

# INVESTIGATION REPORT ON INCIDENT OF LANDING WITHOUT ATC CLEARANCE BY M/S JHANKAR AVIATION KING AIR C90 AIRCRAFT VT-TIS ON $7^{\text{TH}}$ AUG, 2023 AT PATNA AIRPORT

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DIRECTORATE GENERAL OF CIVIL AVIATION

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#### **GENERAL INFORMATION:**

a) Aircraft Type : Beechcraft

Model : C90A

Nationality : Indian

Registration: VT-TIS

b) Operator : M/s Jhankar Aviation Pvt Ltd.

c) Pilot in command : CPL holder

d) Nationality : Indian

Extent of Injury : Nil

e) First Officer : CPL holder

f) Nationality : Indian

Extent of Injury : Nil

g) No. of Cabin Crew : NIL

Extent of Injury : Nil

h) No. of Passengers : 04

Extent of Injury : Nil

i) Date and time of Incident : 7<sup>th</sup> Aug, 2023, 15:59:33 UTC

j) Last Point of Departure : Dibrugarh

k) Point of Intended Landing : Patna

I) Place of Incident : Patna

m) Phase of operation : Landing

n) Type of Incident : Landing was executed without obtaining

ATC clearance.

(All timings in the report are in UTC, unless otherwise specified)

#### **SYNOPSIS:**

On 7<sup>th</sup> Aug, 2023 M/s Jhankar Aviation C-90A aircraft VT-TIS was operating a non-scheduled medical flight from Dibrugarh to Patna. Both the flight crew were CPL holder. There were 06 persons on board the aircraft including 2 crew member. The PIC was the pilot flying and the FO was the pilot monitoring.

The flight took off from Dibrugarh Airport and when the flight was approaching within 50 nautical miles to Patna Airport, the flight was transferred from Kolkata Area Control to Patna Approach Control. Initially when the flight VT-TIS entered Patna Airspace it deviated about 20 to 25 nautical mile from flight path due to bad weather prevailing enroute and at Patna Airport. Later Patna approach controller cleared the flight for VOR DME approach RWY 07 which is a non-precision approach. The flight crew reached overhead PPT VOR and reported leaving VOR and commencing VOR DME approach. The flight crew reported established on Final Approach Track RWY 07 to Patna Approach Control. Patna Approach Control thereafter transferred the control of the flight to Patna Tower.

However, the flight crew continued its approach for RWY 07 and landed safely on RWY 07 without receiving landing clearance from Patna Tower Control. At the time of the incident there was no arrival and departure traffic operating with Patna Tower Control.

DGCA instituted the investigation of the incident by appointing an Investigator-in charge under Rule 13(1) of the Aircraft (Investigation of Accidents and Incidents) Rules, 2017.

The investigation concluded that the Incident occurred due to failure on part of the flight crew to contact with tower control and obtain landing clearance. Non adherence to correct RT procedure by the Flight crew of VT-TIS and ATC Tower Controller along with the bad weather is the contributory factor.

#### 1.0 FACTUAL INFORMATION

#### 1.1 HISTORY OF THE FLIGHT:

On 7th Aug, 2023 M/s Jhankar Aviation C-90A aircraft VT-TIS was operating a non-scheduled medical flight from Dibrugarh to Patna. The flight departed from Dibrugarh Airport and when the flight was approaching within 50 nautical miles of Patna Airport, the flight was transferred from Kolkata Area Control to Patna Approach Control. The Patna Approach Controller instructed the flight crew of VT-TIS to descend and maintain FL 160. Later Patna Approach Controller instructed flight crew of VT-TIS to turn left to a heading of 250degrees. However due to poor weather conditions, the flight crew requested to maintain the heading until 10 Nm. At time 06:45:18 UTC, the flight crew of VT-TIS requested further descent from Patna Approach. The Controller cleared flight VT-TIS to descend to FL 140. Patna Approach further instructed the flight crew of VT-TIS to descend to FL 080 and informed them that further descent below FL080 would be given at 30 Nm. The flight crew of VT-TIS acknowledged the ATC instructions. Patna Approach also informed VT-TIS to expect a VOR-DME approach for RWY 25, which was acknowledged by VT-TIS.

