
GEN 1.2 - ENTRY, TRANSIT AND DEPARTURE OF AIRCRAFT

1. General

1.1. International flights into, from or over Indian territory shall be subjected to the current Indian regulations relating to civil aviation and other national laws relating to immigrations, customs, passport and health etc. These regulations correspond in all essentials to the Standards and Recommended Practices contained in Annex 9 to the Convention on International Civil Aviation. Some of the regulations are as follows:

- i) The Aircraft Act, 1934 (22 of 1934)
- ii) The Aircraft Rules, 1937
- iii) The Aircraft (Public Health) Rules, 1954
- iv) The Indian Aircraft Rules, 1920 (Part IX)
- v) The Carriage by Air Act, 1972 (69 of 1972)
- vi) The Tokyo Convention Act, 1975 (20 of 1975)
- vii) The Indian Wireless Telegraphy (Foreign Aircraft) Rules, 1973
- viii) The Anti-Hijacking Act, 1982 (65 of 1982)
- ix) Suppression of Unlawful Acts Against Safety of Civil Aviation Act, 1982 (66 of 1982)
- x) The Annexes to the Convention on International Civil Aviation and ICAO procedures adopted with such reservations as may be necessary and brought into force from time to time by notification in Notams, Aeronautical Information Circulars and AIP India.

Note: Additionally every aircraft entering or leaving India must comply with regulations relating to immigration, customs, quarantine and health as laid down by the Government from time to time.

1.2. Aircraft flying into or departing from Indian Territory shall make their first landing at or final departure from, an International Aerodrome. (See AIP India, AD 1.3 and AD2). Aircraft may be permitted to land or depart from any notified customs aerodrome.

1.3. International flights into, from or over Indian Territory are required to follow the established international ATS routes as published in ENR 3.1 of AIP India as amended from time to time by Notams/AIP Supplements. International flights may be permitted by ATC to operate on domestic ATS routes provided there is no established international ATS route.

1.4. International flights are not permitted to pick up passengers/load at any place in India and disembark/discharge at any other place in India.

2. Scheduled flights

2.1. General

2.1.1 For regular international scheduled flights operated by foreign airline into, in transit or across India, the following requirements must be met:

2.1.1.1 State of the airline and India must be a party to a multilateral or bilateral International Air Transport Services Agreement; and

2.1.1.2 The airline must be eligible to make the flights under the provision of a bilateral or multilateral agreement to which the State of the airline and India are contracting parties and must have a permit to operate in to or in transit across India. The schedule of the flights must have a prior approval of the Director General of Civil Aviation (DGCA). It will be responsibility of the operator to ensure that the flight schedule approved by DGCA is submitted to the respective Flight Information Center and Aerodrome of intended landing before the commencement of the schedule.

2.1.1.3 It is advisable for the pilot-in-command to carry with him DGCA Approval Reference Number and quote the same if required to do so by the ATC authorities.

- 2.2 Requirement for grant of Operating Permit
- 2.2.1 Designation of airline – The airline shall, in accordance with the provisions of the Air Transport Services Agreement, formally designated either through diplomatic channels or by aeronautical authorities of the country whose Government has concluded the agreement with the Government of India
- 2.2.2 Detailed requirements for the grant of a permit to a foreign airline for commencement of scheduled international air services are given in Aeronautical information Circular (AIC) No. 3 of 2000 which inter-alia includes-
- 2.2.2.1 The airline shall submit all documents mentioned in the said AIC atleast 60 days in advance prior to the proposed date of commencement of air services for the issuance of the operating permission.
- 2.2.2.2 A detailed security programme in accordance with the provisions of contained in Annex 17 to the convention on International Civil Aviation and the instructions issued of Bureau of Civil Aviations Security (BCAS) shall be filed with the Commissioner of Security (Civil Aviations), Janpath Bhavan, A - Wing, 3rd Floor, Janpath, New Delhi 110001 for approval. A copy of the approval granted by BCAS shall be furnished to the office of the DGCA.
- 2.2.3 **The airline shall coordinate allocation of slots with Airports Authority of India, Operational Complex, Gurgaon Road, New Delhi 110037.**
- 2.2.4 Application for obtaining approval for operating scheduled flights shall be filed by the designated airline, atleast 30 days prior to commencement of the scheduled flights, with the DGCA (Attn: Director of information and Regulation), Sri Aurbindo Marg, Opposite Safdarjung Airport, New Delhi 110003.
- 2.3 Documentary requirements for clearance of aircraft
- 2.3.1 It is necessary that the under mentioned aircraft document be submitted by the airline operators for clearance on entry and departure of their aircraft to and from India. All documents listed below must follow the format acceptable to the public authorities in India. For details, reference may be made to the relevant appendices to ICAO Annex 9 together with the differences as notified by India in respect of the concerned provisions of ICAO Annex 9.
- 2.3.2 Aircraft document required (Arrival/Departure)

