- (c) obstruct or distract the functioning of any person entrusted with any responsibility towards ensuring safe and secure operation of aircraft.

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

21B. Aircraft in distress. – (1) The Director-General may issue requirements to be followed by concerned persons for providing assistance to aircraft in distress in accordance with Annex 12 to the Convention.

(2) Every person shall comply with the requirements issued by the Director-General under sub-rule (1).

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

22. Assault and other acts of interference against a crew member – No person shall, on board an aircraft, –

- a) assault, intimidate or threaten, whether physically or verbally, a crew member which may interfere with the performance of the duties of the crew member or lessens the ability of the crew member to perform those duties;
- b) refuse to follow a lawful instruction given by the Pilot-in-Command, or on behalf of the Pilot-in-Command by a crew member, for the purpose of ensuring the safety of the aircraft or of any person or property on board or for the purpose of maintaining good order and discipline on board.

[Inserted by GSR No 766(E) dated 17.9.2010]

23. Assault and other acts endangering safety or jeopardizing good order and discipline.– (1) No person shall, on board an aircraft, –

- (a) assault, intimidate or threaten, whether physically or verbally, any person,
- (b) intentionally cause damage to or destroy any of property,
- (c) consume alcoholic beverages or drugs,

which is likely to endanger the safety of the aircraft or of any person or jeopardizes the good order and discipline on board the aircraft.

(2) For the purposes of rules 22 and 23, the jurisdiction of India shall, in addition to the applicability provided in rule 1 of these rules, also extend to any offence if the act constituting the offence took place on board any aircraft in flight outside India:

Provided that —

- (a) the next landing of the aircraft is in India; and
- (b) the Pilot-in-Command has delivered the suspected offender to the competent authorities of India, with the request that the authorities prosecute the suspected offender and with the affirmation that no similar request has been or shall be made by the Pilot-in-Command or the operator to any other State.

[Inserted by GSR No 766(E) dated 17.9.2010]

24. Prohibition on consumption of intoxicating and psychoactive substances – (1) No person acting as, or carried in aircraft for the purpose of acting as pilot, commander, navigator, engineer, cabin crew or other operating member of the crew thereof, shall have taken or used any alcoholic drink, sedative, narcotic or stimulant drug or preparation within twelve hours of the commencement of the flight or take or use any such preparation in the course of the flight, and no such person shall, while so acting or carried, be in a state of intoxication or have detectable blood alcohol whatsoever in his breath, urine or blood alcohol analysis or in a state in which by reason of his having taken any alcoholic, sedative, narcotic or stimulant drug or preparation, his capacity so to act is impaired, and no other person while in a state of intoxication shall enter or be in aircraft or report for duty.

(2) No operator operating a domestic air transport service in India shall serve any alcoholic drink on board such an air transport service and no passenger traveling on such a service shall consume any alcoholic drink while on board.

(3) The holders of licences shall not exercise the privileges of their licences and related ratings while under the influence of any psychoactive substance which might render them unable to safely and properly exercise the privileges of the licences and ratings.

(4) The holders of licences shall not engage in problematic use of substances.

[Substituted by GSR No. 485 (E) dated 28-6-2001]

Amended by: GSR No. 323 dated 24-11-2011]

24A. Carriage of persons suffering from mental disorders or epilepsy in aircraft- No person shall knowingly carry or permit to be carried, or connive at the carriage of, a person suffering from any mental disorder or epilepsy in any aircraft:

Provided that this prohibition shall not apply if the person to be carried is certified by a registered medical practitioner to be fit to travel by air without being a risk to other passengers or to the aircraft, and in addition :-

- (a) has not taken or used any alcoholic drink or preparation within twelve hours of the commencement of the flight;
- (b) is kept under proper sedative, if in a state of excitement, during the flight and stops en route; and
- (c) is accompanied by an attendant, provided that in case he has been in a state of excitement requiring sedation within the two weeks preceding the date of commencement of the flight, he shall be accompanied by a registered medical practitioner and adequate escort who shall

individually and collectively be responsible for ensuring that no alcoholic drink or preparation is taken by the person in their charge and that such person is kept suitably sedated during the flight and stops en route.

[Inserted by SRO No. 2022 dated 21-10-1953 and

amended by SRO No. 662 dated 20-2-1957]

24B. Carriage of prisoners in aircraft- No prisoner shall be taken aboard or carried on an aircraft except under and in accordance with a permit in writing issued by the Director-General, a Deputy Director-General, the Director of Regulations and Information or any other officer of the Civil Aviation Department authorized by the Central Government in this behalf and subject to such conditions, if any, as he may specify in the permit.

