सत्यमेव जयते

GOVERNMENT OF INDIA
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTRE, OPP. SAFDARJUNG AIRPORT, NEW DELHI.

AIR TRANSPORT CIRCULAR NO. 02/2017

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SUBJECT: PROCEDURE FOR OBTAINING PERMISSION FOR IMPORT/ LOCAL ACQUISITION OF AIRCRAFT.

1. INTRODUCTION

1.1 Aircraft Act 1934, Section 5, interalia, empowers the Central Government to make rules for regulating the Export/Import of an aircraft for securing the safety of operation. The requirements for import of aircraft are laid down by Director General of Foreign Trade (DGFT), Ministry of Commerce, from time to time.

1.2 As per the order issued by Ministry of Civil Aviation and requirements contained in DGFT notifications, DGCA shall issue permission for Import/Local Acquisition of aircraft by Scheduled Operator, Scheduled Commuter Operator, Non-Scheduled Operator, Flying Training Organisations (FTO), holder of aerial work authorisation and will recommend to DGFT for issue of Import License for import of aircraft for private use and for Central/State Govt./Public Sector Undertakings.

1.3 DGCA also issues permission to individuals/Company etc. for Import/Local acquisition of microlight aircraft, powered hang gliders and hot air balloons for private use, hobby flying, joy rides etc. The relevant Airworthiness CAR regarding Design, Manufacture, Registration and Operation including MHA requirements of such category of aircraft shall be complied by the applicant.

1.4 The permission for import of aircraft, except in case of aircraft for private use and Central/State Govt./Public Sector Undertakings shall be issued in two stages, namely “In-principle approval” and “NOC for Import”. The permission for Local acquisition of aircraft shall be issued in one stage as “Permission for Local Acquisition”.

1.5 Directorate of Air Transport (DAT) shall issue in-principle approval/Permission for local acquisition for all categories of aircraft in consultation with other relevant Directorates of DGCA.

1.6 In case of import of aircraft for private use and Central/State Govt./Public Sector Undertakings Import Licence from DGFT shall be required. After grant of In-principle approval, a letter recommending issuance of Import Licence by DGFT shall be issued by DGCA. All aircraft other than private category aircraft shall be imported without the need to obtain an Import License from DGFT.

2. PROCEDURAL REQUIREMENTS

2.1 Application

An application for In-principle Approval/NOC for Import/Permission for Local Acquisition of aircraft shall be submitted to Directorate of Air Transport (DAT), O/o DGCA in the format as per Annexure 'A' along with requisite fees at para 2.3 and following enclosures, as may be relevant for the category of applicant:

i. A copy of Initial NOC issued by the Ministry of Civil Aviation for the start of Commercial Air Transport Services, in case of new applicant.

ii. A copy of the Parking Permission for the intended aircraft issued by Aerodrome Operator. For Scheduled/Non Scheduled operator the parking permission shall be from aerodrome licenced for Public Use.

iii. Document indicating the arrangement made for maintenance of the intended aircraft to be imported.

iv. Compliance statement in respect of FDI as specified in the applicable AIC.

v. Certificate from Chartered Accountant stating the Paid-up capital of the organisation (only for Scheduled/Non-Scheduled Operator's).

vi. A copy of Letter of Type Acceptance/Validation issued by DGCA with current Revision/Issue of Type Certificate Data Sheet for intended aircraft to be imported.

vii. A copy of Certificate of Registration, Certificate of Airworthiness and Airworthiness Review Certificate of aircraft in case of local acquisition of an Indian registered aircraft.

viii. Any other document to substantiate the information provided.

2.2 Issuance of Permission for Import/Local Acquisition of aircraft.

2.2.1 The aircraft to be imported should be meeting the criteria with regard to its Type Certificate, age and other relevant mandatory requirements as laid down in the applicable/relevant CARs.

