

AV-29017/24/2020-SDIT-MOCA
Government of India
Ministry of Civil Aviation

Rajiv Gandhi Bhavan, New Delhi
23 Sep 2020

ORDER

SUBJECT: Conditional exemption under Rule 160 of the Aircraft Rules, 1937 from the provisions of Rule 15A of the Aircraft Rule, 1937 to Town and Country Planning Department, Mandi, Himachal Pradesh for data acquisition for preparation of development plan of Nerchowk and Joginder Nagar planning areas using drones.

1. Whereas, Town and Country Planning Department (the 'Applicant') had, vide email dated 22 Aug 2020 sought an exemption from Rule 15A and CAR Section 3, Series X, Part I for the aforementioned purpose.
2. Whereas based on the request of and undertaking provided by the Applicant, DGCA, vide letter no. DGCA-27046/22/2020-AED-DGCA dated 23 Sep 2020, accorded exemption to the Applicant from the CAR Section 3, Series X, Part I for the afore-mentioned purpose.
3. Now, therefore, the Central Government, in exercise of the powers conferred by Rule 160 of the Aircraft Rules, 1937, grants conditional exemption to the Applicant for a period as stated in the above-mentioned letter from DGCA or until further orders, whichever is earlier; from the provisions of Rule 15A of the Aircraft Rules, 1937 for the afore-mentioned purpose. This shall be subject to complete adherence to the conditions as mentioned in the DGCA letter (copy enclosed).



(Amber Dubey)

Joint Secretary to the Government of India

To:

1. All Ministries/ Departments of the Government of India
2. Chief Secretaries/ Administrators of all States/ Union Territories
3. DGPs/ Heads of Police of all States/ Union Territories
4. Joint Secretary (Internal Security), Ministry of Home Affairs (MHA), New Delhi
5. Joint Director, Intelligence Bureau (Shri Jag Mohan), New Delhi
6. Director, G-Wing, Ministry of Defence, New Delhi
7. GpCpt K.B. Mathews, Air Headquarters, IAF, New Delhi
8. DG, Directorate General of Civil Aviation (DGCA), New Delhi
9. DG, Bureau of Civil Aviation Security (BCAS), New Delhi
10. Chairman, Airports Authority of India (AAI), New Delhi
11. PS to HMoSCA (IC), Ministry of Civil Aviation, New Delhi
12. Sr. PPS to Secretary, Ministry of Civil Aviation, New Delhi
13. National Informatics Centre (NIC) team, Rajiv Gandhi Bhavan, New Delhi
14. Digital Sky Platform

GOVERNMENT OF INDIA
OFFICE OF THE
DIRECTOR GENERAL OF CIVIL AVIATION
OPP.SAFDARJUNG AIRPORT,
NEW DELHI – 110003
Aircraft Engineering Directorate



भारत सरकार
महानिदेशक नागर विमानन
का कार्यालय
सफदरजंग एरपोर्ट के सामने
नई दिल्ली - ११० ००३
विमान अभियांत्रिकी निदेशालय

Reference No./संख्या: DGCA-27046/22/2020-AED-DGCA
Dated/दिनांक: 23rd September, 2020

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Town and Country Planner Mandi,
Divisional Town Planning Office,
Town and Country Planning Department,
Mandi, Himachal Pradesh.

(Kind attention: Mrs Reeta Mahindroo, Town and Country Planner Mandi)

Subject: Exemption from CAR Section '3', Series 'X', Part- I to use RPAS for Data Acquisition for preparation of Development Plan of Nerchowk and Joginder Nagar Planning Areas by Town and Country Planning Department, Mandi, Himachal Pradesh - Reg.

Sir,

This has reference to letter no. TCP (M)T-57 (DP Nerchowk)/ Vol-I/2020-376-79 dated 22nd August, 2020 and e-mail dated 28th August, 2020 and subsequent correspondence regarding permission to use Remotely Piloted Aircraft Systems (RPAS) for Data Acquisition for preparation of Development Plan of Nerchowk and Joginder Nagar Planning Areas by Town and Country Planning Department, Mandi, Himachal Pradesh.

Based on the information provided and undertakings, this office hereby accords exemption from CAR Section '3', Series 'X', Part-I to Town and Country Planning Department, Mandi, Himachal Pradesh to use Remotely Piloted Aircraft Systems (RPAS) for Data Acquisition for preparation of Development Plan of Nerchowk and Joginder Nagar Planning Areas. The above stated exemption shall be valid until 31st December, 2020 from the date of issue of this letter or until the fully operationalization of Digital Sky Platform, whichever is earlier.

However, this exemption shall be valid only if all conditions and limitations as stated in Annexure-I to this letter are strictly adhered to. In case of violation of any condition, this exemption shall become null and void.

