

GOVERNMENT OF INDIA
CIVIL AVIATION REQUIREMENTS

CIVIL AVIATION DEPARTMENT
SECTION 2 - AIRWORTHINESS
CAR SERIES 'F' PART XXI
ISSUE II, DATED 7.11.1997
FILE NO. 11-690/92-AI(2) EFFECTIVE : FORTHWITH

Subject: Import/Export of Aircraft, Spares, Items of Equipment
etc. for use on aircraft.

1. INTRODUCTION :

Aircraft Act 1934 Para 5, inter alia, empowers the Central Government to make rules 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, Ministry of Commerce (DGFT), vide Public Notice No. 274 (PN)/92-97 dated 23.2.95.

This part of the CAR specifies the manner in which aircraft, aircraft spares, items of equipment may be imported and also exported and re-imported into India in the case of spares/items of equipment which cannot be repaired/overhauled within the country.

2. DEFINITIONS :

- 2.1 Component means one of the parts of a sub-assembly or assembly of which a manufactured product is made up and into which it may be resolved. Component includes an accessory or attachment.
- 2.2 Consumables means any item which participates in or is required for a manufacturing/maintenance process, but does not form a part of the end-product. Items which are substantially or totally consumed during a manufacturing/maintenance process will be deemed to be consumables.
- 2.3 Importer means a person who imports or intends to import and holds an Importer-Exporter code number.
- 2.4 Policy means the Export and Import Policy as amended from time to time.
- 2.5 Public Notice means a notice published under the policy for the information of the public.
- 2.6 Spares means a part or a sub-assembly or assembly for substitution, that is, ready to replace an identical or similar part or sub-assembly or assembly. Spares include a component or an accessory.

3. REQUIREMENTS:

3.1 Import of Aircraft for Scheduled/Non-Scheduled Air Services:

- (a) Aircraft may be imported by the following organisation without the need to obtain an import licence from the DGFT.
- a) Air India
 - b) Indian Airlines
 - c) Pawan Hans Limited
 - d) Airports Authority of India
 - e) Indira Gandhi Rashtriya Uran Academy(IGRUA) and such other Flying Clubs/academies recognized by the Ministry of Civil Aviation.
 - f) Any person who has been granted permission by the Ministry of Civil Aviation, Govt. of India for operating Scheduled or non Scheduled Air Transport Services (including Air Taxi Services) for import of aircraft subject to the condition that the import of the aircraft and their use is in accordance with such permission.
- (b) Public Sector Enterprises and their wholly owned subsidiaries under the Ministry of Civil Aviation are exempted from the procedure of aircraft acquisition committee for the purpose of import of aircraft. However, an NOC may be issued by DGCA, if required, after certification by the Ministry of Civil Aviation that the import of the aircraft has been approved by the competent authority.
- (c) Applications for import of aircraft for private Scheduled/ Non Scheduled services including Air Taxi and aerial work may be forwarded to Ministry of Civil Aviation, Rajiv Gandhi Bhavan, New Delhi. The form for application is given in Appendix I. After such scrutiny of the application by the aircraft acquisition committee as may be necessary, the Ministry may grant permission for import of the aircraft. The procedure is described in CAR Section 3, Series 'C'.

3.2 For import of aircraft which are to be used for specific national projects approved by Government of India, the permission for import may be granted by the Ministry of Civil Aviation on the recommendation of the Administrative Ministry regulating such projects.

3.3 Import of Aircraft by Companies and individuals :

- (a) The import of aircraft by any category of importer other than given in para 3.1 and 3.2 shall require an import licence to be granted by the DGFT. Such aircraft shall be imported for personal use by companies and individuals and shall not be utilised for hire and reward unless specifically permitted by the Ministry of Civil Aviation.
- (b) For import of such aircraft by companies and individuals the

application (ten copies) may be forwarded to the DGFT. Two

copies of this application with enclosures should also be forwarded to the DGCA. The application should include detailed justification for import of aircraft, type and make of aircraft, number of aircraft to be imported, availability of foreign exchange resources and status of aircraft in terms of age, accident/incident history and hours/cycle of operation. The application shall be made in the form prescribed in Appendix -II.

