



GOVERNMENT OF INDIA

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTRE, OPP SAFDARJUNG AIRPORT, NEW DELHI

CIVIL AVIATION REQUIREMENT
SECTION 3 AIR TRANSPORT
SERIES 'C' PART III
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SUBJECT: Minimum Requirements for Grant of Air Operator Permit to Operate Non-Scheduled Air Transport Services.

1. INTRODUCTION

Sub-rule (2) of Rule 134A of the Aircraft Rules, 1937 specifies that no air transport service, other than a scheduled air transport service, shall be operated by an Indian air transport undertaking unless it holds a Non-Scheduled Operator's Permit granted by the Central Government. Accordingly, DGCA issues Air Operator Permit to operate non-scheduled air transport service in pursuance to Sub-rule 2 of Rule 134A of the Aircraft Rules, 1937.

This Civil Aviation Requirement contains the minimum airworthiness, operational and other general requirements for grant of Air Operator Permit for non-scheduled passenger air transport services. These requirements are complimentary to the requirements of ICAO Annex 6 Part I and Part III, as applicable.

This CAR is issued under provisions of Rule 133A and 134A of the Aircraft Rules, 1937.

2. APPLICABILITY AND SCOPE

2.1 This CAR is applicable to persons/organisations undertaking, or desirous of undertaking non-scheduled passenger air transport services in pursuance to Rule 134A of the Aircraft Rules, 1937.

2.2 Non-scheduled passengers may be carried by using:-

a) Single or multi engine aero planes, seaplanes and helicopters duly

registered in India subject to conditions, if any, as stipulated by DGCA.

- b) Gliders(including Powered Gliders), Hot-air balloons, Airships, and Micro light aircraft duly registered in India, only for the purpose of joy rides.

~~2.3 Single engine, turbine powered aero planes may be operated day/night, VFR/IFR weather conditions as per their certification and operating procedures stipulated in flight manual. Single engine piston airplanes shall not be operated at night or in Instrument Meteorological conditions. Note: This para is being moved to CAR Section 8 Series F, Part VII para14.1~~

~~2.4 Operations with single engine aero planes shall be conducted only on domestic sectors. A non-scheduled operator can undertake international operations subject to area of operations permitted on the operations specifications, and compliance of applicable requirements for operating to specific destination. An operating procedure shall be included in the operations manual providing guidance to operators' personnel on the procedure to be followed for ensuring safe international operations including any limitations for such operations.~~

2.5 The carriage of passengers by a non-scheduled operator's permit holder may be performed on per seat basis or by way of chartering the whole aircraft on per flight basis, or both. There is no bar on the same aircraft being used for either purpose as per the requirement of customers from time to time. The operator is also free to operate a series of flights on any sector within India by selling individual seats but will not be permitted to publish time table for such flights. Operation of international flights may also be undertaken as per provisions of CAR Section 3 Series F Part I.

2.6 A non-Scheduled Operator is also allowed to operate revenue charter flights for a company within its group companies, subsidiary companies, sister concern, associated companies, own employees, including Chairman and members of the Board of Directors of the company and their family members, provided it is operated for remuneration, whether such service consists of a single flight or series of flights over any period of time.

2.7 The Non-Scheduled Operator's Permit holders can also undertake Aerial Work by an aircraft suitable for such work, subject to compliance of CAR Section 3 Series N Part I.

3. DEFINITIONS

3.1 **'Air transport service'** means a service for the transport by air of persons, mails or any other thing, animate or inanimate, for any kind of remuneration whatsoever, whether such service consists of a single flight or series of flights.

3.2 **'Scheduled air transport service'** means an air transport service

undertaken between the same two or more places and operated according to a published time table or with flights so regular or frequent that they constitute a recognizably systematic series, each flight being open to use by members of the public.

- 3.3 **'Non-Scheduled air transport service'** means an air transport service, other than a scheduled air transport service as defined in para 3.2 above, being operated for carriage of passengers, mail and goods, and includes charter operations.
- 3.4 **'Air Operator Permit (AOP)'** means non-scheduled operator permit authorizing an operator to carry out non-scheduled air transport services **subject** to conditions as may be specified in the permit.
- 3.5 **'Operator'** means a person, organisation or enterprise engaged in or offering to **engage** in aircraft operation and includes an AOP holder as well as an applicant for grant of AOP.
- 3.6 **"Charter operation"** means an operation for hire and reward in which the **departure** time, departure location and arrival locations are specially negotiated and agreed with the customer or the customer's representative for entire aircraft. No ticket is sold to individual passenger for such operation.
- 3.7 **'DGCA'** means the Directorate General of Civil Aviation.
- 3.8 **'BCAS'** means the Bureau of Civil Aviation Security.
- 3.9 **'Remuneration'** means payment or compensation received for services rendered on viable commercial terms.

4. ELIGIBILITY REQUIREMENTS

- 4.1 Air Operator Permit (AOP) for operating Non-Scheduled Air Transport Services shall be granted only to:
- a) a citizen of India; or
 - b) a company or a body corporate provided that:
 - i. it is registered and has its principal place of business within India;
 - ii. its chairman and at least two-thirds of its directors are citizens of India; and,
 - iii. its substantial ownership and effective control is vested in Indian nationals.