At time 06:55:12 UTC, the flight crew of VT-TIS informed the Patna approach that they would be deviating for 20Nm before coming back on course. The Patna approach instructed flight VT-TIS to descend to 2000 feet, and this was acknowledged by the flight crew. At 06:58:15 UTC, Patna approach instructed VT-TIS to turn left on a heading of 020degres and cleared the flight for the VOR-DME approach RWY25. The Patna Approach Controller also instructed the flight crew to report when established on the final approach track. However, the flight crew of VT-TIS reported that they were unable to comply with the ATC instruction due to the weather. At 07:00:25 UTC, the Patna Approach instructed VT-TIS to report overhead PPT VOR for the VOR-DME approach RWY 25. At 07:01:10 UTC, VT-TIS reported that they were in 10 Nm out and would make a left turn to

intercept the final approach track for RWY 25 and requested information on any traffic. The Patna Approach Control reported negative traffic.

At 07:03:58 UTC, VT-TIS reported its intention to use RWY 07 due to weather on the approach path of RWY 25, and this was approved by Patna Approach. At 07:11:02 UTC, VT-TIS reported that they were commencing the VOR-DME approach for RWY 07 and were proceeding outbound for RWY 07 at 2000ft.Approach control instructed VT-TIS to report when established on the Final Approach Track and to descend as per the procedure. At 07:14:53 UTC, VT-TIS reported to approach control that they were on the final approach track. At 07:14:59 UTC, the approach controller instructed VT-TIS to contact the tower control on frequency 118.3MHz, and this was acknowledged by VT-TIS. At 07:16:05 UTC, the tower controller received a wind check call without a call sign. The Tower Controller inquired for the call sign, but the aircraft replied, "wind check only". The tower then passed the wind information without confirming the call sign of the aircraft again. When the approach controller inquired about the status of VT-TIS, at 07:16:48 UTC, Patna Tower asked about the position of flight VT-TIS and the flight crew of VT-TIS reported that they had landed on RWY 07.

There were no injuries to any person on board the aircraft. There was no fire at any stage, and there was no damage to the aircraft.

#### 1.2 INJURIES TO PERSONS:

Injuries	Crew	Passengers	Others
Fatal	00	00	00
Serious	00	00	00
Minor/None	02	04	

**1.3 DAMAGES TO THE AIRCRAFT:** There was no damage to the aircraft.

#### 1.4 OTHER DAMAGE: NIL

# 1.5 PERSONNEL INFORMATION

# 1.5.1 Pilot-In-Command (PIC):

Age	34 Y
CPL issued on	10-01-2011
CPL valid till	31-01-2026
FRTOL issued on	10-01-2011
FRTOL valid till	20-01-2026
Medical Assessment done on	28-09-2022
Medical Assessment due on	04-10-2023
Total Flying Hours	1199:10
Hours flown as PIC on type (in last	50:15
one year)	
Hours flown in last 30 days	43:40
Hours flown in last 7 days	13:20
Hours flown in last 24 hours	04:00

# 1.5.2 First Officer:

Age	55 Y
CPL issued on	02-04-2004
CPL valid till	27-05-2024
FRTOL issued on	27-06-2003
FRTOL valid till	27-05-2024
Medical Assessment done on	13-11-2022
Medical Assessment due on	09-12-2023
Total Flying Hours	1522:00
Hours flown as on type(in last	89:50
one year)	
Hours flown in last 30 days	08:20
Hours flown in last 7 days	08:20
Hours flown in last 24 hours	04:00

No exceedance in the Flight Duty Time for both the crew was observed as per the record available.

#### 1.6 AIRCRAFT INFORMATION:

1.6.1 The details provided below are as on prior to incident flight:

Aircraft Registration	VT-TIS
Type of Aircraft	King Air C90A
Certificate of Airworthiness number	2161/3, and
andissue date	11 June 2015
ARC number and Validity	114(ARC) and 24-07-2024
Category	Normal
Sub Division	Passenger/Air Ambulance
Certificate of Registration	2673/6
Operator	M/s Jhankar Aviation Pvt. Ltd.
Maximum All Up Weight authorized	4581 KG
Last Major inspection was carried out	Phase IV (800 Hours) Inspection carried out at 9230:25 Hrs, dated 20-June-2023.