- (c) The age of the aircraft to be imported shall be in accordance with CAR Section 2 Series F Part XX.
- (d) After ascertaining the suitability of the aircraft for its intended operation, suitable recommendation may be forwarded to the DGFT. After such scrutiny by the Special Licensing Committee as may be required, DGFT may issue import licence/CCP for import of the said aircraft.

4. IMPORT OF SPARES :

- 4.1 The policy for import of spares is laid down in the Export and Import Policy and the Hand Book of Procedures issued by DGFT, Ministry of Commerce. Relevant extracts are reproduced below :

Para 76 of Hand Book of Procedures :

Air India, Indian Airlines, Pawan Hans Limited and scheduled domestic private airlines, private sector/public sector companies and State Government operating executive /training aircraft or those engaged in aerial spraying of crops and non scheduled airlines and charter service operators will be eligible to import without a licence, re-conditioned/second hand aircraft spares on the recommendation of DGCA.

Chapter 88 Para 88.03 regarding import of spares :

- a) Import of reconditioned or second hand spare parts including propellers, rotors, under carriages, engines and other parts of aeroplanes and helicopters are permitted without licence to the categories of operators as specified in Para 3.1 on the recommendation of DGCA.
- b) Import of all new spare parts for aeroplanes and helicopters are permitted to be imported freely without the recommendation of DGCA.

Note :1. Regional and Sub Regional Airworthiness Offices are

authorised to recommend import of spares and issue duty concession certificates on behalf of DGCA.

2. Only such organisations specified in para 3.1 can

import repaired/overhauled/re-conditioned second hand components. All organisations other than those covered in para 3.1, including stockist firms approved by DGCA in cat. 'F' of CAR Series 'E', can import only new components accompanied by valid documents.

- 4.2 It shall be ensured that all aircraft spares are manufactured/overhauled by organisations approved by regulatory authorities of the country of manufacture/overhaul. The spares so imported shall be accompanied by authentic Documents/ Release Note giving the status of the airworthiness of the component, issued by authorised persons.
- 4.3 Reconditioned/overhauled spares and items of equipment should be accompanied by history cards/data giving upto-date status of compliance with components service bulletins and airworthiness directives.
5. Export of spares or the item/equipment for maintenance/ repair/overhaul and re-import thereafter.

In certain exigencies an operator may not be able to service/maintain/overhaul an item of equipment removed from the aircraft within the country due to various reasons. In such cases the aircraft operator may approach the DGCA for a No Objection Certificate to export the spares or item of equipment for carrying out necessary repairs/overhaul at approved Firm/Agency abroad and re-import the same after carrying out the necessary work. The operator must furnish all details of the spares, items of equipment including the name of the approved firm/agency when the same is being despatched for overhaul/repair/investigation. In case of premature failure, the aircraft operator shall make necessary arrangements with the overhaul agencies and arrange copy of the investigation report to be sent to DGCA. Some of the manufacturers abroad have a procedure called Standard Exchange Programme wherein a failed part is replaced by a serviceable part of another serial number. In such cases also DGCA will permit the operator to export the failed part/life expired part and replacement thereof by serviceable part of different serial number. In such cases also the aircraft operator shall ensure that investigation report of the prematurely removed components are sent to the DGCA on completion of the investigation. The above export and re-import of spares etc. is subject to compliance of Reserve Bank of India regulation, if any, on the subject. In all such cases no import licence will be required and in

lieu thereof the NOC issued by the DGCA will suffice.

6. IMPORT OF TOOLS/EQUIPMENT

For the import of tools/equipment required as per maintenance manual/manufacture of the aircraft/accessory for maintenance/testing etc., the importer shall obtain No

Objection Certificate from DGCA.

