

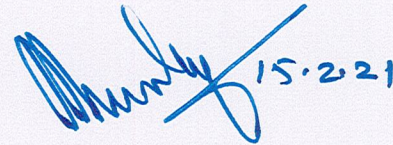
AV-29017/47/2020-SDIT-MOCA
Government of India
Ministry of Civil Aviation

Rajiv Gandhi Bhavan, New Delhi
15 Feb 2021

ORDER

SUBJECT: Conditional exemption from Rule 15A of the Aircraft Rules, 1937 to Kochi Metro Rail Limited (KMRL) for Integrated Urban Regeneration & Water Transport System (IURWTS) project using drones

1. Whereas, KMRL (the 'Applicant') had, vide email dated 05 Nov 2020 sought an exemption from Rule 15A and CAR Section 3, Series X, Part I for the afore-mentioned purpose.
2. Whereas based on the request of and undertaking provided by the Applicant, DGCA, vide letter no. DGCA-31031/5/2021-Drone-Dte dated 12 Feb 2021, 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. Gp Cpt 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



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

Reference No./संख्या: DGCA-31031/5/2021-Drone-Dte
Dated/दिनांक: 12th February, 2021

Telephone/दूरभाष: 011-24611504
E-mail/ई-मेल: rajasekar.dgca@nic.in

Additional General Manger-Civil
Kochi Metro Rail Ltd.,
JLN Metro station, 4th floor,
Kaloor, Ernakulam, Kerala-682017

(Kind attention: Sh. Ajith A., AGM-Civil))

Subject: Permission to use Remotely Piloted Aircraft Systems (RPAS) for Integrated Urban Regeneration & Water Transport System Project (IURWTS) Kochi to Kochi Metro Rail Ltd. (KMRL)

Sir,

This has reference to letter no. KMRL/IUTWTS/GoK Corres./178-2020 dated 16th November, 2020 and other correspondence regarding permission to use Remotely Piloted Aircraft Systems (RPAS) for Integrated Urban Regeneration & Water Transport System Project (IURWTS) Kochi to Kochi Metro Rail Ltd. (KMRL)

Based on the approved Standard Operating procedures (SOP), undertakings and information provided by Kochi Metro Rail Ltd. (KMRL), this office hereby accords exemption from the Paragraphs 5.2 (b), 5.3, 6, 7, 8.4, 9.2, 11.1 [d], 11.2 [a], 12.4, 12.5 and 15.3 of CAR Section 3, Series X, Part-I to Kochi Metro Rail Ltd. (KMRL) to use Remotely Piloted Aircraft Systems (RPAS) for Integrated Urban Regeneration & Water Transport System Project (IURWTS) Kochi.

The above stated exemption shall be valid until 31st December, 2021 from the date of issue of this letter or until the Digital Sky Platform becomes operational, 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 & void and action may be initiated as per Para 18 of the above mentioned CAR.

Encl.: As stated

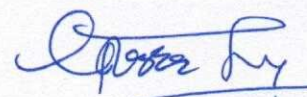
(G. Rajasekar)
Joint Director General of Civil Aviation
for Director General of Civil Aviation

Copy for information to:

1. Joint Secretary (Sh. Amber Dubey), Ministry of Civil Aviation, New Delhi 110003 – may consider for exemption from Rule 15A of Aircraft Rules, 1937.
2. Joint Secretary (Internal Security), Ministry of Home Affairs, New Delhi-110001.
3. Director, G-Wing, Ministry of Defence, South Block, New Delhi 110001
4. The Executive Director (ASM), Airport Authority of India, Safdarjung Airport, New Delhi 110003- For necessary clearances if required.
5. DDG (IR), DGCA HQ- regarding permission for Aerial Photography (if applicable).
6. DDG (Air Safety) - DGCA HQ.
7. Director General, Bureau of Civil Aviation Safety (BCAS), Janpath, New Delhi.

Conditions and limitations to Kochi Metro Rail Ltd. (KMRL) to use Remotely Piloted Aircraft Systems (RPAS) for Integrated Urban Regeneration & Water Transport System Project (IURWTS) Kochi.