Note: In case of Foreign Direct Investment (FDI), the eligibility requirements shall be governed by the FDI guidelines issued by Ministry of Civil Aviation as contained in AIC 12/2013 and as amended from time to time.

- 4.2 The applicant shall meet the paid up capital requirements as prescribed below:

Fleet Strength	Minimum Paid-up capital Rs. In Crores
Up to 2 aero planes/helicopters	2.00
More than 2 and upto 5 aero planes/helicopters	5.00
More than 5 and upto 10 aero planes/helicopters	10.00
More than 10 aero planes/helicopters	15.00

Note1: A Certificate indicating the paid-up capital of the company/entity, issued by Chartered Accountant and countersigned by Company Secretary, or by the CMD/MD of the company where the provision of Company Secretary is not applicable shall be submitted.

Note2: The above minimum paid-up capital requirements shall not apply to applicants proposing operations under paragraph 2.2(b) of this CAR.

- 4.3 The Applicant/Company and its Board of Directors shall be required to be security cleared from Ministry of Home Affairs (MHA).
- 4.4 The management positions such as the Chief Executive Officer (CEO) and/or Chief Financial Officer (CFO) and/or Chief Operating Officer (COO) and/or Accountable Manager, if held by foreign nationals, would also require security clearance from MHA.
- 4.5 The provisions of FDI policy from Government of India and guidelines from Ministry of Civil Aviation in this regard shall be followed for any foreign direct investment (FDI).

5. SECURITY CLEARANCE

- 5.1 Grant and continuation of AOP is subject to security clearance from MHA. Denial/Withdrawal of Security Clearance by MHA at any stage will lead to rejection of the application for AOP, and AOP if already issued, shall be liable to be cancelled/withdrawn.
- 5.2 Ministry of Home Affairs (MHA) is the competent authority for grant of Security Clearance. The request for grant/renewal of security clearance shall be submitted to the Ministry of Civil Aviation through eSAHAJ portal (<https://esahaj.gov.in/>). Ministry of Civil Aviation shall convey the decision on security clearance based on inputs from MHA.
- 5.3 Details of FDI, if any, shall be intimated to the Ministry of Civil Aviation with compliance of the FDI guidelines prescribed in AIC 12/2013 (as amended from

time to time) along with the application for security clearance.

- 5.4 The validity of security clearance for the Company and Board of Directors shall be co-terminus with the validity of AOP, and a fresh security clearance shall be required for renewal of AOP.
- 5.5 Any change in the Board of Directors of the Company, or induction of foreign national to management positions such as the Chief Executive Officer (CEO) and/or Chief Financial Officer (CFO) and/or Chief Operating Officer (COO) and/or Accountable Manager at any time shall not be effected without prior security clearance from MHA through MoCA.
- 5.6 Any change in the shareholding pattern of the Company involving a change of 10% or more shall not be effected, unless the security clearance is obtained from Ministry of Home Affairs through Ministry of Civil Aviation.
- 5.7 The Applicant/AOP holder shall provide information to Ministry of Civil Aviation and DGCA regarding criminal case(s), if any, registered against the company, owner, promoter or any of its Directors at any point of time.
- 5.8 Changes in the company including Board of Directors, Management Personnel, shareholding pattern, which require prior security clearance under this CAR, if effected without prior security clearance, shall invite penal action as per provisions of the Aircraft Rules, 1937.

6. PROCEDURAL REQUIREMENTS

- 6.1 The procedure and guidelines for issue of a Non-Scheduled Operator's Permit are contained in applicable Air Operator Certification Manual (CAP3300/ CAP 3400); provided that in case of applicants intending to operate both aeroplanes and helicopters, the certification process will be compliant with both CAP 3300 and CAP 3400 wherein the specific requirements and process will be as decided by DGCA at the time of the acceptance of the formal application
- 6.2 To initiate the process of obtaining Non-Scheduled Operator's Permit, the applicant shall submit an application containing the following
- 6.3 Statement of Intent as per CAP3300/3400 having the details of their proposed operations.
 - 6.3.1 Compliance of the eligibility requirements contained in para 4 of this CAR with all relevant supporting documents.
 - 6.3.2 A fee of Rs. 1,75,000/- (Rupees One Lakh Seventy Five thousand only) which is to be paid in a manner as prescribed by Director General in favour of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

