

AV-22011/2/2020-SDnIT-MoCA
Government of India
Ministry of Civil Aviation

Rajiv Gandhi Bhavan, New Delhi
21 May 2020

ORDER

Sub: Conditional exemption to Government entity for use of Remotely Piloted Aircraft System for anti-locust operations

This refers to DO No 12014/08/2020-PP-I dated 20 May 2020 from Ministry of Agriculture and Farmers Welfare, Government of India seeking permission for use of Remotely Piloted Aircraft System ("RPAS", commonly known as "drones") for anti-locust operations.

In view of the urgency of the matter, the Government of India, in exercise of the powers conferred under Rule 160 of the Aircraft Rules, 1937, provides "Conditional Exemption" to Ministry of Agriculture and Farmers Welfare, subject to the following terms and conditions:

1. The "Nodal Agency" shall be the Directorate of Plant Protection, Quarantine & Storage ("DPPQS"), Faridabad under the Ministry of Agriculture & Farmers Welfare, Government of India.
2. The Conditional Exemption shall be limited to Remotely Piloted Aircraft ("RPA") deployed by the Nodal Agency for aerial surveillance, aerial photography, public announcements and/or aerial spraying of anti-locust pesticides. For all other RPA activities, permission shall be sought separately from Ministry of Civil Aviation (MoCA) and Directorate General of Civil Aviation (DGCA) as per laid down procedure.
3. The Conditional Exemption shall be limited to battery-operated rotary-wing RPA only. Use of any other type of RPA, including but not limited to, fixed-wing RPA and autonomous RPA etc. is strictly prohibited.
4. The responsibility of safe operation of the RPA shall rest entirely with the Nodal Agency.
5. Each RPA operation shall be carried out under the overall supervision and control of the Nodal Agency. The RPA shall, at no time, pose a risk to life, crops, livestock, property or any other manned/ unmanned aircraft.
6. The Nodal Agency may operate its own RPA or engage a third-party RPA service provider ("RSP") to provide and/or operate the RPA. The security verification and capability assessment of the RSP and the RSP's RPA operators shall be the sole responsibility of the Nodal Agency and should be completed before operating the RPA.
7. The Nodal Agency shall be responsible for the custody, security and access control of the RPA at all times and shall be responsible for any third-party liability in case of any damage caused by the RPA.
8. Details of every RPA flight including details of the pesticides sprayed (inter alia, name of pesticide, description of pesticide, quantity sprayed, area covered and supervising officer from the Nodal Agency etc.) shall be uploaded on DGCA's Digital Sky Platform within seven days of undertaking the flight.
9. Any incident or accident related to any RPA operation shall be immediately reported to MoCA and DGCA through the Digital Sky Platform.

10. The RPA and its operation shall comply with the following conditions:

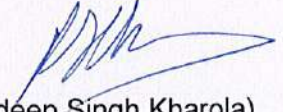
- a) The RPA shall have a Unique Identification Number (UIN) and/or Drone Acknowledgement Number (DAN) issued by DGCA;
- b) The RPA shall not exceed a total all-up weight of 25 kg;
- c) The RPA shall be equipped with an automatic return-to-home feature in case of any loss of the command-and-control link;
- d) The operation shall be restricted to a height of 200 feet Above Ground Limit (AGL);
- e) The RPA shall be operated within visual line of sight (VLOS) at all times;
- f) The RPA shall be operated while maintaining safe distance from people, buildings, vehicles and property at all times;
- g) The RPA shall not pick, drop, spray or discharge any substance other than anti-locust pesticides duly authorised by the Ministry of Agriculture and Farmers Welfare;
- h) The RPA operation shall be restricted to a period between local sunrise and local sunset.
- i) RPA operation shall be avoided during adverse weather conditions, including but not limited to, heavy winds, rain, dust storms, low visibility etc.;
- j) The operator shall be adept in handling the RPA at all stages of flight especially emergency recovery actions in case of any component failure;
- k) All RPA flights shall be immediately terminated when the battery reserve is reduced to 10 minutes; and
- l) No person shall act as a remote pilot for more than one RPA operation at any time.

11. No RPA operation shall be undertaken in the following geographical areas:

- a) Within a distance of 5 km from the perimeter of airports at Mumbai, Delhi, Chennai, Kolkata, Bengaluru and Hyderabad;
- b) Within a distance of 3 km from the perimeter of any civil, private or defence airports, other than those mentioned in Para (a) above;
- c) Within permanent or temporary Prohibited, Restricted and Danger Areas including Temporary Reserved Airspace (TRA), and Temporarily Segregated Areas (TSA), as notified in the Aeronautical Information Publication (AIP);
- d) Within 25km from international border which includes Line of Control (LoC), Line of Actual Control (LAC) and Actual Ground Position Line (AGPL), unless written clearance is obtained from the Ministry of Defence;
- e) Beyond 500 m (horizontal) into sea from coast line provided the location of ground station is on fixed platform over land;
- f) Within 3 km from perimeter of military installations/ facilities/ where military activities/ exercises are being carried out unless clearance is obtained from the local military installation/facility;
- g) Within 5 km radius from Vijay Chowk in Delhi. This is subject to additional conditions/ restrictions imposed by local law enforcement agencies/ authorities.
- h) Within 3 km radius from State Secretariat Complex in State Capitals;
- i) Within 2 km from perimeter of strategic locations/ vital installations notified by Ministry of Home Affairs (MHA) unless written clearance is obtained from MHA;
- j) From a mobile platform such as a moving vehicle, ship or aircraft; and
- k) Over eco-sensitive zones around National Parks and Wildlife Sanctuaries notified by Ministry of Environment, Forests and Climate Change without prior permission.

12. The provisions of this Order shall remain in force until further orders.
13. The Government of India reserves the right to modify, withdraw or extend the provisions of this Order, without providing any reasons whatsoever.
14. Any violation of the provisions of this Order shall make the Conditional Exemption null and void; and shall lead to penal action as per applicable law.

This issues with the approval of the Competent Authority.



(Pradeep Singh Kharola)
Secretary to the Government of India

Copy 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. Janardan Singh), New Delhi
6. Director, G-Wing, Ministry of Defence, New Delhi
7. DG, Directorate General of Civil Aviation (DGCA), New Delhi
8. DG, Bureau of Civil Aviation Security (BCAS), New Delhi
9. Chairman, Airports Authority of India (AAI), New Delhi
10. PS to HMoSCA (IC), Ministry of Civil Aviation, New Delhi
11. Sr. PPS to Secretary, Ministry of Civil Aviation, New Delhi
12. National Informatics Centre (NIC) team, Rajiv Gandhi Bhavan, New Delhi
13. Digital Sky Platform
