

**Press Information Bureau
Government of India
Ministry of Civil Aviation**

04-April-2006 17:42 IST

Committee on review and restructuring of DGCA submits its report

A committee set up in August 2005 by the Ministry of Civil Aviation, under the chairmanship of Shri M. K. Kaw, former Secretary (Civil Aviation), to review the role and functions of the Directorate General of Civil Aviation (DGCA), presented its report to Minister for Civil Aviation Shri Praful Patel, today.

The terms of reference of the Committee were:

- (i) Functions of DGCA as envisaged by ICAO
- (ii) Regulations authorizing DGCA to carry out its functions
- (iii) Comparison of regulations with international requirements
- (iv) Organization of DGCA, its manpower and training requirements
- (v) Procedures adopted by DGCA for
 - (a) Licensing of airlines;
 - (b) Licensing of personnel i.e. pilots, flight engineers, navigators; engineers, flight dispatchers etc.;
 - (c) Examination system; and
 - (d) Clearance of international scheduled and non-scheduled flights
- (vi) Administrative and financial autonomy of SDGCA for discharge of its functions.
- (vii) To conduct audit as per ICAO Protocol in preparation for ICAO Audit.
- (viii) To advise whether there is a need for converting DGCA into an independent statutory authority/corporation.

The broad recommendations of the Committee are:

- Government needs to finalize its civil aviation policy and give it a statutory basis in the shape of a new Civil Aviation Act.
- There is no need to create a plethora of regulatory agencies in the field of civil aviation.
- The DGCA should be statutorily notified as the sole apex body for safety and economic regulation of the sector. It should also act as a catalyst for the growth of the manufacturing sector.

- There is no need to convert it into an authority. This might make it commercial in outlook and dent its effectiveness in performing the sovereign function of regulation.
- There should be a National Civil Aviation Advisory Committee to lay down the policy and review it from time to time.
- DGCA should be given a sufficient budget and have clear-cut administrative and financial autonomy through a DGCA Council and its Empowered Committee.
- DGCA should liberalize its regulatory framework so as to give a greater fillip to the already burgeoning civil aviation sector.
- There should be a national training policy, a Central Air University, several State air universities, a DGCA Training Academy and tighter control and supervision over flying training schools and AME training institutions.
- There should be an Indian Civil Aviation Service to man the various positions in the DGCA.

This Report is the result of months of such research, study, site visits, consultation and discussions. The Committee after researching and studying all aspects of Civil Aviation Operations and the requirements of safety regulations, holding meetings and discussions with representatives of all the stakeholders including the Indian Air Force and carefully considering all the responses and suggestions received via its website link, consulted technical and aviation experts and interacted closely with the Director General of Civil Aviation as also the former Directors General of Civil Aviation and other officials concerned in Ministry and other organizations.

Other members of the Committee were: Prof. Saligram Bhatt, Shri. S. L. Srivastava, Shri B. P. Baliga, Capt. M. V.V. Rao, Shri Gurcharan Bhatara and Mrs. Rupan Dhanoa

MC/GK

An executive Summary of the recommendations is enclosed.

Executive Summary

The Committee has studied the issues relevant to its terms of reference, heard the representatives in the industry and consulted the experts in important aspects of aviation. Committee has compared the position obtaining in other countries as also the International Civil Aviation Organization (ICAO) Standards and Recommended Practices (SARPs) and made suggestions as to the improvements, additions and amendments required in the role, functions and organizational structure of Directorate General of Civil Aviation (DGCA), as well as to the existing Aircraft Act 1934 and Aircraft Rules 1937. The Committee has analyzed and recommended the most suitable form of organization for DGCA, which is congruent with the emerging aviation scenario and the role and functions of DGCA as envisaged by the ICAO.

Need for civil aviation policy and the civil aviation act:

It is a matter of concern that India still awaits a comprehensive civil aviation policy and as a consequence, the Civil Aviation Act. Committee has come across the deficiencies of comprehensive legislation providing the statutory backing to the safety regulator to enforce the compliance of the aviation regulations by the operators, personnel and training institutions. In Chapter 3 of the report, some of the strategic and policy imperatives have been highlighted. The urgency of drafting a Civil Aviation Act 2006, which would necessarily incorporate the Aircraft Act 1934 and bring other existing Aviation Acts like The Carriage by Air Act 1972, Tokyo Convention Act, 1975, The Anti-hijacking Act, 1982 and the Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982 etc. under its umbrella, has been emphasized. Similarly, the need to update and rename The Aircraft Rules 1937 as the Civil Aviation Rules, 2006 is mentioned.