- 6.3.3 Copy of the eSAHAJ application for security clearance. The applicant shall submit a request for security clearance of the applicant/company and its Board of Directors through eSAHAJ portal (<https://esahaj.gov.in/>).
- 6.3.4 In case the applicant has Foreign Direct Investment (FDI), the details shall be submitted along with declaration that the applicant complies with the guidelines given in AIC No. 12/2013 dated 01.10.2013 (as amended from time to time) and the latest FDI policy issued by Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industries on foreign direct investment in the civil aviation sector.
- 6.3.5 In case there is no FDI in the company, an undertaking to that effect shall be submitted.
- 6.4 The import/acquisition of aircraft for the purpose of undertaking non-scheduled air transport service shall be governed by Air Transport Circular 02/2017 as amended from time to time.
- 6.5 The aircraft imported for the purpose of non-scheduled operations shall not be disposed of to a party within India intending to use it for private purposes, unless the clearance from Customs Authority is obtained.
- 6.6 The applicant shall ensure that they meet all the applicable regulatory requirements for operation proposed to be undertaken. Furnishing of wrong information in respect of any of the prescribed guidelines at any stage shall make the operator liable for suspension/cancellation of the AOP.
- 6.7 Security clearance from MoCA/MHA is a pre-requisite for issuance as well as continuation of AOP, and the AOP would be issued only after the receipt of security clearance from MoCA/MHA. Denial/Revocation of security clearance by MoCA/MHA at any stage would result in closure of the process for issuance of AOP.
- 6.8 The applicant has an option to either wait for Security Clearance or to commence the formal application phase of certification process for issuance of AOP even when the eSAHAJ application of Security Clearance is under process with the competent authorities. However, DGCA shall not be responsible for any financial losses suffered by the applicant due to denial of security clearance. An undertaking to this effect shall be submitted by the applicant at the time of formal application.
- 6.9 AOP once issued shall also be subject to security clearance of the company and denial/revocation of security clearance by MoCA/MHA at any stage after issuance of NSOP/AOP shall lead to cancellation of AOP.
- 6.10 The applicant shall be required to obtain the AOP within a period of three years from the date of security clearance, failing which fresh security clearance as well as payment of the applicable fee shall be required afresh to continue the process for issuance of NSOP/AOP.

- 6.11 The fee paid for the purpose of issuance of NSOP/AOP shall be non-refundable.

7. APPLICATION FOR GRANT OF AOP

- 7.1 The applicant shall submit a formal application to DGCA as per CAP 3300/3400, along with a fee of Rs 5,00,000/- (Rupees Five lakhs only) as prescribed in Rule 134C of the Aircraft Rules, 1937, and requisite manuals/documents as per CAP 3300/3400.

Note: The above mentioned fee shall be paid in the manner as prescribed by Director General in favor of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.

- 7.2 The applicant shall prepare regulatory manuals/documents in compliance with all applicable directions issued by Director General from time to time and submit it along with the application for issue of AOP.
- 7.3 The application shall contain details of all special authorisations intended to be sought by the applicant. The application shall also be accompanied with the proposed schedule for the completion of the certification process which shall be finalised with the DGCA Certification Team at the time of the acceptance of the formal application.
- 7.4 As part of the formal application for grant of AOP, the applicant shall be required to present, to the satisfaction of DGCA, an adequate organization, method of control and supervision of flight operations, training programmes as well as ground handling and maintenance arrangements consistent with the nature and extent of the intended operation.
- 7.5 The applicant shall ensure compliance of all the applicable regulatory requirements in the various operations, maintenance and safety related manuals/documents. A para wise compliance of all the applicable CARs/Circulars/Regulatory requirements as per Appendix C of CAP3300/3400, as applicable, shall also be submitted.
- 7.6 The applicant shall obtain approval of their security programme from Bureau of Civil Aviation Security (BCAS) and submit the same to DGCA for issuance of AOP.
- 7.7 The application will be accompanied with an undertaking that the operator shall arrange for type training for one Airworthiness Inspector and one Flight Operations Inspector free of cost whenever so required by DGCA. In case type-trained inspectors are not available with DGCA for the aircraft being proposed to be inducted the operator shall arrange for type training for one Airworthiness Inspector and one Flight Operations Inspector free of cost prior to or along with the AMEs/Pilots of the operator/maintenance organisation. The expenditure on such training will be borne by the operator.

8. AIRCRAFT REQUIREMENTS

- 8.1 The applicant shall have at least one aircraft either by outright purchase, or, through commercial dry lease. The aircraft shall be registered in India and holding a Certificate of Airworthiness in Normal Passenger category.
- 8.2 For import/ acquisition of aircraft, the applicant shall obtain permission from DGCA.
- 8.3 The aircraft proposed to be imported for undertaking Non-Scheduled Air Transport Service shall meet the age related requirements as specified in CAR Section 2, Series 'F', Part XX.
- 8.4 The applicant shall ensure that aircraft : -
- i. has a type certificate issued/validated/accepted by DGCA;
 - ii. is maintained in an approved maintenance organization and certified by licensed personnel;
 - iii. continued airworthiness is managed by an approved Continuing Airworthiness Management Organization(CAMO);
 - iv. remains airworthy during its operation and complies with applicable Aircraft Rules, 1937 and Civil Aviation Requirements;
 - v. is fitted with appropriate instruments and equipment suitable for the type of operations in which it is engaged.

9. ORGANIZATION AND PERSONNEL

- 9.1 The applicant shall have an organisation to the satisfaction of DGCA, which shall be adequately staffed with qualified and trained personnel to conduct operations safely and regularly as per applicable regulatory requirements.
- 9.2 The applicant shall designate a suitable person as Accountable Manager, who has the corporate authority for ensuring that all the operations of the operator can be financed and carried out to in compliance with the standards required for the issue of an Air Operator Permit. The Accountable Manager shall be accepted by DGCA.
- 9.3 The Accountable Manager shall nominate suitable persons serving full time in the organisation for post holder positions as per the scope of operations and the size of the organisation. These requirements are as follows:-

9.3.1 Post Holders:-

- a. Head of Operations
- b. Head of Training
- c. Chief Pilot(s) (if applicable)
- d. Head of Cabin Safety (if applicable)
- e. Continuing Airworthiness Manager
- f. Quality Manager
- g. Chief of Flight Safety
- h. Safety Manager
- i. Chief Security Officer

9.3.2 The Head of Operations may also undertake the functions of Head of Training provided the operator **has upto total three aircraft.:-**

~~a. —is undertaking only domestic operations; and~~

~~b.a. has upto total three aircraft.~~

Note: The person nominated shall meet the requirements for both the positions.

