

PART IV - REGISTRATION AND MARKING OF AIRCRAFT

30. **Certificate of Registration** – (1) The authority empowered to register aircraft and to grant certificate of registration in India shall be the Central Government. The certificate of registration shall include the following particulars, namely:

Type of aircraft, constructor's number, year of manufacture, nationality and registration marks referred to under these rules, full name, nationality and address of the owner, usual station of aircraft and the date of registration and the period of validity of such registration:

Provided that in the case of a leased aircraft, the certificate of registration shall also include the validity of the lease and the names, nationalities and addresses of the lessor and the lessee:

(1A) The Central Government may by general or special order issued from time to time, specify the period of validity of registration of the aircraft.

(2) An aircraft may be registered in India in either of the following categories, namely:

(a) Category A – Where the aircraft is wholly owned either –

(i) by citizens of India; or

(ii) by a company or corporation registered and having its principal place of business within India; or

(iii) by the Central Government or any State Government or any company or any corporation owned or controlled by either of the said Governments; or

(iv) by a company or corporation registered elsewhere than in India, provided that such company or corporation has given the said aircraft on lease to any person mentioned in sub-clause (i), sub-clause (ii) or sub-clause (iii); and

(b) Category B – Where the aircraft is wholly owned either –

(i) by persons resident in or carrying on business in India, who are not citizens of India; or

(ii) by a company or corporation registered elsewhere than in India and carrying on business in India.

(3) No aircraft in respect of which the conditions required in sub-rule (2) are not satisfied, or which is already validly registered in another country, shall be registered in India.

(4) In a case where the usual station of an aircraft and its ordinary area of operation are not situated in India, the Central Government may decline to accept an application for registration of the aircraft in India, or, as the case may be, to permit the aircraft to remain registered in India, if, in its opinion, the aircraft could more suitably be registered in some other country.

(5) In any particular case, the Central Government may decline to register an aircraft in India, if, in the circumstances of the case, it appears to it to be inexpedient in the public interest that the aircraft should be so registered.

(6) The registration of an aircraft registered in India may be cancelled at any time by the Central Government, if it is satisfied that –

(i) such registration is not in conformity with the provisions of sub-rule (2); or

- (ii) the registration has been obtained by furnishing false information; or
- (iii) the aircraft could more suitably be registered in some other country; or
- (iv) the lease in respect of the aircraft, registered in pursuance of sub-clause (iv) of clause (a) of sub-rule (2), has expired or has been terminated in accordance with terms of lease; or
- (v) the certificate of airworthiness in respect of the aircraft has expired for a period of five years or more; or
- (vi) the aircraft has been destroyed or permanently withdrawn from use; or
- (vii) it is inexpedient in the public interest that the aircraft should remain registered in India.

(7) The registration of an aircraft registered in India, to which the provisions of the Cape Town Convention and Cape Town Protocol apply, shall be cancelled by the Central Government, within five working days, without seeking consent or any document from the operator of the aircraft or any other person, if an application is received from the IDERA Holder along with:—

- (i) the original or notarised copy of the IDERA recorded with the Director-General; and
- (ii) a priority search report from the International Registry regarding all Registered Interests in the aircraft ranking in priority along with a certificate from the IDERA Holder that all registered interests ranking in priority to that of the IDERA Holder in the priority search report have been discharged or that the holders of such interests have consented to the deregistration and export of the aircraft:

Provided that such cancellation of registration of the aircraft shall not affect the right of the Central Government or of any entity thereof, or any inter-governmental organisation in which India is a member, or other private provider of public services in India, to arrest or detain or attach or sell an aircraft object under its laws for payment of amounts owed to the Government of India, any such entity, organisation or provider directly relating to the services provided by such aircraft in respect of that object.

Explanation.— For the purpose of this sub-rule, “International Registry” “means the Registry established under Article 16 of the Cape Town Convention”.

[Amended by – (i) GSR No. 1202 dated 23.7.1976;

(ii) GSR No. 36 dated 7.1.1992;

(iii) GSR 349(E) dated 31.7.1996;

(iv) GSR 404(E) dated 14.7.1997;

(v) G.S.R. 813(E) dated 21-11-2008;

(vi) G.S.R. 28(E) dated 17th January 2011;

(vii) G.S.R. No. 78(E) dated 9-2-2015;

(viii) G.S.R. No. 295(E) dated 23-3-2017; and

(ix) G.S.R. No. 821(E) dated 27th August 2018]

31. Nature of application- (1) Every application for a certificate of registration shall be accompanied by-

- (a) such particulars relating to the aircraft and its ownership as may be required by the Central Government;
- (b) the fee prescribed in rule 35, which fee shall be refunded if the application is not granted; and
- (c) in the case of an aircraft imported by air, a certificate signed by the Assistant Commissioner of Customs or any officer above the rank of Assistant Commissioner of Customs that the customs duty leviable in respect of it has been paid and stating the type and manufacturer's number of the aircraft and engine, and if the aircraft has been registered elsewhere, its registration markings.

(2) An applicant for a certificate of registration may be required to produce proof of the truth of the statements contained in his application.

