

- (घ) पायलट अनुज्ञप्ति (जायरोप्लेन) धारक जिसके पास किसी जायरोप्लेन पर समावेशक पायलट के रूप में कुल 100 घंटे के उड़ान काल का अनुभव है, इस शर्त के अधीन रहते हुए अनुदेशात्मक प्रशिक्षण दे सकेगा कि महानिदेशक से अनुमोदित परीक्षक द्वारा प्रशिक्षण प्रदान करने के लिए उसका उपयुक्त निर्धारण कर दिया गया है।
- (ङ.) उड़ान अनुदेशक रेटिंग धारक जिसके पास किसी जायरोप्लेन पर समावेशक पायलट के रूप में कुल 15 घंटे के उड़ान काल का अनुभव है, जायरोप्लेन पर अनुदेशात्मक प्रशिक्षण दे सकेगा।

[फा. सं. ए. बी. 11012/5/2017-ए]

अरुण कुमार, संयुक्त सचिव

टिप्पणः मूल नियम तारीख 23 मार्च, 1937 के अधिसूचना सं. बी-26 द्वारा भारत के राजपत्र में प्रकाशित किए गए थे और अंतिम संशोधन तारीख 30 जून, 2017 की सा.का.नि संख्या 832 (अ) द्वारा तारीख 05 जुलाई, 2017 के भारत के राजपत्र, असाधारण, भाग-II, खंड 3, उप-खंड (ii) में प्रकाशित किए गए।

MINISTRY OF CIVIL AVIATION NOTIFICATION

New Delhi, the 11th September, 2017

G.S.R. 1152(E).—The following draft of certain rules further to amend the Aircraft Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Aircraft Act, 1934 (22 of 1934), is hereby published as required by section 14 of the said Act, for information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules will be taken into consideration after a period of thirty days from the date on which copies of the Gazette of India, in which this notification is published, are made available to the public;

Objections or suggestions, if any, may be addressed to the Director-General of Civil Aviation, Opposite Safdarjung Airport, New Delhi-110003 or mailed to dgoffice.dgca@nic.in;

Any objection or suggestion which may be received from any person with respect to the said draft rules before the expiry of the period specified above will be considered by the Central Government.

Draft Rules

1. (1) These rules may be called the Aircraft (..... Amendment) Rules, 2017.
- (2) They shall come into force on the date of their final publication in the Official Gazette.
2. In the Aircraft Rules, 1937, —
 - (A) in rule 3,—
 - (i) after clause (9A), the following clause shall be inserted, namely: —

“(9B) “Amateur-built aircraft” means an aircraft with all up weight not exceeding 1500 kilograms, the major portion of which has been fabricated and assembled by person or persons who undertook the construction project solely for their own hobby, education or recreation;”;
 - (ii) after clause (27), the following clause shall be inserted, namely: —

“(27A) “Gyroplane” means a rotorcraft whose rotors are not engine-driven, except for initial starting, but are made to rotate by action of the air when the rotorcraft is moving; and whose means of propulsion, consisting usually of conventional propellers, is independent of the rotor system;”;
 - (iii) clause (39A) shall be omitted;
 - (iv) after clause (47A), the following clauses shall be inserted, namely:—

"(47B) "Remote Pilot" means a person charged by the operator with duties essential to the operation of a remotely piloted aircraft and who manipulates the flight controls, as appropriate, during the flight time;

(47C) "Remote Pilot Station" means the component of the remotely piloted aircraft system, containing the equipment used to pilot the remotely piloted aircraft;

(47D) "Remotely Piloted Aircraft" means an unmanned aircraft which is piloted from a remote pilot station;

(47E) "Remotely Piloted Aircraft System" means a remotely piloted aircraft, its associated remote pilot station(s), the required command and control links and any other components as specified in the type design;"

(B) in rule 6C, for the explanation, the following shall be substituted, namely:-

"Explanation. — For the purpose of this rule, —

- (1) an aircraft shall include an amateur-built aircraft; and
- (2) the expression "specific special purpose non-revenue, non-passenger-carrying flight" shall include flights authorised by the Central Government in the event of national or international crisis, natural calamities, emergencies or otherwise requiring such flights to carry material or goods for relief purposes.";

(C) after rule 15, the following rule shall be inserted, namely:—

"15A. Operation of Remotely Piloted Aircraft System. – (1) No remotely piloted aircraft of all-up-weight more than 250 grams shall be flown unless such aircraft has been allotted a Unique Identification Number by the Director-General.