9.3.3 In case of operators operating more than one type of aircraft, there should be a Chief Pilot responsible for operations practices and management of each fleet. The Chief Pilots will report to the Head of Operations. Further, the Heads of Operations and Training should be preferably be from the type with the largest fleet from amongst the operator's aircraft.

Note: The Head of Operations and/ or Head of Training may concurrently hold the position of the Chief Pilot of the type he is qualified on.

9.4 The qualification requirements for the Post Holders are given in Annexure-I to this CAR. Such persons shall be accepted/approved by DGCA. Any change in the Accountable Manager or the Post Holders at any time shall not be effected without prior approval of DGCA.

9.5 The applicant must state in the general policy provisions of the operations manual as per applicable CARs and regulations, the duties, responsibilities and authority of such post holders. The names and business addresses including email & contact number of the post holders shall be listed in the

operations manual.

- 9.6 The applicant shall have sufficient number of pilots and cabin crew (if required) under its own employment for the planned operations. The applicant shall also submit a detailed plan for the periodic training and checks of its crews.
- 9.7 The pilots holding licences issued by other contracting States shall be permitted to fly only after obtaining Foreign Aircrew Temporary Authorisation (FATA) from DGCA.
- 9.8 No aircraft shall be operated under the authority of the AOP, if the crew of the aircraft are not under full-time employment of the holder of the permit.
- 9.9 Notwithstanding the provision in para 9.8, cross utilization of the crew of one operator by another operator having same type of aircraft may be resorted to in the exigencies given below:-
- a) The pilot is unavailable on account of leave, training, medical or pending investigation of accident/incident;
 - b) The pilot has left the organization without adequate notice.
- 9.10 The cross utilization of crew under paragraph 9.9 shall be subject to the following conditions:
- (a) Pilots can be borrowed only from non-scheduled operators.
 - (b) The borrowing operator shall obtain NOC from the operator who is lending the services of its pilot;
 - (c) The borrowing operator shall provide training to the concerned pilot regarding familiarization of company procedures and its operations manual and issue a certificate regarding the training which shall be produced on demand to DGCA's surveillance team;
 - (d) The borrowing and the lending operators shall reach a mutual agreement regarding the wages and other liabilities such as insurance, medical, etc. of the concerned period;
 - (e) Compliance with the FDTL regulations in respect of the concerned pilot shall be the responsibility of his parent organization who shall be held responsible for any violation in this regard besides the pilot himself;
 - (f) The borrowing operator shall furnish a monthly report to DGCA Hqrs (Flight Standards Directorate) regarding cross utilization of pilots, as per proforma given below:-

Name of the borrowing operator:				
Pilot cross utilisation report for the month:				
S.No	Name of the Pilot cross-utilized	Operator from which borrowed	Reason for cross utilisation	Date(s) of operation with cross utilization

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~~(f) The borrowing operator shall inform their Principal Operations Inspector (POI), the details of pilot(s) borrowed under this provision, including reasons thereof.~~

~~(g) A quarterly report indicating the reason and details of pilots borrowed shall be submitted by the borrowing operator to DGCA Hqs (Flight Standards Directorate) regarding cross utilization of pilots, if any, resorted to during the previous months;~~

(h) No operator shall run his flights by borrowing pilots under paragraph 9.9 for more than three months;

(i) No pilot shall operate flights under paragraph 9.9 for more than three operators including his parent organization.

9.11 ~~The pilot operating single engine aeroplane under the provisions of this CAR shall meet the following minimum requirements:~~

~~(a) For Piston Engined Aeroplanes~~

The pilot shall have a minimum of:

- ~~i. Total flying experience 500 hours~~
- ~~ii. Total PIC flying experience 200 hours~~
- ~~iii. Total flying experience on type 50 hours.~~
- ~~iv. Total PIC flying experience on type 25 hours~~
- ~~v. PIC flying experience in the last six months on type 10 hours.~~

~~(b) For Turbine Engined Aeroplane~~

The pilot shall have current instrument rating and a minimum of :

- ~~i. Total flying experience 700 hours~~
- ~~ii. Total PIC flying experience 300 hours~~
- ~~iii. Total instrument flying experience as PIC 100 hours~~
- ~~iv. Total PIC flying experience on type 50 hours~~
- ~~v. PIC flying experience in the last six months on type 10 hours~~
- ~~vi. Total flying experience in night operations on the type 10 hours~~

~~Note: The above requirements shall not apply for seaplane/amphibian operations. Pilot experience requirement for the sea plane/amphibian operations will be as per CAR Section 3 Series C Part IX and CAR Section 7 Series B Part XVI.~~ **Note: This para is being moved to CAR Section 8 Series F, Part VII Para 4.7**

9.12 The operator shall get its pilots/cabin crew (if required) trained either at the facilities of the manufacturer or at training establishments approved by the

DGCA or any ICAO Contracting State

- 9.13 The operator shall ensure that both operational and ground staff dealing with passengers, baggage, and cargo undergo initial and recurrent Dangerous Goods training programme in accordance with CAR Section 11 Series C Part I.