#### 1.7 METEOROLOGICAL INFORMATION:

**1.7.1** Met report at 0700 UTC on 07.08.23 for Patna airport is appended below:

Wind: 270/08 KT Visibility: 3000 M Weather: FBL RA

Cloud 1: FEW1200 FT Cloud 2: SCT 1500 FT

Cloud 3: FEW CB 3000 FT Cloud 4: OVC 8000 FT

Temperature: 30° C QNH: 0997 hPa 29.47 INS

Dew Point: 29°C QFE: 0991 hPa 29.28 INS Trend: NOSIG

Remarks: CB to N, E & NE

The Meteorological report indicates that there was overcast weather around Patna Airfield at 8000feets with presence of cumulonimbus clouds at 3000feet.

#### 1.8 AIDS TO NAVIGATION:

The aerodrome is equipped with aids like DVOR, DME, ILS, and ADS-B surveillance for navigation. All facilities were serviceable. Navigational aids onboard the aircraft were also serviceable.

#### 1.9 COMMUNICATION:

There was always two-way communication between the aircraft & ATC.

TIME	TO	FROM	TRANSCRIPT
07:16:05	TOWER		WIND CHECK
07:16:10			***GARBLED*** TOWER
07:16:16		TOWER	STATION CALLING TOWER
07:16:18	TOWER		WIND CHECK ONLY
07:16:21		TOWER	WIND TWO SEVEN ZERO DEGREES ZERO EIGHT KNOTS
07:16:24	TOWER		ROGER
07:16:48	VTTIS	TOWER	VTTIS PATNA
07:16:50	TOWER	VTTIS	GOAHEAD
07:16:51	VTTIS	TOWER	REPORT POSITION
07:16:53	TOWER	VTTIS	LANDED SIR
07:17:02	TOWER	VTTIS	LANDED
07:17:04	TOWER	VTTIS	VACATION VIA VICTOR INDIA SIERRA
07:17:07	VTTIS	TOWER	VICTOR INDIA SIERRA LANDED ONE SEVEN VACATE VIA TWY APLHA BAY NUMBER FOUR
07:17:11	TOWER	VTTIS	APLHA BAY FOUR VICTOR INDIA SIERRA CAN WE TAKE BRAVO
07:17:15	VTTIS	TOWER	ROGER APPROVED
07:18:02	VTTIS	TOWER	VICTOR INDIA SIERRA FOLLOW MARSHLLER BAY FOUR
07:18:08	TOWER	VTTIS	WITH THE MARSHLLER VICTOR INDIA SIERRA
07:18:09	VTTIS	TOWER	ROGER

Tape transcript of Patna TWR freq. 1183 MHz between 07:00:00 UTC and 07:20:00 UTC dated 07TH AUGUST 2023

#### 1.10. AERODROME INFORMATION:

Airport Name : Jai Prakash Narayan International

Airport

ICAO Code : VEPT

Coordinates : 253537N 0850531E, 168FT & 263.22 DEG/

510M from physical extremity of RWY 25.

Aerodrome Elevation : 175 ft

Runway : RWY 25/07

Hours of Operation : 24 hours

Fire Category : 07

#### **Declared distances:**

R/W	TORA(M)	TODA(M)	ASDA(M)	LDA(M)	THR Elevation
25	2072	2072	2072	1938	175 FT
07	2072	2072	2072	1677	175FT

#### 1.11 FLIGHT RECORDERS:

The aircraft has a Cockpit Voice Recorder (CVR) and that can retain information for the last 2 hours of operation. VT-TIS operated another flight from Patna to Delhi after the incident flight. The information regarding the incident flight was overwritten and therefore CVR data was not available for the analysis of the incident.

A Digital Flight Data Recorder (DFDR) is not installed in the C90 aircraft.

#### 1.12 WRECKAGE & IMPACT INFORMATION:

The aircraft did not sustain any damage and after landing it was parked in the designated stand normally.

#### 1.13 MEDICAL AND PATHOLOGICAL INFORMATION:

The scrutiny of the preflight medical check for alcohol documents revealed that both crew members were not under the influence of alcohol at Dibrugarh.