(2) A remotely piloted aircraft with all up weight exceeding a limit as specified by the Director-General from time to time shall not be flown by the operator, save, as per the conditions of the permit issued by the Director-General. Such permit shall be granted by the Director-General on being satisfied that the applicant meets the requirements as specified by the Director-General in this behalf. The continued validity of the permit shall be subject to compliance of such conditions as may be stipulated by the Director-General in the permit.

(3) The permit granted under sub-rule (2) shall, unless suspended or cancelled, remain valid for a period not exceeding five years, and may be renewed for a period not exceeding five years at a time.

(4) In case of non-compliance with the conditions of the permit or for any other violation of the provisions of these rules, the Director-General may suspend or cancel the permit after giving a show cause notice to the holder.

(5) The fee for issue of unique identification number for a remotely piloted aircraft shall be rupees 1000 only.

(6) The following fees shall be payable for, grant and renewal of permit to operate a remotely piloted aircraft:

- (i) for grant of permit: rupees 50,000 only;
- (ii) for renewal of permit: rupees 15,000 only.

(7) The fee shall be paid in the manner as specified by the Director-General.";

(D) for rule 20, the following rule shall be substituted, namely:—

"20. Certain rules not applicable to Gliders, Kites and Remotely Piloted Aircraft System.— (1) The rule 7 shall not apply to gliders, and rules 5, 6, 7, 12, 15, 17, 19 and the rules in Part III, with the exception of rule 26, shall not apply to kites.

(2) The rules 5, 6, 15 in Part II, all rules in Part III with the exception of rules 21, 21A, 26 and all rules in Part IV, Part V, Part VI and Part VII, shall not apply to remotely piloted aircraft system.";

(E) in rule 38, in sub-rule (1), —

- (i) in clause (a), for the word "helicopters", the words "helicopters, gyroplanes" shall be substituted;
- (ii) in clause (h), for the words "microlight aircraft and light sport aircraft", the words "microlight aircraft, light sport aircraft and gyroplane" shall be substituted;
- (F) in rule 39C, in the table under sub-rule (1), —
 - (i) in item (iii), for the word "helicopters", the words "helicopters or gyroplanes" shall be substituted;
 - (ii) in item (iv), for the word "microlight aircraft", the words "microlight aircraft or gyroplanes" shall be substituted;
- (G) in rule 60, in sub-rule (6), for the word "glider", the words "Gyroplane, glider" shall be substituted;
- (H) in rule 61, in sub-rule (12), in clause (ii) in explanation (b), for the word "glider" the words "Gyroplane, glider" shall be substituted;
- (I) in Schedule II, —
 - (1) in Section A, —
 - (a) in para 1, in sub-para (a), —
 - (i) in clause (i), for the word "Helicopters", the words "Helicopters/Gyroplanes" shall be substituted;
 - (ii) In clause (iv), for the words "Microlight aircraft", the words "Gyroplanes/ Microlight aircraft" shall be substituted;
 - (b) in para 5, in sub-para (b), for the letters and sign "F&G", the letters and word " F, G and IB" shall be substituted;
 - (c) In para 6A, in sub-para (a), —
 - (i) in clause (vii), the word "and" shall be omitted;
 - (ii) in clause (vii), at the end, the word ",and" shall be added;
 - (iii) after clause (viii), the following clause shall be inserted, namely: —
"(ix) Pilot's Licence (Microlight aircraft/Light sport aircraft/Gyroplanes)";
 - (2) in Section B, —
 - (a) in the heading and in para 1, for the words "light sport aircraft", the words "Light sport aircraft/ Gyroplanes" shall be substituted;
 - (b) in para 5, for the words "or light sport aircraft", the words ", light sport aircraft or gyroplane" shall be substituted;
 - (3) after Section- IA, the following Section shall be inserted, namely:—

"Section-IB

Pilot's Licence (Gyroplane)

1. Requirements for issue of Licence— An applicant for a Pilot's Licence (Gyroplane) shall satisfy the following requirements namely:

- (a) **Age—** He shall not be less than seventeen years of age on the date of application.
- (b) **Educational Qualification—** He shall have passed Class Ten or equivalent examination from a recognised Board.
- (c) **Medical Fitness—** He shall produce on a prescribed proforma a certificate of physical fitness from an approved medical practitioner after undergoing a medical examination, during which he shall have established his medical fitness on the basis of compliance with the requirements as notified by the Director-General under rule 39B.
- (d) **Knowledge—** He shall pass a written examination in Air Regulations, Air Navigation, Aviation Meteorology and Aircraft and Engine as per the syllabus prescribed by the Director-General:

Provided that an applicant in possession of a valid Private Pilot's Licence (Aeroplanes) (Helicopters) or a higher category of Pilot's Licence shall pass an examination in Aircraft and Engines only.