10. FACILITIES

- 10.1 The operator shall have an operations office with adequate management and operations personnel commensurate with scale of operations and arrangements to ensure an effective operational control and supervision of the entire operations as per the operations manual approved by DGCA.
- 10.2 The operator shall have adequate arrangement for ground handling, preparation of load and trim sheet, flight dispatch and passenger/baggage handling. The staff should have undergone the training and checks as specified by DGCA. The requirements specified in this regard as per applicable CARs under Section 8 (Aircraft Operations) shall be followed. Further, the operator shall also maintain any other such facilities that may be required as per applicable CARs under Section 8.
- 10.3 The operator shall have appropriate arrangements for ensuring Continuing Airworthiness as per requirements contained in CAR-M, as well as maintenance arrangements in consonance with the requirements contained in CAR 145.
- 10.4 The operator shall have facilities for conducting breath-analyzer examination of its aviation personnel as specified in CAR Section 5 Series F Part III.
- 10.5 The operator shall have suitable arrangements for examination of its aviation personnel for consumption of psychoactive substances as specified in CAR Section 5 Series F Part V.
- 10.6 The operator shall have approved arrangements/ facilities and manpower for imparting training (including refresher training) to their flight crew, cabin crew, flight dispatchers and other operational staff.
- 10.7 The operator shall implement flight data analysis program as per requirements laid down in DGCA CAR Section 5 Series F Part II.

11. DOCUMENTATION

- 11.1 The operator shall ensure availability of all necessary operational documents and publications for reference by its personnel.

- 11.2 The operator shall ensure that the Continuing Airworthiness Management Exposition (CAME), Maintenance programme requirements, maintenance record-keeping, modification and repair data approval requirements, AMO and maintenance release requirements specified in the Aircraft Rules, 1937 and Civil Aviation requirements are compiled, and the aircraft remains in a safe condition throughout the operational life of the aircraft and continues to conform to the approved design data.
- 11.3 The operator shall establish an effective Flight Safety Documentation System for use and guidance of its personnel.
- 11.4 The operator shall have a Flight Safety Manual laying down his policies and procedures for ensuring safety of operations, emergency response, investigation of occurrences, implementation of safety recommendations, accident/incident prevention programmes and safety enhancement measures. Proactive safety measures should be adopted to the maximum extent.
- 11.5 The operator shall establish Safety Management System as per CAR Section 1 Series C Part I.
- 11.6 The operator shall have adequate setup for crew scheduling and also have a computerised system to maintain their flying record and monitor compliance of Flight Duty Time Limitation (FDTL), currency of licenses, medical and proficiency checks, and refresher courses done/due etc.
- 11.7 An operator shall formulate a Ground Handling Procedures Manual outlining the lines of responsibilities for Ground Handling functions including
 - a. Ramp Operations
 - b. Passenger Services
 - c. Baggage Services
 - d. Cabin Services, if applicable
 - e. Weight & Balance Control
 - f. Ground Support Equipment
 - g. Fuel Services

Note: Guidance on preparation of Ground Handling Procedures Manual is given in Air Transport Circular 1/2022.

- 11.8 Ground Handling Procedure Manual shall also contain ground handling training requirements, subcontracting policies, handling processes, procedures and practices for all ground handling operations.
- 11.9 Ground Handling Procedure Manual shall include procedures for informing passengers as to the types of goods which they are forbidden from transporting aboard an aircraft as provided in the ICAO Technical Instructions (DOC 9284).
- 11.10 All operators of passenger aircraft shall provide passenger safety information briefing card at every passenger seat location.

12. GRANT OF AIR OPERATOR PERMIT (AOP)

- 12.1 The Air Operator Permit for non-scheduled air transport services shall be granted upon successful completion of the certification process as contained in Air Operators Certification Manual (CAP3300/3400 as applicable).
- 12.2 AOP shall be issued along with the Operations Specifications stipulating any conditions, if considered necessary.

13. GENERAL REQUIREMENTS AND CONDITIONS FOR OPERATION

- 13.1 A Non-Scheduled Operators' Permit shall not be transferable.
- 13.2 The operator shall ensure continued compliance with all the requirements applicable for issuance of AOP at all times.
- 13.3 During the validity of AOP, the operator shall ensure compliance with all applicable regulatory requirements specified for operation and continuing airworthiness of the aircraft endorsed on the AOP, and any other directions issued by Director General from time to time.
- 13.4 The operator shall carry out operations in accordance with the scope of the AOP and the Operations Specifications.
- 13.5 A copy of the AOP issued for non-scheduled operations shall be carried on board the aircraft when operating such services. The Permit shall also be displayed in the office of the chief executive of the company.
- 13.6 The operator shall ensure that a copy of the Operations Manual is carried on board each aircraft. The operator shall operate in conformity with the provisions of the Operations Manual.
- 13.7 The operator shall ensure prior coordination with the concerned aerodrome operator for undertaking a flight to any aerodrome with regard to watch hours, safety and security services and suitability of the aerodrome for the type of aircraft to be used.
- 13.8 Prior permission from the Ministry of Civil Aviation shall be required for:
 - a) Merger, Acquisition or Amalgamation of the company;
 - b) Changes in the equity holding of 10% or more including preferential shareholders of the Company.
- 13.9 Prior permission from DGCA shall be obtained for any changes in name of the Company.
- 13.10 The operator shall ensure that before deploying an aircraft for operations, the