**1.14 FIRE:** There was no fire at any stage.

**1.15 SURVIVAL ASPECTS:** The incident was survivable.

**1.16 TESTS & RESEARCH:** Not applicable.

#### 1.17 ORGANIZATIONAL & MANAGEMENT INFORMATION:

Jhankar Aviation Private Limited (JAPL) is an aviation unit of JHANKAR, with its registered office located in Gurugram. Jhankar Aviation Private Limited (JAPL) has established its own non-scheduled air charter operations to provide air charter services for tourists. The company also provides Air Ambulance services.

#### 1.18 ADDITIONAL INFORMATION:

#### 1.18.1

PIC in his statement has stated that they were operating a medical flight from Dibrugarh to Patna on VT-TIS, King Air, C90 on 7/8/2023 and carrying a critical patient on board. When they approached approximately 50 nautical miles within Patna Airspace, they found extensive cloud development on the east side of Patna. To avoid that weather, they took a weather deviation toward the north of the planned route. At the time of arrival, Runway 25 was in use at Patna, but due to heavy clouding on the approach path of Runway 25, the flight crew decided to use Runway 07 as the weather was better on that side. There after, Patna approach cleared the flight for Runway 07 at the request of the flight crew. The PIC also stated that in the last phase of the fight, they had to reconfigure the aircraft for Runway 07. Additionally, Runway 07 approach was a VOR approach, which was a non-precision approach, requiring extensive effort from the pilot to land safely. While reaching overhead PPT VOR, they proceeded for Runway 07, made a procedure turn, and intercepted the final approach course for Runway 07. Due to bad weather and increased workload in the cockpit, they presumed that they had been given landing clearance and landed at Patna airport on Runway 07 safely.

#### 1.18.2

As per the Operations Manual of M/s Jhankar Aviation the call out between flight crew to be carried out during Non-Precision Approach is as follows:

#### CALL OUT DURING NON-PRECISION APPROACH.

PF	PNF
Once the approach clearance is	
received, descent to the lowest	
published altitude or as cleared.	
Navigate to the initial approach fix.	
Confirm the appropriate Procedure	Verify
turn to be flown.	
Adjust the descent profile to arrive at	Monitor profile.
the IAF at approach speed.	
At the IAF, commence the PT, start	Start timing
timing, descent to PT altitude if	Inform ATC: "(Fix name) outbound."

required, maintain approach speed. Announce: "(Fix name) outbound."	
At the appropriate time turn and intercept the inbound track and descent to the FAF crossing altitude.  Announce: "Approach checklist" (Commence check so that landing configuration is achieved prior to the FAF or earlier if needed to facilitate	Complete the appropriate checklist items. Respond: "Approach checklist completed"
the descent to the FAF At the FAF: Announce: "(Fix name) inbound, time (if necessary)." Respond: 'Checked."	Start the timing. Announce: "Timing (if necessary)" Advice ATC: "(Fix name) inbound".  At 100 ft above the MDA: Announce: "Plus one hundred"
If able to land visually: Respond: "Contact" If unable to continue visually: Respond: "Pulling up".	At MAP (based on timing or DME): Announce: "Minima", and "approach, strobe or centreline lights in sight" or "no runway in sight" Give progressive crew briefing on headings and altitudes.

#### 1.18.3

As per CIVIL AVIATION REQUIREMENTS SECTION 9 – AIR SPACE AND AIR NAVIGATION SERVICES STANDARDS SERIES 'E', PART I ISSUE III, Para 3.7.3 Read-back of clearances and safety-related information enumerates the following:

- I. The flight crew shall read back to the air traffic controller safety-related parts of ATC clearances and instructions which are transmitted by voice. The following items shall always be read back:
  - a. ATC route clearances;
  - b. clearances and instructions to enter, land on, take off from, hold short of, cross and backtrack on any runway; and
  - c. runway-in-use, altimeter settings, SSR codes, level instructions, heading and speed instructions and, whether issued by the controller or contained in ATIS broadcasts, transition levels.

- **II.** Other clearances or instructions, including conditional clearances, shall be read back or acknowledged in a manner to clearly indicate that they have been understood and will be complied with.
- **III.** The controller shall listen to the read-back to ascertain that the clearance or instruction has been correctly acknowledged by the flight crew and shall take immediate action to correct any discrepancies revealed by the read-back.