[Amended by (i) GSR No. 1973 dated 5-8-1963

(ii) G.S.R. 813(E) dated 21-11-2008]

32. Aircraft imported by air- When an application is made for the registration of an aircraft before its import into India, for the purpose of the import of the aircraft by air, a temporary certificate of registration may, subject to the conditions of sub-rule(3) of rule 30, be granted by the Central Government to the owner of the aircraft complying with clauses (a) and (b) of sub-rule (1) of rule 31. Such temporary certificate shall be valid only until the first landing of the aircraft at a customs aerodrome in India, when the certificate shall be delivered by the pilot or other person-in-charge to the the Director-General. Thereafter, on production by or on behalf of the owner of the aircraft of the certificate mentioned in clause (c) of sub-rule (1) or rule 31, the certificate of registration may be granted by the Central Government:

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

32A. Export of aircraft. —The Central Government shall, consequent upon cancellation of registration of an aircraft under sub-rule (7) of rule 30, if an application is made by the IDERA Holder for export of the same aircraft, take action to facilitate the export and physical transfer of the aircraft, along with spare engine, if any, subject to: —

- (i) the payment of outstanding dues in respect of the aircraft; and
- (ii) the compliance of the rules and regulations relating to safety of the aircraft operation.

*[Inserted by GSR No 295(E) dated 23-3-2017; and
Amended by G.S.R. No. 821(E) dated 27th August 2018]*

33. Change in ownership- In the event of any change in the ownership of a registered aircraft, or if a registered aircraft ceases to be owned wholly either by a person or by a company or corporation fulfilling the conditions set out in rule 30, then -

- (a) the registered owner of the aircraft shall forthwith notify to the Director-General such change of ownership or, as the case may be, that the aircraft has ceased to be so owned;
- (b) any person, company or corporation who becomes the owner of an aircraft registered in India (hereinafter referred to as the New Owner) shall forthwith inform the Director-General in writing of the fact of his ownership of the aircraft and may make an application for a certificate of registration; such application shall be made in such form and shall contain such particulars

as the Director-General may direct. Until such application is made and the certificate of registration is granted to the new owner, it shall not be lawful for any person to fly or assist in flying such aircraft except in accordance with and subject to a permission in writing of the Director-General;

(c) the registration and the certificate there-of shall remain valid until such registration and certificate have been cancelled by the Director-General;

[Amended by GSR No. 1202 dated 23-7-1976 and GSR No. 404(E) dated 14-7-1997]

34. (Omitted vide GSR 404(E) dated 14-7-1997)

35. Registration fees- (1) The following fee shall be payable in respect of a certificate of registration for an aircraft having maximum permissible take-off weight —

- | | |
|---|--------------|
| (i) of 15,000 kilograms or less: | Rs. 20,000/- |
| (ii) exceeding 15,000 kilograms,:
for every 1,000 kilograms or
part thereof | Rs. 5,000/- |

Note. – For the purpose of this sub-rule, the maximum take-off weight shall be as indicated in the Flight Manual of the aircraft.

(2) Where the original certificate of registration is lost or destroyed, a duplicate thereof may be issued on payment of ten percent of the fee payable under sub-rule (1).

(3) A temporary certificate of registration referred to in rule 32, may be issued on payment of twenty five percent of the fee payable under sub-rule (1).

(3A) The certificate of registration may be renewed on payment of fifty percent of the fee payable under sub-rule (1).

(4) All fees payable under this rule shall be paid by crossed Indian Postal Order/Demand Draft payable to the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

*[Amended by - (i) GSR No. 1202 dated 23-7-1976,
(ii) GSR No. 194 dated 1-2-1980 as corrected by GSR No. 540 dated 26-4-1980, and
(iii) GSR No. 886 dated 24-10-1988
(iv) GSR No. 181(E) dated 20-03-2006
(v) GSR No. 101(E) dated 19-02-2009]*

36. Register of aircraft- A register of aircraft registered in India shall be maintained by the Director-General and shall include the particulars as provided for in respect of certificate of registration in rule 30. Such a register shall be open to inspection by members of the public at such times and subject to such conditions as may be specified by the Director-General.

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

37. Nationality and Registration Marks, how to be affixed- The following provisions of this rule shall have effect with respect to the marks to be borne by aircraft registered in India-

(1) The nationality mark of the aircraft shall be the capital letters VT in Roman character and the registration mark shall be a group of three capital letters in Roman character assigned by the Director-General. The letters shall be without ornamentation and a hyphen shall be placed between the nationality mark and the registration mark.

(2) The nationality and registration marks-

(a) shall be painted on the aircraft or shall be fixed thereto by any other means ensuring a similar degree of permanency in the form and manner as specified by the Director-General, from time to time;

(b) shall be inscribed together with full name and address of the registered owner of the aircraft on the owner's name plate in the form and manner specified by the Director-General from time to time; and

(c) shall always be kept clean and visible.

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

37A. Use of State Marks- (1) An aircraft shall not bear on any part of its exterior surface any advertisement or any sign or lettering except those under these rules and as required or permitted by the Director-General.

(2) The name of an aircraft and the name and emblems of the owner of the aircraft may be displayed on the aircraft if the location, size, shape and colour of the lettering and signs do not interfere with easy recognition of, and are not capable of confusion with, the nationality and registration marks of the aircraft.

(3) An aircraft other than a State aircraft shall not bear any mark or sign prescribed for use by a State aircraft.

(4) National flags or colours may be displayed on the aircraft in such a manner that they are distinct and are not likely to create confusion with the markings used by military aircraft.