Explanation - The term "prisoner" means a person who is confined in any prison and includes a person who is arrested under any law for the time being in force.

[Inserted by SRO No. 139 dated 4-1-1954 and amended by GSR No. 60 dated 6-1-1973]

24C. Carriage of animals, birds and reptiles in aircraft- No animal, bird or reptile shall be taken aboard or carried on any aircraft to, from and within India, except under and in accordance with a general or special permit in writing issued by the Director-General in this behalf, and subject to such conditions, if any, as may be specified therein.

[Inserted by GSR No. 2147 dated 12-11-1968]

25. Smoking in aircraft- (1) The owner or the operator and the pilot-in-command of every aircraft registered in India, shall exhibit or cause to be exhibited in prominent place(s) in the aircraft notice(s) stating where and to what extent smoking is prohibited or permitted therein.

(2) A notice permitting smoking in such aircraft may be exhibited therein only if smoking in the aircraft is permitted by the certificate of airworthiness of the aircraft or by the direction of the Central Government and only in accordance with the conditions relating to smoking contained in such certificate or direction.

(3) No person shall smoke :

(a) in any part of an aircraft or in its vicinity, in which a notice is displayed indicating that smoking is prohibited.

(b) anywhere in an aircraft during take-off, landing or refuelling or during a period in which a notice is temporarily displayed indicating that smoking is prohibited.

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.

[Amended by GSR No. 1202 dated 23-7-1976 and GSR No. 150(E) dated 04-03-2009]

25A. Fuelling of aircraft- (1) No person shall fill or replenish the fuel tanks of an aircraft from vehicles or vessels containing petroleum in bulk or from fuel hydrant installations except from vehicles or installations of a type approved by the Chief Inspector of Explosives or from barges licensed under the Petroleum Rules, 2002.

(2) During fuelling operations, which may include filling or draining of fuel tanks, the following precautions shall be observed :-

(a) Fuelling of aircraft shall be done outdoors and not less than 15 meters from any building.

(b) A " NO SMOKING" notice shall be prominently displayed.

(c) Smoking or use of an appliance employing naked flame or use of an appliance capable of producing a spark or in any other way igniting fuel vapours shall not be permitted within 30 meters of the aircraft or fuelling equipment.

(d) Aircraft engines shall not be started or turned and ignition switches shall be placed in the "OFF" position.

(e) Aircraft electrical radar and radio systems shall not be operated and the switches relating thereto shall remain in the "OFF" position:

Provided that this clause shall not apply to electrical switches controlling the following circuits :

(i) power and light essential for fuelling operations;

(ii) minimum amount of cabin lighting; and

(iii) steady parking lights. Such switches shall not be operated during the fuelling operations.

(f) The use of ground power supply units, air-conditioning units, tractors and similar equipment shall be permissible subject to compliance with the following conditions:-

(i) Flexible training cables suitable for use in hazardous areas shall be used.

(ii) They shall be located outside the Danger Zone. "Danger Zone" is defined as the area within the largest polygon obtainable by joining points 3 meters away from the wings and the fuelling vehicle.

(iii) The units, including the associated electrical equipment, shall be flame-proof and of a type approved by the Chief Inspector of Explosives, otherwise they shall be stationed at a distance of not less than 15 meters, in the case of gasoline or wide cut fuels and 6 meters in the case of straight kerosine, from the aircraft and the fuelling vehicle.

(iv) They shall not be switched "ON" or "OFF" during fuel transfer.

(g) The fuelling equipment and the aircraft shall be bonded to each other and both shall be earthed.

(h) No person other than the staff of the operator, fuelling company and officials of the Civil Aviation Department, Customs and Police, shall be permitted within 15 meters of the aircraft.

(i) Passengers may be permitted to embark, disembark, or remain in the cabin subject to the following conditions :-

(i) an attendant shall remain on duty in the cabin of the aircraft. The attendant shall ensure that no smoking takes place or other source of ignition is allowed to occur and shall assist in the removal of passengers in the event of fire;

(ii) the passenger loading ramp shall be correctly positioned at the cabin exit door and adequate provision shall be made to maintain the equilibrium of the aircraft in case all passengers attempt to leave by one exit;

(iii) in case of marine aircraft, adequate means of water transport shall be stationed at cabin exit door.