Strategic and Policy Imperatives:

Lack of a formal interface for optimized joint and flexible use of Indian airspace between the civil and military traffic, is a matter which requires immediate attention of the government. The Committee has recommended that the management and control of the airspace should rest in Ministry of Civil Aviation and its administration should be through a three-tier coordination mechanism between the civil and military users. The need for a detailed policy on safety regulations and guidelines for helicopter operations and training of helicopter pilots and engineers has also been stressed. Committee has drawn attention of the Government towards the necessity of drafting a policy for route allocations for full use of the reciprocal gains in the bi-lateral and multi-lateral agreements. In the domestic field also, the need to review the route dispersal guidelines is put forth so that the air connectivity is encouraged through joint ventures rather than forced obligations.

Setting up of the National Advisory Committee on Civil Aviation:

The Committee has professed that the Civil Aviation Policy needs to be a written documented paper and should be regularly reviewed and up dated. It has recommended setting up of a National Advisory Committee on Civil Aviation for the purpose. This advisory committee will be set up under the chairmanship of Secretary (Civil Aviation) with DGCA serving as the Member Secretary. It would have member representatives from various stakeholders in the field of civil aviation, safety, security and economic regulators, representatives from aviation university, various relevant departments/Ministries of the Government, manufacturing sector as also the training and maintenance organizations etc. and would advise the Ministry of Civil Aviation on the policy requirements. The proposed Act should necessarily provide for setting up of the National Advisory Committee.

DGCA as the aviation safety and aviation economic regulator:

It is informed that the Government is establishing the Airport Economic Regulatory body. The Committee feels that this would be inadequate, as with the privatization and growth there would be a need for aviation economic regulator catering for the airports and airline operations, manufacturing sector, training institutes, aviation law enforcement activities, etc. Having separate economic regulatory authority for each of these would be adding to the multiplicity of the regulatory bodies. After a careful examination of involvement of DGCA in each of the aforesaid areas of aviation, Committee has recommended that enforcing compliance of the economic regulations should be the responsibility of DGCA. On the same analogy, it is recommended that DGCA should be appropriately entrusted with the enforcement of compliance with the environmental protection law and other such related legislative obligations.

Revised role, functions and developmental responsibilities of DGCA:

Committee has reviewed and revised the role and functions of the DGCA in the light of SARPs and other comparable international safety regulatory mechanisms. In the Indian context, where Civil Aviation is indicating

a high potential for growth, DGCA needs to play the role of the safety and economic regulator as well as the facilitator for developmental activities in the operational and manufacturing sectors of aviation. Its functions should also be expanded to include various aspects of aerodrome licensing, Surveillance and Certification of Communication and Navigational Systems/Air Traffic Management facilities and licensing of the Air Traffic Controlling Officers (ATCOs).

DGCA as the catalyst for aviation manufacturing and training activities:

With forthcoming privatization of airports and increase in number of private airlines and airport operators, coordination of matters relating to facilitation of air transport in India and overseeing the implementation of provisions of Annex 9 have become important. The Committee feels that DGCA is the most suitable organization to take on these responsibilities. Another significant fall out of the growth in this sector is the need to facilitate the growth of manufacturing facilities in India into a core industry at global level. A catalytic role for DGCA for promoting indigenous design and manufacturing of civilian aircraft and components, collaborating with the research and development in the universities and industry in the relevant subjects has been emphatically recommended by the Committee.

Urgent need for National Training Policy and National Aviation University:

The Committee has expressed its concern that even though India is developing as the knowledge hub of the world, producing qualified engineers and technical personnel, the standard and quality of education and training in civil aviation leaves much to be desired. There are 39 Aircraft Maintenance Engineers (AME) Training Institutes. Around 2000 trainees pass out of these, but very few can clear the examination of DGCA for license. Out of 39 flying clubs and flying training institutes combined, many are deficient in infrastructure, instructors and trainer aircraft and quite a few have become non-functional. While Committee has commended the efforts of the government to modernize and upgrade the infrastructure of the Indira Gandhi Rashtriya Uran Academy (IGRUA), it has stressed the need to immediately formulate a comprehensive National Training Policy, laying down the mandatory standards for training (including the infrastructure requirements for the training institutions, syllabus, equipment and scale of trainers/instructors etc.) and providing necessary assistance to the private flying and AME training institutes to improve their infrastructure. The significance of implementation of such recommendations needs no further emphasis.

The Committee has recommended setting up of a National Aviation University under the aegis of the Ministry of Civil Aviation. All the existing training institutes of Airports Authority of India (AAI) NIAMAR, CATC, Fire Training Schools, Training centres of national carriers, Bureau of Civil Aviation Security, DGCA, IGRUA and Pawan Hans Helicopters Ltd, could be affiliated to this university. There is urgency in having such an apex body for aviation training, research and management to set the standards, facilitate collaboration with international institutes and provide a forum for conferences and exchange of knowledge. Foreseeing a growing need for interface between the aviation and aerospace research and applications the Committee in overall national interest, has recommended a Centre for Aerospace Studies and Research to be affiliated to the proposed aviation university.