#### 1.19 USEFUL OR EFFECTIVE INVESTIGATION TECHNIQUES: Nil

#### 2.0 ANALYSIS:

#### 2.1 Patna Approach Control:

The replay of the tape transcript and Radar data from Patna Approach control revealed that initially when the flight VT-TIS made radio contact, the Patna approach controller instructed the flight VT-TIS to descend and maintain flight level 160 which was acknowledged by the flight crew of VT-TIS.

Later the controller initiated vectoring the aircraft for a VOR DME approach to runway 25. However, it was observed from the replay of the ATC tape and radar data that VT-TIS requested a deviation from its original flight path due to weather. The radar replay showed that the flight VT-TIS initially followed the filed flight plan route until 40 nautical miles from PPT VOR, after which it started deviating Northwest of the air-field due to weather. Patna Approach Controller further instructed the flight VT-TIS to descend to flight level 80. Flight crew of VT-TIS acknowledged and complied with the instruction of Patna Approach Control.

The replay of the tape revealed that Patna Approach instructed VT-TIS to descend to 2000 feet and carry out a VOR-DME approach for Runway 25. However, VT-TIS was unable to turn left due to weather. The aircraft's identification was lost from the Patna ADS-B surveillance scope and procedural approach was followed by Patna Approach. Patna Approach Control then instructed the flight to report overhead PPT VOR which was the correct action by Patna Approach Controller.

Later due to weather in the approach path of RWY 25, the flight crew of VT-TIS requested to carry out a VOR-DME approach for RWY 07. The flight crew executed the VOR-DME approach RWY 07 and reported established on the final approach track. Patna Approach Controller transferred the control of the flight to Patna Tower Control.

From the above deliberations it is found that Patna Approach Controller was in twoway communication with the flight crew of VT-TIS throughout the flight. It is also found that ATC instructions by Patna Approach Controller to the flight crew of VT-TIS were correct. The action of the Patna Approach controller did not contribute to the incident of landing without ATC clearance by VT-TIS.

#### 2.2 Flight Crew Aspect:

On the day of the incident, flight VT-TIS was conducting a medical flight with a sick person on board. The flight had departed from Dibrugarh and was scheduled to land at Patna for refueling before continuing on to Delhi.

Initially, VT-TIS was following route W105 for PPT VOR. However, radar replay data shows that the flight had deviated from the planned route due to weather near the airfield. It is observed that the flight had deviated approximately 30 Nautical miles to avoid the weather, and the flight crew were unable to accept radar vectors from Patna Approach Control due to the weather.

Analysis of the radar replay reveals that when the flight was passing 5400 feet, its radar identification was lost from ADS-B surveillance. The flight was instructed by Patna Approach Control to report overhead PPT to carry out a procedural approach, specifically the VOR-DME Approach RWY 25.

Later, due to weather on the approach path of RWY 25, the flight crew reported their intention to carry out the VOR-DME approach RWY 07. Subsequently, Patna Approach Controller instructed the flight crew to carry out the VOR-DME approach RWY 25. From the tape transcript, it is found that the execution of the VOR-DME

approach by the flight crew was carried out according to procedure, and the flight crew also reported their position to Patna Approach Controller in a timely manner. The execution of the Non-Precision VOR-DME Approach RWY 07 by the flight crew was satisfactory.

When the flight crew reported being established on the Final Approach Track to Patna Approach Controller, they were instructed to contact Patna Tower Controller on frequency 118.3MHz. The flight crew continued its approach for RWY 07 and landed safely without contacting and obtaining landing clearance from Patna Tower Control. Analysis of the tape transcript of Patna Tower reveals that the flight crew of VT-TIS called Patna Tower and requested a wind check without specifying the call sign. Patna Tower Controller inquired about the identification of the aircraft requesting wind information, but the flight crew again did not specify the call sign and requested "wind check only" from the tower controller. As per the standard procedure, wind information is always given after landing clearance. The standard format for landing clearance, as per ICAO phraseology, is "Cleared to land RWY ...Winds...".

However, in the above scenario, the flight crew inquired from the tower controller emphasizing only the "winds" information without specifying the call sign. The flight crew also did not follow correct Radio Telephony procedures. From the above deliberations, it is clear that the flight crew were aware that they were calling Tower Control while approaching to land on RWY 07. If the flight crew had mentioned their call sign at the time of inquiring wind information from Tower Control, the Tower Controller would have been alerted, and this incident could have been averted.