(j) The handling of freight and baggage in and around the aircraft shall not proceed simultaneously with fuelling unless adequate precautions have been taken to eliminate fire risk.

(k) No aircraft maintenance shall be conducted which may provide a source of ignition for fuel vapour during fuelling operations.

(l) Fire extinguishers of adequate capacity and of suitable type, approved by the Director-General shall be available for immediate use near the aircraft.

(m) In the event of fuel being spilled, fuelling must cease and the engine of the ground power supply units must be stopped, but the electrical circuits and switches should on no account be touched except for the purpose of stopping the power unit. Prior to recommencing fuelling, action must be taken to clean the spilled fuel. Fuel must not be washed into sewers or drains.

(n) Fuelling operations shall cease when a turbo-jet aircraft manoeuvres so as to bring the rear jet outlets within 43 meters of the fuelling equipment or the aircraft.

NOTE - The requirements of clause (f) of sub-rule (2) above shall not apply to the use of ground batteries as an auxiliary source of electric supply to the aircraft provided they are not connected or disconnected during fuelling operation.

[Inserted by Notification No. 1-A/15-39, dated 7-12-1939 and amended by GSR No. 524 dated 23-4-1959 and GSR 481(E) dated 15-05-2017.]

26. Dropping of articles and descent by parachutes- (1) No person shall drop or project or cause or permit to be dropped or projected from an aircraft in motion anything except ballast in the form of fine sand or water:

Provided that nothing in this rule shall be construed as preventing -

(a) in an emergency, the dropping of liquid fuel;

(b) in an emergency, the dropping of cargo over areas where hazard to persons or property outside the aircraft is not thereby created;

(c) the dropping of message bags, smoke producing or other apparatus or materials dropped for the purpose of navigating an aircraft or communicating messages from an aircraft subject to the observance of such precautions as to the nature of the articles dropped and the place of dropping as will avoid risk of injuring persons or damaging property on the ground or water;

(d) the dropping of separate sheets of paper containing printed matter or separate petals of flowers in any place if :-

- i. the prior written permission of the District Magistrate or the Commissioner of Police is obtained in each case;
- ii. the aircraft is suitable for dropping these articles;
- iii. the minimum safe heights specified in these rules are observed; and

- iv. necessary precautions are taken to avoid injury or damage to persons or property.

(e) the dropping of ropes used for towing aircraft.

(2) No person shall, except in an emergency, descend by means of a parachute from an aircraft and no person shall drop or cause or permit to be dropped from an aircraft in flight any article, whether attached to a parachute or not, unless the descent is made or the article is dropped in accordance with the subject to any conditions or limitations contained in general or special order of the Central Government in writing in that behalf.

*[Amended by - (i) GSR No. 1567 dated 16-11-1962, and
(ii) GSR No. 54 dated 04-02-2002.]*

27. Carriage of persons in unauthorised parts of aircraft- No person shall at any time be carried on the wings or undercarriage of the aircraft, or on or in any other part thereof which is not designed for the accommodation of the personnel or passengers, or on or in anything attached externally to the aircraft:

Provided that -

(a) nothing in this rule shall prevent a person having temporary access -

(i) to any part of the aircraft for the purpose of executing repairs to the aircraft or adjusting the machinery, or equipment thereof or for the purpose of doing anything which may be necessary for the safety of the aircraft or persons or goods carried therein; or

(ii) to any part of the aircraft in which goods or stores are being carried and to which proper means of access is provided; and

(b) a person may be carried on or in any part of the aircraft, or anything attached thereto, with the permission in writing of the Central Government and subject to any conditions which may be specified in such permission.

28. Minimum age for sole control of aircraft – No person being under 16 years of age shall have sole control of an aircraft in motion and no person shall cause or permit any other person to have sole control of an aircraft in motion unless he knows or has reasonable cause to believe such other person to have attained the age of 16 years.

[Substituted by GSR No. 485 (E) dated 28-6-2001]

28A. Maximum age limit for professional pilots – (1) No person, holding a pilot's licence issued under these rules and having attained the age of sixty-five years, shall act as Pilot-in-Command or Co-pilot of an aircraft engaged in commercial air transport operations.

(2) No person holding a pilot's licence issued under these rules and having attained the age of sixty years, shall act as Pilot-in-Command or Co-pilot of an aircraft engaged in commercial air transport operations unless it is operated in a multi-crew environment and the other pilot is less than sixty years of age.