Required by	General Declaration	Passenger Manifest	Cargo Manifest
Customs	1	1	1
Immigration	1	1	1
Health	1	1	1

- 2.3.2.1 Note : No flight shall leave India without obtaining clearance of Immigration and Custom authorities on General Declaration

3 Non-Scheduled flights

- 3.1 General
- 3.1.1 No prior permission is required for aircraft operating outside the Indian territory which includes territorial waters but within Indian Flight Information Regions (FIRs)
- 3.1.2 If an operator intends to perform a (series of) non-scheduled flight(s) into, from or over Indian Territory, it is necessary for the operator to apply and obtain prior approval of DGCA. The details of 'Notice Period' and the 'application' are at para 3.2 and 3.3 respectively.
- 3.1.3 Flights are not permitted to pick-up passengers/load at any place in India and disembark/discharge at any other place in India.
- 3.1.4 Due reasons for safety of flights, an AFTN signal authorizing such flights is issued by DGCA in every case. The authorizing reference number (YA/N/.....) shall be quoted at field 18 of the

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- flight plan filed with Air Traffic Control Centre.
- 3.1.5 Pilot-in-command is also required to carry the reference number (YA/N/.....) of such AFTN signal authorizing the flight with him and quote it when required by ATC authorities. Overflying aircraft that are unable to quote the authority are liable to make a landing in India.
- 3.1.6 Any aircraft after landing in India in accordance with para 3.1.5 shall require specific permission of the DGCA for undertaking any further flight.
- 3.1.7 A flight clearance shall be valid for a period of 48 hours. If a flight gets delayed beyond 48 hours, it will require fresh clearance from the DGCA.
- 3.2 Notice period
- 3.2.1 Application for operating non-scheduled flight(s) is required to be submitted in advance with a minimum notice period as follows-
- 3.2.1.1 Seven working days for flights for traffic purposes; and
- 3.2.1.2 Three working days for flights for non-traffic purposes i.e. overflight(s)/technical halts.
- 3.2.2 The minimum notice period requirements, however, may not be insisted upon in the following cases
- Ambulance flight (Name and address of the patient and the doctor to be given);
 - Relief flight of scheduled passenger airline necessitated due to grounding of aircraft; and
 - Relief flights in case of natural calamities.
- 3.3 Application
- 3.3.1 Application form for obtaining the flight clearance is at Annexure 'A'.
- 3.3.2 The application shall be signed by the operator/owner of the aircraft or his authorized representative and submitted to the DGCA (Attn: Deputy Director Air Transport) Sri Aurbindo Marg, Opposite Safdarjung airport, New Delhi 110003.
- 3.3.3 Any application submitted with incomplete information would be summarily rejected.
- 3.3.4 The registration of the aircraft and name and nationality of the pilot-in-command at item 7 (iii) and 8 respectively of the application form may not be insisted upon in the following cases, provided the aircraft is not capable of air dropping:
- 3.3.4.1 Series of tourist charter flights (total duration not less than one month) provided the following conditions are met:
- 3.3.4.1.1 Applications for such flights must be submitted by the operator atleast one month in advance.
- 3.3.4.1.2 Permission in such cases would be given only to the recognized airlines provided the antecedent of the airline is certified by the DGCA of the country where the airline is registered.
- 3.3.4.2 Cargo flights operated by international airlines operating scheduled passenger service to/from India.
- 3.3.4.3 Series of passenger/tourist flights overflying Indian airspace or making technical landings (total duration not less than one month) by major non-scheduled operators whose credentials are certified by their DGCA and Embassy/high Commission of that country in India.
- 3.4 Special permissions
- 3.4.1 Special permission from the Government of India shall be required in the following cases, which may take a longer period for clearance of the flight than stipulated in para 3.2:
- Stay of any aircraft in India for more than 15 days
 - Flight of an aircraft registered in a state not a member of ICAO; and
 - Passenger charter flights to India not covered by Tourist Charter Guidelines.
- 3.5 Changes in flight clearance
- 3.5.1 Any request for change in the flight clearance would normally not be accepted and would require fresh clearance with proper notice. However, in exceptional circumstances, change may be accepted provided:
- The replacing aircraft is not capable of air-dropping; or
 - The approved flight scheduled time is not preponed such that the notice period stipulated at para 3.2 of the original application is not met.