Streamlining of the DGCA procedures for grant of clearances to flight schedules, licensing of airlines and personnel

The existing procedures of DGCA for clearances of flight schedules, approvals and licensing are out of sync with the developments in this sector. Committee has recommended a review of procedural requirements to remove the redundant aspects and rationalize the procedures to effect speedy certifications and Issue/renewals of licenses. It has accordingly recommended amongst other, a revision of requirements, procedures for issue of flight (maintenance) release certificates, period of validity of the Certificates of Airworthiness and personnel licenses, requirements of test flights for C of A renewals and delegation of

responsibility by Ministry of Communications for issue of radio telephony licenses to the DGCA. Necessary amendments and insertions have been recommended to the Aircraft Act 1934, Aircraft Rules 1937 and Civil Aviation requirements issued by the DGCA.

Review of Examination Systems and special budget head for Central Examination Organization of DGCA

While reviewing the examination systems of DGCA, the Committee has mentioned that at present, the Central Examination Organization (CEO) in DGCA is severely handicapped not only due to shortage of manpower but also by the resource crunch, both in financial and material terms. These constraints are serious and need exemptions from limits of expenditure on stationery in General Financial Rules. Committee has recommended a separate budget head for CEO to cover the requirement for consumables, arrangements to conduct the examinations, printing of question banks, hiring of experts/consultants/examiners and IT modernization schemes. The budget provisions would be matched to a considerable extent by the revenue receipts on account of 'fees'. Such recommendations would ensure much awaited and needed improvements and an IT based modernization so as to create an on-demand Examination System within the DGCA.

Setting up the DGCA Governing Council and its Empowered Committee to exercise the administrative and financial autonomy:

Serious manpower deficiencies have also been noted, as against the existing functions of the DGCA, leave alone the requirements proportionate to the role and functions as envisaged by the ICAO and recommended by us. Committee has examined the resources and procedural and functional constraints and proposed manpower and training requirements for DGCA. To alleviate the manpower, administrative and financial constraints of DGCA and to cater to its operational requirements, administrative and financial autonomy to DGCA through a mechanism of DGCA Governing Council and its Empowered Committee has been recommended.

The Governing Council under the Chairmanship of Secretary (CA) would be serviced by DGCA as the Member Secretary and would have appropriately delegated powers to create temporary operational posts, hire manpower on contract and fill up vacancies, hold departmental promotion committee meetings, transfer the posts from one station to other from within the overall sanctioned posts and exercise enhanced financial powers under the recommended administrative and financial autonomy. The Council would have an Empowered Committee, which would meet more frequently and discharge the responsibilities of the DGCA Governing Council under delegated powers. Both the Council and its Empowered Committee would be set up under the provisions of the proposed amendment to the Aircraft Act. . The Committee has also recommended the much awaited and needed improvements and IT-based modernization in the functioning of DGCA.

DGCA as an empowered arm of the Government rather than a civil aviation authority:

It is stated that after a careful consideration of the pros and cons of converting DGCA into a Civil Aviation Authority, the Committee recognizes a possibility that 'safety and security,' which are sovereign responsibilities, could be jeopardized in a commercial environment like the CAA. The Committee has chosen DGCA as the statutory arm of the Government, as the most suitable organizational structure for DGCA. Such a body would have the DGCA Governing Council and its adequately Empowered Committee set up under the proposed Civil Aviation Act. It is stated that DGCA would have the benefit of being a state agency discharging the sovereign responsibilities of enforcing the compliance of safety and economic regulations, discharging the afore-stated developmental, quality control and catalytic responsibilities and effective autonomy of an independent authority, for administration and financial matters.

Need for comprehensive manpower policy and Introduction of Indian Civil Aviation Service

Civil Aviation in India is a compact, high visibility, technically specialized and operationally sensitive sector, both at the national and international level. India reflects its identity to the outside world through the quality and standard of air transport services at the global level. Noting that the DGCA officials operate in a sophisticated environment and regulate the technologically advanced aviation operations of elite organizations and institutes, the Committee has drawn attention towards the fact that other developing, settling democracies the world over are seeking India's technical expertise in the matters of safety in air transport and aviation training. There is urgent need for ensuring a dignified status to the DGCA officials and functional parity with their regulated counterparts to enable them to discharge their responsibilities, through a comprehensive manpower policy. The manpower policy should be focusing on cadre structure, induction and regular training, development of technical expertise and a pool of proficient personnel, better compensation and retention, appropriate performance appraisal and reward system, and assured career progression.

The Committee has recommended introduction of an 'Indian Civil Aviation Service' (ICAS), to be created as a central service, for DGCA personnel. ICAS should have relevant cadre policies for recruitment, promotion, timescale based automatic pay scale up-gradations, personal (in-situ) promotions depending on the vacancy availability in the higher post and cadre structure as in case of any other relevant central service. The ICAS conditions should include reward system, induction training and regular training thereafter at home and abroad to maintain a pool of technically proficient and trained manpower competing with the best internationally. Such a service would ensure induction of well qualified and competent officers to handle the responsibilities as envisaged in the enhanced role and functions of the DGCA.