aircraft has been endorsed on the AOP and Operations Specifications for the aircraft have been issued by DGCA.

- 13.11 The operator shall ensure that operations are conducted only to/from airports suitable for the type of aircraft. For operations to Defence airfields, requirements stipulated in CAR Section 3 Series D Part I shall be complied with.
- 13.12 The operator shall ensure prior coordination with the concerned aerodrome operator for undertaking a flight to any aerodrome with regard to watch hours, safety and security services and suitability of the aerodrome for the type of aircraft to be used.
- 13.13 The operator shall ensure that all the security requirements stipulated by Bureau of Civil Aviation Security are strictly followed in respect of their operations at all airports.
- 13.14 The operator shall ensure compliance of requirements related to security clearance as specified in para 4 of this CAR.
- 13.15 For carriage of Dangerous Goods by air, the provisions of the Aircraft (Carriage of Dangerous Goods) Rules, 2003 shall be complied with.
- 13.16 Arms, ammunition, munitions of war, explosives etc. shall be carried only with the written permission from DGCA in accordance with Rule 8 of the Aircraft Rules, 1937, and subject to the terms and conditions of such permission.
- 13.17 The operator shall ensure that the information given in their manuals is maintained up-to date and is in conformity with the rules and regulations and all concerned personnel are kept familiar with the relevant contents of the manuals.
- 13.18 The operator shall notify to DGCA any accidents, incidents, major defects or other significant occurrences in accordance with CAR Section 5 Series C Part I.
- 13.19 The Operator shall file monthly traffic returns aircraft-wise as per Form 'A' given at Annexure II on a monthly basis so as to reach DGCA Office before the tenth day of the next month and yearly financial return as per Form 'B' given at Annexure III to DGCA on annual basis and filed within four months of the end of the reporting period.

The above mentioned return should be submitted to DGCA through eGCA Portal.

- 13.20 The non-scheduled operators shall issue passenger tickets in accordance with the provisions of the Carriage By Air Act, 1972 and any other requirements which may be prescribed by DGCA. The tickets shall stipulate the conditions of carriage including the liability of the operator which shall be the same as applicable to the scheduled air transport operators. In case of charter

operation, a single document issued to the party chartering the flight containing all conditions may be treated as fulfilling this requirement.

- 13.21 The operator shall maintain a current insurance for an amount adequate to cover its liability towards passengers and their baggage, crew, cargo, hull loss and third party risks in compliance with the requirements of the Carriage by Air Act, 1972, or any other applicable law.

14. RENEWAL OF AOP

- 14.1 The operator shall submit the request for renewal of security clearance of the company/organization and its board of directors, through 'e-sahaj' portal 180 days prior to expiry of AOP.
- 14.2 The operator shall apply for renewal of AOP at least 90 days prior to expiry along with the following:
- (i) Duly filled Appendix L of CAP3300/3400 along with requisite supporting documents.
 - (ii) Copy of e-sahaj request for renewal of security clearance.
 - (iii) Fee for renewal Rs. 2,50,000/- (Rupees Two lacs fifty thousand only) to be paid in a manner as prescribed by Director General in favor of the Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.
- 14.3 The operator shall demonstrate continued capability to conduct the operations authorized under the Air Operator Permit as per process laid down in CAP3300/3400. DGCA may carry out an inspection of the operator's facilities and operations, if considered necessary.

15. AMENDMENTS TO AIR OPERATOR PERMIT

15.1 Addition of same type of Aircraft

The request for addition of same type of aircraft shall be submitted along with following documents:

- i. Duly filled Appendix M of CAP3300/3400,
- ii. Copy of valid C of R, C of A, ARC, Noise, Weight Schedule.
- iii. Insurance coverage for Aircraft, Passengers & Cargo, Third Party liabilities, Crew members.
- iv. Requisite supporting documents along with approvals for the Operations Specifications proposed to be endorsed for the aircraft.

- v. Any other document which may be required by DGCA.

15.2 Addition of new type of Aircraft

The operator shall submit a formal application with dully filled Appendices A/B/C of CAP3300/3400, along with updated manuals for the purpose of certification for operating the new type of aircraft.

15.3 Changes in Operations Specifications of Aircraft

The request for change of Operational Specifications shall be submitted with Appendix M of CAP3300/3400 along with a copy of requisite approvals for the revised Operations specification elements.