Provided that the provisions of sub-rule (2) shall not apply in respect of aircraft certified for single pilot operations and not exceeding an all up weight of 5700 kilograms engaged in commercial air transport operations within the territory of India and while operating in a multi-crew environment.

[Inserted by GSR 58(E) dated 7-2-1991 and Amended by GSR No. 251 dated 20-7-1999, GSR No. 676(E) dated 17-11-2005 and GSR No. 660(E) dated 5-9-2008]

29. Acts likely to imperil the safety of aircraft- No person shall interfere with the pilot or with a member of the operating crew of an aircraft, or tamper with the aircraft or its equipment or conduct himself in a disorderly manner in an aircraft or commit any act likely to imperil the safety of an aircraft or its passengers or crew.

29A. Prohibition of operating civil aircraft causing sonic boom- No person shall operate a civil aircraft at a true flight mach number greater than one over the territory of India or over the high seas in a manner which may cause or is likely to cause sonic boom over the territory of India.

NOTE -For the purpose of this rule, "the territory of India" shall include the territorial waters of India.

[Inserted by GSR No. 193 dated 29-1-1980]

29B. Prohibition on the use of portable electronic devices – No person shall operate, nor shall the operator or the pilot-in-command of an aircraft allow the operation of any portable electronic device on board an aircraft in flight:

Provided that the Pilot-in-Command may permit the use of cellular telephone by the passengers of a flight after the aircraft has landed and cleared active runway, except when the landing takes place in low visibility conditions as may be determined by the Director-General from time to time:

Provided further that the provisions of this rule shall not apply to portable voice recorders, hearing aids, heart pacemaker, electric shavers or other portable electronic devices which, in the opinion of the operator, do not cause interference with the navigation or communication system of the aircraft on which it is to be operated and for which such operator has obtained approval of the Director-General.

Explanation. For the purposes of this rule, an aircraft shall be deemed to be in flight when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation.

[Inserted by GSR No. 400 dated 18-7-2001;

Amended by GSR No. 726(E) dated 3-09-2010]

29C. Adoption of the Convention and Annexes – (1) The Director-General may lay down standards and procedures not inconsistent with the Aircraft Act, 1934 (22 of 1934) and the rules made thereunder to carry out the Convention and any Annex thereto.

(2) The Director-General shall formulate the State Safety Programme and oversee its implementation.

Explanation.– For the purposes of this sub-rule, "State Safety Programme" means an integrated set of requirements and activities aimed at improving safety."

[Inserted by GSR No. 330(E) dated 19-5-2005, and

amended by GSR No. 59(E) dated 31-01-2011]

29(D). Safety management system.—(1) Every organization which –

(i) is holding a Scheduled or Non-Scheduled Operator's Permit issued under rule 134 or 134A and engaged in the operation of aeroplanes or helicopters, as the case may be; or

(ii) is conducting operations of large or turbojet aeroplanes for general aviation; or

(iii) is engaged in the operation of an aerodrome licensed under rule 78; or

(iv) is engaged in the type design of aircraft, engines or propellers approved under rule 133B; or

(v) is engaged in manufacture of aircraft, engines or propellers approved under rule 133B; or

(vi) is a maintenance organisation approved under rule 133B and engaged in the maintenance of aeroplanes or helicopters; or

(vii) is a training organization approved under rule 41B; or

(viii) is an air traffic service provider,

shall establish and maintain a Safety Management System and prepare a Safety Management System Manual in such form and manner as may be specified by the Director-General and submit the same to the Director-General for acceptance.

(2) The Director-General or any other officer authorized by him may, at any reasonable time carry out oversight of the Safety Management System and the concerned organization shall co-operate with the Director-General or the person so authorized to carry out the oversight.

Explanation: —for the purpose of this rule, -

(a) "Safety Management System" means a systematic approach to managing safety, including the necessary organisational structures, accountability, responsibilities, policies and procedures;

(b) "Safety Management System Manual" means the document as accepted by the Director-General under sub-rule (1);

(c) "large aeroplane" means an aeroplane with all-up weight exceeding 5700 kilograms.

*[Inserted by GSR No. 59(E) dated 31-01-2011;
Substituted by GSR 911(E) dated 16-09-2016; and
Amended by GSR 1096(E) dated 9-11-2018]*