Note: For any financial arrangements towards purchase/lease of any aircraft and for remittance of any foreign exchange for import/Local acquisition of aircraft, the applicable guidelines issued from time to time by Reserve Bank of India (RBI) and/or any other institution/agency/department etc. in this regard shall be followed by the applicant. DGCA shall not be responsible for any kind of financial arrangements for import/local acquisition of any aircraft by any means whatsoever.

2.2.2 In accordance with National Civil Aviation Policy 2016 “All aircraft being registered in India from 1st Jan 2019 will mandatorily have to be GAGAN enabled.” The Government has subsequently deferred the above date to 01.07.2021. Accordingly, the aircraft being imported for registration on or after 01.07.2021 shall be suitably equipped with GAGAN equipment.

2.2.3 For import of aircraft for Scheduled/Non-scheduled Air Transport Services, DAT will issue In-principle approval on compliance requirement under this circular and relevant CAR. Subsequently, NOC (No Objection Certificate) for import will be issued by DAT on the basis of certification requirements for inducting intended aircraft to be imported on the Air Operator Certificate/Permit.

The applicant would be required to provide the following details at the time of issuance of NOC for actual import.

i. Annexure-A along with enclosures.
ii. Copy of In-principle approval.
iii. Details of augmentation of Pilots, Cabin crew and Maintenance Engineers for the intended aircraft to be imported.

2.2.4 For Import/Local Acquisition of aircraft for private use including microlight aircraft, powered hang gliders and hot air balloon for private use, hobby flying, Joy rides etc. the applicant shall apply for security clearance online through “e-sahaj” portal. On receipt of security clearance from MHA, DAT shall issue in-principle approval in case of Import and Permission for Local Acquisition of aircraft which shall also be communicated to DAW (Directorate of Airworthiness). DAW will issue a letter of recommendation to DGFT for grant of import license, after ensuring that the aircraft meets the relevant airworthiness requirements.

2.2.5 For Import/Local Acquisition of aircraft by FTO, DAT shall issue the In-principle approval for Import/Permission for Local Acquisition of aircraft which shall also be communicated to DFT (Directorate of Flying & Training). Subsequently, NOC for import shall be issued by DAT in consultation with DFT so as to ensure that the applicant has the required operational and maintenance capability to utilize the aircraft for flying training purpose. The applicant would be required to provide aircraft details as per Part-II of Annexure ‘A’ of this circular for issuance of NOC along with a copy of in-principle approval.

2.2.6 For Import/Local Acquisition of aircraft for the purpose of aerial work operations, DAT shall issue the In-principle approval for Import/Permission for Local Acquisition of aircraft only after the receipt of security clearance as part of approval process for grant of aerial work authorisation under Rule 134B of the Aircraft Rules 1937.

2.3 Fee:

Fee to be paid as follows in a manner as prescribed by Director General.

	Category		
	Commercial/Private/Aerial Work (Based on weight of the aircraft)		***FTO/Microlight Aircraft/Powered Hang Gliders/Hot Air Balloon***
Fees	All-up weight less than or equal to 10,000 kg	Rs. 1,00,000/- (One Lakh Only)	Rs. 20,000/- (Twenty Thousand only) per aircraft
	All-up weight more than to 10,000 kg	Rs. 2,00,000/- (Two Lakh Only)	

Note: In case of Scheduled Operators seeking In-principle approval for bulk of aircraft, the requisite fee can be paid at the time of request for NOC for aircraft.

2.4 Validity of Permission for Import/Local Acquisition of aircraft.

The validity of the permission for Import/Local Acquisition of each aircraft shall be one year which may be extended for another 6 months on genuine grounds. However, in any case, such permission will not be extended beyond the validity of the initial NOC issued by MOCA, in case of fresh applicants. In case of Scheduled /Scheduled Commuter Operators the validity of In-Principle Approval shall be as per the induction plan of the operator.