1. This exemption to KMRL from the paragraphs 5.2 (b), 5.3, 6, 7, 8.4, 9.2, 11.1 [d], 11.2 [a], 12.4, 12.5 and 15.3 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 KMRL 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) [as applicable] prior to operation of Remotely Piloted Aircraft System (RPAS).
3. M/s Senselimage Technologies engaged by KMRL (through Techno Vision Survey & Mappings Ltd.) shall only operate the RPAS models specified in the approved Standard Operating procedures (SOP) V.1.0.2020.1 Revision No. 0 dated 11th January, 2021. The operations of the RPAS having valid Drone Acknowledgement Number (DAN) [specified in the SOP] shall be operated as per the above mentioned SOP in the area specified therein. Any change in the approved SOP for e.g. Change in procedures or RPAS or use case or personnel or area specified in the approved SOP shall be included in the SOP and submitted to DGCA for approval.
4. KMRL shall ensure that only trained / experienced bona fide personnel operates the RPAS as per the approved SOP. Subsequently, the RPAS operator shall ensure that remote flight crew are trained through approved FTOs/ RPTOs.
5. The RPAS Operator shall ensure that the RPAS is in working condition and maintained as mentioned in the approved SOP and shall be responsible for any eventualities due to malfunction / disorientation of equipment.
6. The RPAS operator shall maintain the records of each RPA flight and make such records available to the DGCA on demand.
7. KMRL shall take necessary permission regarding Aerial Photography from Directorate of Regulations & Information, DGCA or Ministry of Defence (as applicable). The photographs/video-graphs, taken through RPAS shall be used by KMRL only. KMRL shall be responsible for safety and security of RPAS and data collected through RPAS.
8. The RPAS operator shall ensure that the RPAS are made NPNT compliant [certified by QCI] as soon as the digital sky platform is made operational.
9. KMRL shall ensure that each RPAS operated by M/s Senselimage Technologies for the subject purpose has fire resistant identification plate inscribed legibly with OAN, DAN and Model No. of the RPAS.
10. The operation of RPAS shall be restricted to day operations (from sunrise to Sunset), within Visual Line of Sight (VLOS) in uncontrolled airspace only and at a height of 200ft maximum from AGL.
11. RPAS shall not be operated in the vicinity of airport as per the provisions of the CAR. If required to operate near the airport, approval from Airports Authority of India (AAI) and/or concerned airport/airfield operator shall be taken in advance regarding time and area of operations of RPAS.
12. KMRL shall ensure their no items are discharged or dropped during flight of the RPAS. The KMRL shall also ensure that hazardous material or variable payload are not carried in / using the RPA under any circumstances.
13. KMRL shall ensure that uninvolved persons are not allowed within the operation area (including ground station) during the RPAS operations and ensure safety conditions specified in the SOP/RPAS flight manual and in this letter are adhered to.
14. KMRL shall ensure safety, security and privacy of public, property, operator etc. Further, in case of any eventuality, DGCA shall not be held responsible.
15. The operator shall ensure the RPAS is not flown in a manner to cause danger to any person or property. In case of any injury to any person due to physical contact with the equipment, the operator and KMRL shall be responsible for medico-legal issues. The KMRL shall ensure the insurance policy remains valid and of adequate level to cover any damage to third party resulting from accident / incident occurred during the operation of RPAS.
16. The operator 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.
17. The KMRL and M/s Senselimage Technologies shall indemnify DGCA from any legal cases or any other issues arising due to these operations.
18. This letter shall not override other restrictions / SOP on Remotely Piloted Aircraft System framed by other Government Agencies or any bye-laws.
19. In case of incident/accident during at any phase of the operations, the operator shall generate a report with full details to Air Safety Directorate of DGCA within 48 hours of such event.
20. The Operator shall intimate the schedule of operation (location and date of operation) to DGCA (as and when available) well in advance for conducting safety oversight. In this regard, KMRL shall ensure access to DGCA are provided to perform this function.


12/2/2021.