The flight crew's statement regarding encountering bad weather while operating in Patna Airspace has been substantiated by radar replay, which reveals that flight VT-TIS had deviated 20-25 Nautical miles off the track due to weather. The flight crew had stated that they had to carry out a Non-Precision approach RWY 07 in bad weather, which had increased their cockpit workload, resulting in a stressful situation and they presumed that they had obtained landing clearance from Tower Control.

#### 2.3 WEATHER:

At the time when flight VT-TIS had approached within Patna Airspace, the winds were 270 degrees/10Knots. There was a forecast of thunderstorms along with rain (TSRA), and the runway was wet. The weather around Patna Airfield was overcast at 8000feet with the presence of cumulonimbus clouds at 3000feet. The pilot-incommand mentioned in his statement that they had to take a deviation due to the weather which increased their cockpit workload. Analysis of radar replay and tape transcript reveals that flight VT-TIS deviated from its planned route due to the weather. Weather was a contributory factor to the incident.

#### 2.4 PATNA TOWER CONTROL:

At the time of the incident, there was no departure or arrival traffic being handled by Tower Control. At 071605UTC, a call was received on Patna Tower frequency 118.3MHz requesting a wind check. The Patna Tower controller asked for the call sign of the aircraft requesting the wind information, but the flight crew did not identify themselves and only requested wind information again. The Patna Tower Controller then provided the wind information to the flight crew. However, the flight crew of VT-TIS did not reveal their call sign to the tower controller and the Patna Tower Controller also failed to ask for the call sign from the flight crew before passing wind information.

If the Tower Controller had asked for the call sign of the flight requesting wind information, it would have alerted the Tower Controller, and timely action could have been taken. Non-adherence to proper RT procedures contributed to the incident of the VT-TIS flight landing without obtaining clearance.

#### 3.0 CONCLUSION:

#### 3.1 FINDINGS:

- 3.1.1 The aircraft had a valid Certificate of Airworthiness at the time of the incident. The ARC was also valid.
- 3.1.2 Bad weather conditions were prevailing at the time of the incident.
- 3.1.3 The aircraft was under the command of an appropriately licensed crew.
- 3.1.4 The crew members were well rested prior to the operation of the flight and were not under the influence of alcohol.
- 3.1.5 Flight VT-TIS was operating from Dibrugarh to Patna as a medical flight with a critical patient on board. The flight was scheduled to land at Patna Airport for refueling purposes, and thereafter it was scheduled to operate to Delhi airport.
- 3.1.6 Patna Approach Controller cleared the flight for VOR-DME Approach RWY 07. Execution of the Non-Precision VOR-DME Approach RWY 07 by the flight crew was satisfactory.
- 3.1.7 Patna Approach Control had instructed the flight crew of VT-TIS to contact the tower on frequency 118.3MHz.
- 3.1.8 The flight crew did not contact the tower controller and landed on RWY 07 without obtaining landing clearance from the tower controller.
- 3.1.9 Non-adherence to the ATC instructions by the flight crew of VT-TIS led to the incident of landing without ATC instructions.
- 3.1.10 The presence of a critical patient on board and prevailing bad weather conditions at the airfield has resulted in stressful flight conditions, which is also a contributory factor leading to the incident of landing without ATC clearance.
- 3.1.11 Non adherence to correct RT procedure by the Flight crew of VT-TIS and ATC Tower Controller contributed to the incident.
- 3.1.12 There was no injury to any person on board the aircraft. There was no fire at any stage. Also there was no damage to the aircraft.

#### 3.2 Probable Cause:

3.2.1 The probable cause of the incident is the failure of the flight crew to contact tower control and obtain landing clearance

3.2.2 The contributory factors include the non-adherence to correct RT procedure by the flight crew of VT-TIS and the ATC Tower Controller, along with the bad weather.

### 4.0 Safety Recommendations:

Action as deemed fit may be taken by the competent authority in view of the findings and causes of the incident.

(Pawan Kumar)

Asst. Director of Operations

Member

(Kumar Mayank)

Kr. mayank

Dy. Director of Operations

Investigator-in – Charge

Place: Delhi

Date:03/11/2023