Encl.: As stated

A handwritten signature in blue ink, appearing to read 'G. Rajasekar'.

(G. Rajasekar)

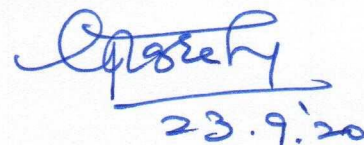
Joint Director General of Civil Aviation
for Director General of Civil Aviation

Copy for information to:

1. Joint Secretary (Sh. Amber Dubey), Ministry of Civil Aviation, New Delhi 110003
2. Director, G-Wing, Ministry of Defence, South Block, New Delhi 110001
3. The Executive Director (ASM), Airport Authority of India, Safdarjung Airport, New Delhi 110003- carry out the verification and oversight of exact co-ordinates of RPAS flying and other essential permission.
4. DDG (IR), DGCA HQ- regarding permission for Aerial Photography (if applicable).
5. Director (FSD), DGCA regarding Serial No. 4 of Annexure-I
6. DDG (Air Safety) - DGCA HQ.

Conditions and limitations to Town and Country Planning Department, Mandi, Himachal Pradesh for Data Acquisition for preparation of Development Plan of Nerchowk and Joginder Nagar Planning Areas using Remotely Piloted Aircraft Systems

1. This exemption to Town and Country Planning Department, Mandi, Himachal Pradesh from the relevant provisions of CAR Section 3, Series X, Part I, is subject to exemption from Rule 15A of the Aircraft Rules, 1937 by Ministry of Civil Aviation.
2. The Town and Country Planning Department, Mandi, Himachal Pradesh shall obtain necessary clearances from (a) Local Administration (b) Ministry of Defence (c) Ministry of Home Affairs (d) Air Defence clearance from Indian Air Force and (e) Airport Authority of India (AAI) prior to operation of Remotely Piloted Aircraft System (RPAS).
3. The Town and Country Planning Department, Mandi, Himachal Pradesh shall only operate the RPAS which has been voluntarily disclosed to Government of India and issued with a valid Drone Acknowledgement Number (DAN) (i.e. D1DA00U2U for SPIDEX-600).
4. The Town and Country Planning Department, Mandi, Himachal Pradesh shall submit a comprehensive brief on the scope of operations and the copy of SOP to Flight Standards Directorate (FSD), DGCA. Operation of Remotely Piloted Aircraft System (RPAS) shall be carried out only after the vetting/ approval of SOP.
5. Town and Country Planning Department, Mandi, Himachal Pradesh shall take necessary permission regarding Aerial Photography, if applicable, from Directorate of Regulations & Information, DGCA.
6. The photographs/video-graphs, if taken through RPAS shall be used by Town and Country Planning Department, Mandi, Himachal Pradesh only. Town and Country Planning Department, Mandi, Himachal Pradesh shall be responsible for security of RPAS and data collected through RPAS.
7. The operation of RPAS shall be restricted to day operations (from sunrise to Sunset), within Visual Line Of Sight (VLOS).
8. The Town and Country Planning Department, Mandi, Himachal Pradesh shall indemnify DGCA from any legal cases or any other issues arising due to these operations.
9. The Town and Country Planning Department, Mandi, Himachal Pradesh shall ensure that the RPAS is in working condition and shall be responsible for any eventualities due to malfunction / disorientation of equipment.
10. In case of any injury to any person due to physical contact with the equipment, Town and Country Planning Department, Mandi, Himachal Pradesh shall be responsible for medico-legal issues.
11. The Town and Country Planning Department, Mandi, Himachal Pradesh shall have adequate level of insurance to cover any damage to third party resulting from accident / incident occurred during the operation of RPAS.
12. The Town and Country Planning Department, Mandi, Himachal Pradesh shall ensure that hazardous material or variable payload are not carried in / using the RPA under any circumstances.
13. Town and Country Planning Department, Mandi, Himachal Pradesh shall ensure safety, security and privacy of public, property, operator etc. Further, in case of any eventuality, DGCA shall not be held responsible.
14. Town and Country Planning Department, Mandi, Himachal Pradesh shall not operate the RPAS in no-fly zones specified in Para 13.1 of the CAR Section 3, Series X, Part I without the approval of concerned Ministries/ authorities.
15. RPAS shall not be operated in the vicinity of airport as per the provisions of the CAR. If operated near the airport, approval from Airports Authority of India (AAI) shall be taken in advance regarding time and area of operations of RPAS.
16. Town and Country Planning Department, Mandi, Himachal Pradesh shall ensure that only trained / experienced bona fide personnel operates the RPAS.
17. This letter shall not override other restrictions / SOP on Remotely Piloted Aircraft System framed by other Government Agencies.
18. In case of incident/accident during at any phase of the operations, reports to be submitted to Air Safety Directorate of DGCA.


23.9.20