Sd/-
(N.Ramesh)
Dy. Director General of Civil Aviation

APPENDIX 'I'

APPLICATION FOR GRANT OF N O C TO OPERATE SCHEDULED/ NON-SCHEDULED AIR SERVICES

1. Applicant's details

A. In case of an individual

- a) Name
- b) Nationality
- c) Address in India with Telephone, Telex, Fax numbers

B. In case of a company or a corporate body

- a) Name of the company/corporate body
with details of registration
- b) Address with telephone, telex, Fax numbers
of the registered office
- c) Address of principal office of business, including
operations and maintenance bases
- d) Full details of any other business the company are
engaged in.
- e) Names and nationality of the Board of Directors.
- f) Details of the share holding of the company
- g) Percentage share of foreign nationals
or company, if any, in the capital of the company
- h) A copy each of the certificate of incorporation
and Memorandum and Articles of Association
- i) Objects of the organisation particularly
with regard to proposed air transport operations.
- j) Details of experience in civil aviation field/activities

2. Financial resources

- a) Authorised equity capital

- b) Subscribed equity capital
- c) Other resources
(attach supporting documents such as
balance sheet, bank certificates etc.)

3. Details of Organisation

- a) Overall set up including details of operational, management, engineering quality control set up, flight safety cell etc.
- b) Proposed maintenance facility with details of organisation, equipment and approved program.
- c) Staff strength of the proposed maintenance personnel and plans of their training
- d) Number of flight crew with details of their licences and training for each type of aircraft in the fleet
- e) Sources of pilots and engineers
- f) Main maintenance base and operational bases
- g) Details of the organization where the aircraft will night stop with number of aircraft at each place.

4. Details of aircraft proposed to be operated

- a) Whether the aircraft is acquired on outright purchase or lease finance (indicate wet lease or dry lease).
- b) Name and address of Owner /Lessor for the purpose of registration of aircraft.
- c) Number and type of aircraft.
- d) Passenger capacity of each type of aircraft.
- e) Maximum take off weight.
- f) Name of the authority who issued type certificate to the aircraft.
- g) Arrangements for ground handling equipment at each airport of proposed operations.
- h) Details of personnel to handle dangerous goods

5. Type of Air Transport Services proposed

- a) Scheduled Air Transport Services

b) Non-Scheduled Air Transport Services

6. Details of routes proposed to be operated with the type of aircraft, proposed flight schedules and frequency.
7. Potential need for the proposed services

8. Projected profitability
(a copy of feasibility study may be enclosed)
9. Available seat kilometer proposed to be deployed in each category of routes/region.
10. State if the applicant has at any time contravened any provision of the aircraft act 1934 and/or the rules made thereunder. If so, give details.
11. Particulars of fees, the name of the Bank (to be drawn on any scheduled bank in Delhi, payable to Central pay & Accounts office, CAD, New Delhi).
12. Statement showing compliance with the Civil Aviation Requirements(CAR Section 3 Series 'C' Part I if the aircraft are leased by the operator.
13. Statement showing compliance with the requirements of CAR Section 3 Series 'E' Part I for operations to new stations, if proposed.
14. By what time the operations are proposed to be started
15. Other information to meet the provisions of the Aircraft Rules 1937.
16. Details of the Security Program approved by BCAS.

Certified that the statements made/information given in this application are true.

(Signature of the applicant/authorised signatory.)

Note : Eight copies of the application are required to be submitted to the Ministry of Civil Aviation (Department of Civil Aviation). All copies of the application should be supported by documents wherever necessary.

FORM OF IMPORT OF AIRCRAFT/HELICOPTER
BY COMPANIES/PRIVATE PERSONS
(Reference Handbook of Procedures, Appendix VII Annex. IV), published by DGFT, Ministry
of Commerce)

(10 copies to be enclosed)

1. Name and address of the applicant
2. Details of items applied for import

S.No.	Description of items	Quantity	CIF value

Total CIF value:
In Rs. _____
In foreign currency _____

3. Year of manufacture
4. Whether new/second hand
5. Seating capacity
6. Country of Origin
7. Residual life
8. No. of flying hours already completed
9. No. of Aircraft(s) already imported/ in possession with the applicant
10. Whether the applicant falls in the category of 'private category' or 'passenger category'.
11. Whether requires CCP or Licence.
12. No. and date of recommendation letter of DGCA (enclose a copy thereof)
13. Justification of import

Signature of the applicant