15.4 Removal of Aircraft from AOP

- 15.4.1 The operator shall ensure that the aircraft which have been deregistered are removed from the AOP. Request for removal of any aircraft from the AOP shall be submitted along with the copy of certificate of de-registration in respect of the aircraft.
- 15.4.2 Any of the aircraft endorsed on the AOP which has not been utilized for operations for a period of one year, or is likely to be grounded for a period beyond one year shall be removed from the AOP, unless a permission has been obtained from DGCA to retain any such aircraft on the AOP. However, the operator shall remain responsible for regulatory compliances in respect of such aircraft as long as the aircraft is not de-registered. The aircraft so removed can be added back to the AOP after complying the applicable requirements for addition of aircraft.
- 15.4.3 DGCA may also remove any such aircraft from the AOP, where the aircraft has not been utilized for operations for a period of one year, or it is reasonably expected that the aircraft is likely to remain grounded for a period beyond one year due any reason, or the operator does not have the required crew/personnel/resources for operating such aircraft/fleet.

16. SURRENDER OF AOP

- 16.1 The AOP shall be surrendered (in original) if the operator does not want to continue with the non-scheduled air transport service operations due any reason. The AOP once surrendered shall be treated as cancelled.
- 16.2 The AOP can also be held in abeyance (deemed suspension) under the following circumstances:-
 - a) All the aircraft endorsed on the AOP are either de-registered or have been removed from the AOP; or
 - b) The operator temporarily suspends its operations due to any reason.

- 16.3 The operator intending to have their AOP held in abeyance under para 16.2 shall notify DGCA to this effect stating the reasons for the same and submitting the AOP in original. However, the decision of DGCA shall be final in this regard.
- 16.4 The AOP held in abeyance under para 16.2 can be revived within its original validity, provided the operator demonstrates compliance of requirements for holding an AOP. The process for revival of AOP shall be as decided by DGCA and may require the operator to undergo certification process as applicable for issuance of AOP.
- 16.5 Fresh security clearance for the Company and its Board of Directors shall not be required for revival of AOP within its original validity, unless there are changes proposed in the Company which require prior approval and security clearance.
- 16.6 If an operator fails to revive the AOP within its original validity, the AOP shall be treated as cancelled.

17. PENAL PROVISIONS

Degradation of the operator's capability below the required level or breach of any of the requirements of this CAR or of any provisions of Aircraft Act, 1934, Aircraft Rules, 1937, Civil Aviation Requirements, orders/ directions/ requirements issued under the said act or rules and as amended from time to time, shall render the Operating Permit liable to alteration, suspension or cancellation. Additionally, action can also be taken as per the provisions of Schedule VI A and/or Schedule VI B of the Aircraft Rules, 1937.

(Vikram Dev Dutt)
Director General of Civil Aviation

Annexure-I

POST HOLDERS' EXPERIENCE AND QUALIFICATION REQUIREMENTS

1. Nomination of Post Holders

- 1.1. The applicant shall nominate persons having required qualification and experience for the post holder position as given in Para 2.
- 1.2. The nomination for a post holder position shall be submitted along with duly filled Performa (CA Form 4) given as attachment to this Annexure.
- 1.3. Any change in post holder or any vacancy in position listed in Para 2 shall be notified to DGCA in writing, not less than 30 days of the intended change/vacancy along with duly filled prescribed Performa for acceptance/approval of DGCA.
- 1.4. The persons nominated for Post Holder positions given in Para 2 must be qualified and experienced for the said position and have full understanding of the following with respect to the AOP holder operations to the extent of their responsibilities with special emphasis on:
 - 1.4.1.1. Aviation safety standards and safe operating practices.
 - 1.4.1.2. Applicable Regulations and CARs.
 - 1.4.1.3. Operations specifications and relevant manuals.
 - 1.4.1.4. Discharge their duties to meet applicable legal requirements and to maintain safe operations.

2. Post Holder Positions:

- 2.1. **Head of Operations.** The person so nominated should have the following qualifications and experience:-
 - 2.1.1. ~~Having or have held A valid and current~~ Indian ATPL/ CPL /FATA with rating(s) appropriate to the proposed category of operation.
 - 2.1.2. Minimum 1000 hours flight time including 500 hours experience as pilot-in-command. For applicants operating aircraft with AOW below 5700 kg, the flying experience shall be 700 hours flight time including 300 hours experience as pilot-in-command.
 - 2.1.3. ~~Minimum 300 h as PIC on the type except in the case of induction of a new type of aircraft when successful completion of requisite training may be considered to fulfill this requirement. [D1]~~
 - 2.1.3. Operations management experience is desirable.
 - 2.1.4.

2.2. Head of Training. The person so nominated should have the following qualifications and experience:

2.2.1. ~~Having or have held~~~~A valid and current~~ Indian ATPL/ CPL/~~FATA~~ with rating(s) appropriate to the proposed category of operation.

2.2.2. Shall be or should meet the standards for appointment as a DE/ TRE/ TRI/ LTC/ Check Pilot except on-type experience.

~~2.2.2.~~

2.3. Chief Pilot of a Fleet (if applicable)

2.3.1. Having a current Indian ATPL/ CPL/~~FATA~~ with type rating(s) appropriate to the applicable type.

2.3.2. Total flying experience should be 500 hours flight time including total 300 hours experience as pilot-in-command.

2.3.3. Having minimum 100 h as PIC on the type except in the case of induction of a new type of aircraft when successful completion of requisite training may be considered to fulfill this requirement.