- (e) Experience — He shall produce evidence of having satisfactorily completed as a Pilot of a gyroplane not less than forty hours of flight time, which shall include—
- (i) not less than fifteen hours of solo flight time of which not less than ten hours shall have been completed within a period of twelve months immediately preceding the date of application.
 - (ii) not less than five hours of cross-country flight time as the sole occupant of a gyroplane including a flight of not less than one hundred nautical miles in the course of which full stop landings at two different points shall have been made. This flight time may be included in the flight time required under sub-clause (i).

Provided that the holder of a current Private Pilot's Licence (Helicopter) or a higher category of Licence (Helicopter) shall be exempted from the experience requirements. Such pilots shall, however, be required to carry out familiarisation flights satisfactorily which shall be followed by not less than three solo take-offs and landings. The familiarisation flights shall be carried out under the supervision of an approved Examiner or a Flight Instructor authorised by the Director-General.

- (f) Flying Training— He shall have completed flying training in accordance with the syllabus prescribed by the Director-General.
- (g) Skill— He shall have demonstrated his competency to perform the procedures and manoeuvres prescribed in the syllabus to the satisfaction of an Examiner, on the type of gyroplane to which the application for the licence relates, within a period of six months immediately preceding the date of application.

2. **Validity** — The licence shall be valid for a period as specified in rule 39C.

3. **Renewal**— The licence may be renewed on receipt of satisfactory evidence of the applicant —

- (a) having undergone a medical examination in accordance with para 1 (c) above; and
- (b) having satisfactorily completed not less than five hours of flight time as Pilot-in-command of a gyroplane within a period of six months immediately preceding the date of application for renewal or in lieu thereof; having satisfactorily completed the flight test as laid down in para 1(g) above within a period of six months immediately preceding the date of application.

4. **Aircraft Ratings**— The licence shall indicate the type of gyroplane the holder is entitled to fly. An open rating for all types of gyroplane may also be granted if he has satisfactorily completed not less than one hundred hours of flight time as Pilot-in-Command of a helicopter or a gyroplane:

Provided that the privilege of the open rating shall be exercised only after having undergone familiarisation flight of minimum 45 minutes duration with a qualified gyroplane pilot having not less than one hundred fifty hours of Pilot-in-Command experience and a certificate to that effect shall be recorded by the qualified gyroplane pilot in the pilot's log book.

5. **Privileges**— (a) Subject to provisions of Rules 39B, 39C and 42, the privileges of the holder of a Pilot's Licence (Gyroplane) shall be to act as Pilot -in-Command of a gyroplane which is entered in the Aircraft Rating of his licence, under the visual flight rules.

(b) A Gyroplane Pilot shall not:

- (i) carry a passenger or property for compensation or hire;
- (ii) fly at night;
- (iii) fly in Class D and E airspace (controlled airspace) unless he holds a valid Flight Radio Telephony Operator's Licence (Restricted) and has been trained by an approved instructor with a log book endorsement for operation at any aerodrome with an operating control tower;
- (iv) fly at an altitude of more than 10,000 feet mean sea level or 2000 feet above ground level, whichever is higher;
- (v) fly when flight or surface visibility is less than 5000 meter;
- (vi) fly without visual reference to surface;

- (vii) fly contrary to any operating limitation placed on the special certificate of airworthiness of the aircraft being flown; and
- (viii) fly contrary to any limit on pilot licence or medical or any other limit.
- (c) Fly another type of gyroplane after familiarisation of 2 hours under the supervision of qualified pilot on that type and a certificate to that effect shall be recorded by the qualified gyroplane pilot of that aircraft in the pilot's log book.
- (d) The holder of a Pilot Licence (Gyroplane) having a total experience of 100 hours of flight time as Pilot-in-Command on a gyroplane may impart flying instructions on a gyroplane subject to the condition that he has been assessed fit for imparting training by an examiner approved by the Director General.
- (e) The holder of a Flight Instructor's Rating (Helicopter) having total experience of 15 hours of flight time as Pilot-in-Command on a gyroplane may impart instructional training on a gyroplane."

[F. No. AV.11012/5/2017-A]

ARUN KUMAR, Jt. Secy.

Note: The principal rules were published in the Gazette of India, *vide* notification number V-26, dated the 23rd March, 1937 and last amended *vide* number G.S.R. 832(E), dated the 30th June, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 5th July, 2017.