- 3.6 Applications forwarded by Ministries/Departments of Government of India
- 3.6.1 Applications forwarded by Ministries/Departments of Government of India, Indian Missions abroad and by the Missions of the concerned countries through and duly supported by Ministry of External Affairs, may be given clearance notwithstanding the aforesaid guidelines. Such applications are required to be forwarded by Ministries/departments at the level of Deputy Secretary/Director and above.
- 3.7 Documentary requirements for clearance of flights
- 3.7.1 Same requirements as for scheduled flights mentioned at para 2.3.2.
- 4 Private flights**
- 4.1 Same requirements as for non-scheduled flights contained in para 3 above.

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Application for approval of non-scheduled flights

1	Purpose of flight (VIP/Tourist/Cargo/Ambulance/Relief/Private etc)	
2	Whether over-flying/technical landing or landing in India for traffic purposes	
3	ATS Route(s) to be flown (including entry & exit point in Indian airspace)	
4	Complete route itinerary of the proposed flight with dates and timings (including true origin and true destination)	
5	Arrival and departure timings at airports in India, if any;	
6	Airports of last departure before entering Indian airspace and airport of first landing after leaving Indian airspace	
	Aircraft details	
	i) Type	
	ii) State of registry/nationality	
	iii) Registration	
7	iv) Telephony designator (Flight number/ Callsign)	
	v) Whether the aircraft is capable of air dropping	YES / NO
	vi) Whether the maximum certified passenger seating capacity of the aircraft is more than 30 seats	YES / NO
	vii) Whether the maximum payload capacity is more than 3 ton	YES / NO
	viii) Whether the aircraft is fitted with ACAS-II/TCAS-II	YES / NO
	Pilot-in-command	
8	i) Name	
	ii) Nationality	
	Aircraft Operator	
	i) Name	
	ii) Nationality	
9	iii) Address (with telephone/fax number)	
	iv) Aircraft operators certificate/Permit number, if any	

	On-board details	
10	i) Number of crew	
	ii) Number of passenger/s, if any	
	iii) General description of the goods carried, if any	
	iv) Any arms, ammunition, explosives, radioactive material, war equipment or dangerous goods? If so, attach a copy of DGCA permit	
11	Any special equipment like aerial photography, remote sensing cameras, night vision cameras on-board? If so, attach a copy of DGCA permit.	
12	Number of passengers or tonnage of cargo to be uplifted from and set-down in India	
	Charterer details	
13	i) Name	
	ii) Address (with telephone/fax number)	
	Travel/Cargo Agent in India	
14	i) Name	
	ii) Address (with telephone/fax number)	

Certified that the information given above is correct.

(Signature of CEO/Director of Airline/Charter
Passenger/Cargo handling agent)

(Seal of the company)

Date _____

Name and address _____