2.4. Director (In Flight Services) Cabin Safety (If Applicable)

This post holder shall function under the authority of the Head of Operations Director Flight Operations. The person so nominated should have the following qualifications and experience:

- At least 06 months experience in an airline as a manager in In-flight services section; or
- SEP instructor handling cabin crew in an airline or cabin crew with 03 years' experience

2.5. Continuing Airworthiness Manager

2.5.1. Continuing Airworthiness Manager is responsible for the management and supervision of continuing airworthiness activities.

2.5.2. The holder of this position should be should be an individual who satisfies the requirements as stipulated in CAR M.

2.6. Quality Manager

2.6.1. Quality Manager is responsible for the quality standards of continuing airworthiness in the organisation.

2.6.2. The holder of this position should be an individual who satisfies the requirements as stipulated in CAR M.

2.7. Chief of Flight Safety (CFS). CFS responsibility and qualifications are stipulated in CAR Section 5 Series F Part I.

2.8. Safety Manager (SM). SM shall be responsible for the implementation and maintenance of the Safety Management System (SMS) and shall meet the requirements as stipulated in CAR Section 1 Series C Part I.

2.9. Chief Security Officer(CSO)

2.9.1. The CSO is responsible for compliance of security requirements as specified by Bureau of Civil Aviation Security (BCAS).

2.9.2. As required and acceptable to Bureau of Civil Aviation Security (BCAS).

Note – It is not obligatory to use the titles above; however, the offices responsible for the duties listed in paragraph above must be clearly identified and the equivalence specified in the organisation chart.

ATTACHMENT

CA FORM 4



DIRECTORATE GENERAL OF CIVIL AVIATION

MANAGEMENT PERSONNEL REQUIRED TO BE ACCEPTED

1. Name:
2. Designation:
3. Qualification relevant to the item (2) designation:
4. Work experience relevant to the item (2) designation:

Signature..... Date.....

On completion, please send this form under confidential cover to DGCA.

DGCA USE ONLY

Name, Designation and Signature of DGCA Official Accepting this person:

Signature..... Date

Name..... Office

**Annexure-II
FORM A (MONTHLY)**

TRAFFIC-NON SCHEDULED OPERATOR(PERMIT HOLDER)			
Contact person for inquires		State	
Organisation Address		Operator	
Tel:		Month(s) Year 20	
Pax	E-mail		
PART-1			
		TOTAL ALL SERVICES(Passengers & Freight)	
		Classified by flight stage	
Description	Unit	Domestic	International
Aircraft Kilometers	Number		
Aircraft Departure	Number		
Aircraft Hours	Number		
Passengers Carried			
(a) Revenue	Number		
(b) Non-Revenue	Number		
Freight Carried Tonne	Number		
Passengers Kilometers Performed	Number		
Seat Kilometers Performed	Number		
Tonne Kilometers Performed			
(a) Passengers	Number		
(b) Freight	Number		
Total	Number		
Tonne Kilometers Available	Number		

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Annexure III

FORM – B (ANNUAL)									
TRAFFIC - NON SCHEDULED OPERATOR (PERMIT HOLDERS)									
Contact person for inquires					State				
Organization Address					Operator				
Tel:					Year Ended				
Fax					Currency				
E-mail					Unit				
PART-I-PROFIT AND LOSS STATEMENT									
ACCOUNTS							AMOUNTS		
1. Air Transport Operating Revenues (total									
1.1	Passenger Transport Revenues -----								

1.2	Other Air Transport Revenues -----								
--									
2. Air Transport Operating Expenses							-----		
3. Other Operating Revenues (Net Balance)							-----		
4. OPERATING RESULT (total: items 1-2,+3)							-----		
5. Non-Operating Items (Net Balance)									
6. PROFIT OR LOSS -) AFTER INCOME TAXES)									

PART 2 - BALANCE SHEET			
ASSETS	AMOUNTS	LIABILITIES	Amounts
1. Current Assets		5. Current Liabilities	-----
2. Flight Equipment (after depreciation)		6. Other Liabilities	-----
		7. Long-term Debt	-----
3. Other Assets		8. Capital	-----
		9. Retained Earnings (balance including capital surplus)	-----
4.TOTAL ASSETS		10.TOTAL LIABILITIES	-----

Part – 3– FLEET & PERSONNEL

Aircraft in Fleet by Type		Number of Aircraft of each Type				Size of Aircraft		Utilization of Aircraft During the Year				
Manufa cturer and Model	Use/Ve rsion Code	At the beginnin g of Year	Change during the year		At the en d of yea r	Number of installed Passeng er Seats	Average M.T.O. weight (Tonnes)	Number of Aircraft Departures		Aircraft Hours Flown		Total Aircraft Days Available
			Acquired	Dispose d of				Non- Sched. Revenue	All Flight s (Total)	Non- Sched. Revenue	All Flight s (Total)	
1	2	3	4	5	6	7	8	9	10	11	12	13

PERSONNEL

Category of Personnel	Number of Personnel	
	Mid – Year	Year-End
1	2	3
Flight Personnel		
Other Personnel		
Total Personnel		