



सत्यमेव जयते

GOVERNMENT OF INDIA

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTRE, OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI – 11 0 003

CIVIL AVIATION REQUIREMENTS
SECTION 1 – GENERAL
SERIES 'A' PART IV
12TH MARCH 2007

EFFECTIVE: FORTHWITH

Subject: **Procedure for an appeal on orders issued under Rule 3B of the Aircraft Rules, 1937.**

1. Introduction

1.1 Rule 3B of the Aircraft Rules, 1937 provides for appeals against the orders of the DGCA officers. This rule is reproduced below:

“3B. Appeals – If any person is aggrieved by an order passed by an officer in exercise of a power conferred on him by these rules or delegated to him under rule 3A, he may prefer an appeal to the next higher officer within sixty days of the date of the order.

Note – For the purpose of this rule, the next higher officer in case of Director-General shall be the Secretary to the Government of India in the Ministry or Department responsible for Civil Aviation.”

1.2 This CAR provides for the procedure to be followed in dealing with the appeals made against the decisions of an officer exercising the power conferred on him by the Aircraft Rules, 1937 or delegated to him under rule 3A of the said Rules.

2. Procedure to be followed in dealing with the Appeal

2.1 An appellant, who is aggrieved by an order passed by an officer of DGCA, may prefer an appeal against such order within 60 days of issue of the order to the next higher officer.

- 2.2 Such an appeal shall be made in writing accompanied by relevant supporting documents to substantiate the merit of the case and for easy reference by the appellate authority.
- 2.3 The appellant may amend his appeal within 10 days from the date of submission of the appeal.
- 2.4 The appellate authority shall prepare a brief containing the facts and other details of the case based on which the order in question was passed alongwith his comments on the points raised by the appellant. He may seek the legal opinion from the Directorate of Regulations and Information, if so desired, on the brief.
- 2.5 The appellate authority shall provide an opportunity of being heard to the appellant as also the officer who passed the order being appealed against.
- 2.6 The decision of the appellate authority shall be based on the facts and evidence submitted and shall be confined to the points raised in the appeal. The appellate authority shall observe all the principles of natural justice in deciding the matter so as to satisfy the appellant that he has been impartial, just and fair in deciding the matter.
- 2.7 The appellate authority shall issue a speaking order, normally within 30 days from the date of appeal, outlining the facts of the case and the rationale behind the order passed by him.



(Kanu Gohain)
Director General of Civil Aviation