3. Aircraft Leasing from IFSC, GIFT-City, Gujarat.

Notwithstanding anything contained in this circular, the leasing companies/entities registered with International Financial Services Centre (IFSC) located in GIFT-City, Gandhi Nagar, Gujarat, and approved by International Financial Services Centres Authority (IFSCA) for undertaking leasing of aircraft, shall not require any approval/NOC from DGCA for import of aircraft or for acquisition of an Indian registered aircraft for the purpose of leasing. However, such leasing companies/entities shall be required to comply the applicable regulations/ guidelines prescribed by IFSCA, DGFT, Customs or any other relevant authorities for the purpose.

Provided that, if any entity/operator intends to procure any aircraft on lease from IFSC (located in GIFT City, Gandhi Nagar, Gujarat) based leasing company for its operation in India, then such entity/operator shall obtain approval/NOC from DGCA as per the provisions of this circular.

(Arun Kumar)
Director General of Civil Aviation

Annexure-A

APPLICATION FOR IMPORT/LOCAL ACQUISITION OF AIRCRAFT

PART I: GENERAL INFORMATION

1. Name and Address of the Applicant/Operator :
2. Category (Scheduled/Scheduled Commuter /Non-schedule/Private/FTO/Aerial Work/ State Govt./PSU) :
3. Existing fleet strength :

S. No.	Aircraft Type	Registration	Owned/Leased

4. Details of aircraft proposed to be Imported/Acquired

MSN No.	Type & Make	TCDS No. and Issue/Revision date	Nationality	Registration	AUW	Year of Manufacture

(Specific details of the aircraft to be furnished as per format given in Part-II of this Annexure)

5. Whether the aircraft has complied with all Airworthiness Directives mandated by the Authority issuing the Type Certificate : Y/N (If 'No' give details)
6. Paid Up Capital (Only for scheduled/Non-Scheduled Operator) (Enclose documentary evidence) :
7. Mode of Import/Local Acquisition (Outright Purchase or Dry Lease) :

Outright Purchase	Dry Lease		
Name & Address of the owner (name of manufacturer in case of new aircraft)	Name &Address of the owner of aircraft	Name & Address of the Lessor	Name & Address of the Lessee

Annexure-A

8. Usual Station/Night Parking allotted
   (Enclose documentary evidence) :

9. Arrangement/level of readiness for maintenance
   of aircraft(Enclose documentary evidence) :

10. Level of readiness of security arrangements/
    Security program :

11. Application for security clearance through
    e-sahaj portal.
    (In case of aircraft for private use) :

12. Details of Fee Paid :
    (Enclose documentary evidence)

Bharat Kosh/NTRP Receipt No.	Date	Amount

UNDERTAKING

i. The aircraft shall be used only for the purpose for which it is being permitted to import/acquired and also shall meet the airworthiness/type acceptance criteria for import as per relevant CARs.

ii. It is confirmed that the aircraft after registration in India shall be maintained, operated and de-registered (if required) in accordance with the Indian rules, regulations, procedures and any condition specified by DGCA India and there is no binding or limitation of any kind in this regard in the lease agreement for the Local acquisition of the aircraft.

iii. It is confirmed that the applicant shall comply with the provision of relevant CAR regarding adequate number of flight crew/cabin crew and maintenance personnel.

iv. Certified that the information given above is correct.

(Signature of the Applicant/Authorised Signatory)

Name:
Designation:

Annexure-A

PART II: AIRCRAFT DETAILS

a) Type and make of the aircraft:
b) Nationality and registration of the aircraft :
c) Year of manufacture of aircraft :
d) Name of manufacture of the aircraft :
e) Serial number of the aircraft:
f) No. of passenger seats/Weight of cargo permissible as per type certificate of the aircraft:
g) Maximum Certified take-off mass:
h) Engine Type mounted on aircraft:
i) Number of hours flown since new:
j) Number of landing since new:
k) Number of pressurisation cycle since new:
l) Last major check done and number of hours since flown:
m) Next major check due:
n) Name of the company from which the aircraft/helicopter is being taken on lease:
o) Previous history of aircraft with details of any incident/accident involving structural damage:
p) Name of the Authority and Country which issued the last certificate of airworthiness:

Certified that the information given above is correct.

(Signature of the Applicant/Authorised Signatory)
Name:
Designation: