

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION
TECHNICAL CENTRE, OPP SAFDURJUNG AIRPORT, NEW DELHI
CIVIL AVIATION REQUIREMENTS
SECTION 2 - AIRWORTHINESS
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Subject: Registration/Deregistration of Aircraft.

1. INTRODUCTION

Rule 5 of the Aircraft Rules, 1937 requires that no person shall fly or assist in flying any aircraft unless it has been registered and bears its nationality and registration marks and the name and residence of the owner affixed or painted thereon in accordance with Rule 37.

Rule 30 of the Aircraft Rules, 1937 empowers the Central Government to register an aircraft and to grant a Certificate of Registration in respect thereof. Rule 31 to 37A further describe the legislation with regard to registration of aircraft, its cancellation and change of ownership, the Nationality and Registration Marks and the manner in which they are to be affixed.

This part of Civil Aviation Requirements provides detailed requirements for registration of aircraft, which are in compliance with the Aircraft Rules and ICAO Annex 7.

It may be noted that the registration by the DGCA is for the purpose of controlling the safety of aviation in India and it in no way establishes the legal ownership of an aircraft. Disputes with regard to the ownership and liabilities of the owners, if any, will have to be decided in a Court of Law.

2. DEFINITIONS

(a) Nationality or Common Mark: A group of characters affixed on aircraft surface to identify the country to which the aircraft belongs.

(b) Registration Marks: A group of characters affixed on aircraft surface following Nationality marks to identify a particular aircraft.

(c) Fireproof Material: A material capable of withstanding heat as well as or better than steel when the dimensions in both cases are appropriate for the specific purpose.

(d) Heavier-than-air Aircraft: Any aircraft deriving its lift in flight chiefly from aerodynamic forces.

(e) Lighter-than-air Aircraft: Any aircraft supported chiefly by its buoyancy in the air.

(f) Cape Town Convention: The Convention on international interests in mobile equipment signed at Cape Town, South Africa on the 16th of November, 2001, together with any regulations made in connection therewith as acceded to by India on March 31, 2008;

(g) Cape Town Protocol: The Protocol to the Cape Town Convention on matters specific to Aircraft Equipment, signed in Cape Town, South Africa on the 16th of November, 2001, together with any regulations made in connection therewith as acceded to by India on the 31st March, 2008;

(h) IDERA: The "Irrevocable Deregistration and Export Requested Authorisation" as contemplated in Article XIII of the Cape Town Protocol and substantially in the form and manner provided as an Annexure to the Cape Town Protocol;

(i) IDERA Holder: The authorized party under an IDERA or its certified designee;

(j) Registered Interest: "A Registered Interest" means any interest registered pursuant to Chapter V of the Cape Town Convention.

2 A. CLASSIFICATION OF AIRCRAFT

- a) Aircraft shall be classified in accordance with Table 1.
- b) An aircraft which is intended to be operated with no pilot on board shall be further classified as unmanned.
- c) Unmanned aircraft shall include unmanned free balloons and remotely piloted aircraft.

3. PROCEDURE FOR REGISTRATION OF AIRCRAFT

3.1 An aircraft may be registered in either of the following two categories, namely- Category 'A', where the aircraft is wholly owned either-

- i. by citizens of India; or
- ii. by a company or corporation registered and having its principal place of business within India; or
- iii. by the Central Government or any State Government or any company or corporation owned or controlled by either of the said Governments; or
- iv. by a company or corporation registered elsewhere than in India, provided that such company or corporation has given the said aircraft on lease to any person mentioned in para 3.1(i),(ii) or (iii) above; and

Category 'B', where the aircraft is wholly owned either-

- i. by persons resident in or carrying on business in India, who are not citizens of India; or
- ii. by a company or corporation registered elsewhere than in India and carrying on business in India.

3.2 No aircraft in respect of which the conditions required in 3.1 are not satisfied, or which is already validly registered in another country, shall be registered in India.

3.3 In a case where the usual station of an aircraft and its ordinary area of operation are not situated in India, the DGCA may decline to accept an application for registration of the aircraft in India, or, as the case may be, to permit the aircraft to remain registered in India, if, in its opinion, the aircraft could more suitably be registered in some other country.

3.4 In any particular case, the DGCA may decline to register an aircraft in India, if, in the circumstances of the case, it appears to it to be inexpedient in the public interest that the aircraft should be so registered.

3.5 Application for Registration of Aircraft

The owner or his authorized representative may apply for registration of the aircraft in the prescribed form CA-28 (Appendix 'A') completed with the following documents at least five working days for aircraft on outright purchase and ten working days for aircraft on lease, before the expected date of issue of Certificate of Registration.

- i. Customs clearance certificate / bill of entry of the aircraft.
- ii. Certificate of deregistration from the previous registering authority.
- iii. An evidence to the effect that the aircraft has been purchased or wholly owned by the applicant. For this purpose, a copy of invoice shall be accepted.
- iv. For aircraft purchased from a previous owner, an affidavit as required.
- v. In case the aircraft is taken on dry lease a copy of the lease agreement.
- vi. In case the aircraft is owned by a company or corporation, a document of registration of the company and the names, addresses and nationalities of the Directors.
- vii. A copy of the import license issued by Director General Foreign Trade or permission for import issued by the Ministry of Civil Aviation/DGCA. Where the aircraft is imported for

private use, it will be registered in the name of the person or company to whom the import license has been issued.

viii. In cases where the aircraft has been mortgaged/ hypothecated, the owner/operator shall submit his consent for the same and the papers to this effect. Such a mortgage/hypothecation shall be endorsed on the Certificate of Registration.

ix. Fee for registration as prescribed in Rule 35 paid by web based online transaction system of DGCA (Bharatkosh).

4. For aircraft imported under Indian short term Certificate of Registration, the Short- term Certificate of Registration shall be issued only after a confirmation of de- registration and/ or passing of the aircraft title to the operator has been received at DGCA.

5. CHANGE OF OWNER / OPERATOR / AMENDMENT OF C OF R

5.1 If an aircraft is sold to another person or company, or ceases to be owned by the owner indicated on its Certificate of Registration, the registered owner shall forthwith notify this fact to the DGCA in accordance with Rule 33 of the Aircraft Rules.

5.2 The new owner of the aircraft previously registered in India shall forthwith inform the DGCA of the fact of this change of ownership and shall make an application on form CA-28 (Appendix 'A') for registration of the aircraft in their name. In addition to that prescribed in para 3.2, the application shall be accompanied by an affidavit duly authenticated by a Notary Public/ Oath Commissioner from the old owner confirming his ownership and also indicating that he has sold it to the new owner and has received the sale proceeds in full.

5.3 Until the Certificate of Registration is granted to the new owner, it shall not be lawful for any person to fly or assist in flying such aircraft except in accordance with a written permission of DGCA.

5.4 CHANGE OF OPERATOR

If an owner / lessor transfers the lease of an aircraft to a person or company, or operator, the process as mentioned for registration of an aircraft shall be followed. However the registration number of aircraft shall remain the same.

5.5. Amendment in Certificate of registration.

For amendments of any entry other than change of owner or operator, evidence required for affecting the amendments shall be provided by the applicant.

6. AIRCRAFT IMPORTED BY AIR

If an application is made for the registration of an aircraft before it is imported in India, for the purpose of bringing the aircraft by air, a temporary Certificate of Registration may be granted under the provision of Rules 30 and 31 and this CAR to the new owner of the aircraft.

6.1 The temporary Certificate of Registration will be valid only until the first landing at a customs aerodrome in India.

6.2 The temporary Certificate of Registration shall be surrendered by the owner or his representative to the DGCA along with the application for registration of the aircraft.

6.3 For the operation of an aircraft with a temporary C of R, an aeromobile station licence shall be required for which an application may be made to the Wireless Advisor, Ministry of Communications.

7. REGISTRATION CERTIFICATE AND VALIDITY OF REGISTRATION OF AIRCRAFT

7.1 On registration, DGCA will assign nationality or common marks for the aircraft.

7.2 Registration markings shall not be allotted which might be confused with International Code of Signals, especially:

a) Registration beginning with the letter 'Q'

b) Registrations 'SOS', 'XXX', 'PAN' and 'TTT'

7.3 Upon registration a Certificate of Registration shall be issued to the owner, which will be valid from the date of registration till the date indicated on the Certificate of registration of the aircraft.

7.4 The Certificate of Registration shall be in accordance with Article 29 of the ICAO Convention and CAR Section 2 Series X Part VII, the Certificate of Registration shall be carried on board each aircraft engaged in air transport operation.

7.5 The registration of the aircraft will be deemed to have expired after the date of validity indicated on the C of R, rendering any operation of the aircraft invalid without revalidating its registration.

7.6 In case of aircraft registered under paragraph 3.1(iv), the registration will be valid so long as the lease is in force and therefore, the period of validity of Certificate in such cases shall be restricted to the date of lease agreement.

7.7 The operator may apply to DGCA Headquarters for varying any particular(s) including extension of validity in the Certificate of Registration.

7.8 When a new type of aircraft is registered, DGCA shall advise the State of design that it has entered such aircraft on its register.

7.9 For removing the hypothecation / mortgages name from the Certificate of Registration the owner may apply to DGCA with documents substantiating the same.

8. ISSUE OF DUPLICATE CERTIFICATE OF REGISTRATION

8.1 Where a certificate has been lost the owner may apply to Regional Airworthiness Office for the issue of a duplicate certificate with an affidavit, a copy of the FIR lodged with the police for the loss and the prescribed fee.

8.2 Where a certificate has been mutilated, the owner may apply for issue of a duplicate certificate to the Regional Airworthiness Office with the mutilated certificate and the prescribed fee.

9. CANCELLATION OF REGISTRATION OF AIRCRAFT

9.1 The registration of an aircraft registered in India may be cancelled at any time by the DGCA, if it is satisfied that:-

- i. such registration is not in conformity with para 3.1 of this CAR; or
- ii. the registration has been obtained by furnishing false information; or
- iii. the aircraft could more suitably be registered in some other country; or
- iv. the aircraft has been destroyed or permanently withdrawn from use; or
- v. it is inexpedient in the public interest that the aircraft should remain registered in India; or
- vi. the lease in respect of the aircraft registered pursuant to paragraph 3.1(iv)
 - a) has expired, or
 - b) has been terminated by mutual agreement between the lessor and the lessee, or c) has been otherwise terminated in accordance with the provisions of the Lease Agreement, or terms of lease
- vii. the Certificate of Airworthiness in respect of the aircraft has expired for a period of five years or more.

9.2 The registration of an aircraft registered in India, to which the provisions of the Cape Town Convention or Cape Town Protocol apply, shall be cancelled by the DGCA, as provided in the Cape Town Protocol, if an application is received from IDERA Holder prior to expiry of the lease along with-

- (i) the original or notarized copy of the IDERA; and
- (ii) a certificate that all Registered Interests ranking in priority have been discharged or the holders of such interest have consented to the deregistration and export.

Provided that the deregistration of an aircraft by the DGCA under para 9.1 and 9.2 shall not affect the right of any entity thereof, or any inter-governmental organization, or other private provider of public services in India to arrest or detain or attach or sell an aircraft object under its laws for payment of amounts owed to the Government of India, any such entity, organization or provider directly relating to the services provided by it in respect of that object.

9.3 The registered owner or his authorized representatives may apply to DGCA, New Delhi for cancellation of registration, enclosing original C of R. The applicant should also specify the clause of Rule 30 and the relevant paragraph of this CAR under which cancellation is sought. In case, it is proposed to invoke para 9.1(vi)(c) of this CAR, the request for deregistration shall be supported by full explanation regarding the relevant provision of the lease agreement and the justification for using the provisions.

10. REGISTER OF AIRCRAFT

As required by Rule 36 of the Aircraft Rules, 1937, a register of all aircraft registered in India is maintained by DGCA. The register contains the particulars as provided for in the Certificate of Registration. This register is available in the Airworthiness Directorate at DGCA Hdqrs and is open to inspection by any person desirous of doing so during working hours of DGCA. The Register of aircraft is also available on DGCA website.

11. FIXATION OF NATIONALITY AND REGISTRATION MARKINGS

11.1 The nationality marks to be affixed on Indian registered aircraft would be capital letters "VT" in Roman character and registration marking would consist of a group of three letters in Roman Character as assigned by the Director General of Civil Aviation. A hyphen must be placed between the nationality and registration marks. The Nationality and Registration marks shall be painted on the aircraft or shall be affixed thereto by any other means ensuring a similar degree of permanence. The marks shall be kept clean and visible at all times.

11.2 Location of Nationality or Common Mark and Registration Marks

(i) Lighter-than-air aircraft:

a) Airships: The marks on an airship shall appear either on the hull, or on the stabilizer surfaces. Where the marks appear on the hull, they shall be located lengthwise on each side of the hull and also on its upper surface on the line of symmetry. Where marks appear on the stabilizer surfaces, they shall appear on the horizontal and on the vertical stabilizers; the marks on the horizontal stabilizer shall be located on the right half of the upper surface and on the left half of the lower surface, with the tops of the letters towards the leading edge; the marks on the vertical stabilizer shall be Located on each side of the bottom half stabilizers, with the letters placed horizontally.

b) Spherical Balloons (other than unmanned free balloons): The marks shall appear in two places diametrically opposite. They shall be located near the maximum horizontal circumference of the balloon.

c) Non-Spherical Balloons (other than unmanned free balloons): The marks shall appear on each side. They shall be located near the maximum cross section of the balloon immediately above either the rigging band or the points of attachment of the basket suspension cables.

d) Lighter-than-air aircraft: The side marks on lighter-than-air aircraft (other than unmanned free balloons) shall be visible both from the sides and from the ground.

e) Unmanned free Balloons: The marks shall appear on the identification plate.

(ii) Heavier-than-air Aircraft:

a) Wings: The marks shall appear once on the lower surface of the wing structure. They shall be located on the left half of the lower surface of the wing structure unless they extend across the whole of the lower surface of the wing structure. As far as possible the marks shall be located equidistant from the leading and trailing edges of the wings. The tops of the letters shall be towards the leading edge of the wing.

b) Fuselage (or Equivalent Structure) and Vertical Tail Surfaces: The marks shall appear either on each side of the fuselage (or equivalent structure) between the wings and tail surface, or on the upper halves of the vertical tail surfaces. When located on a single vertical tail surface they shall appear on both sides. When located on multi vertical tail surfaces they shall appear on the outboard sides of the outer surfaces.

c) Special Cases: If an aircraft does not possess parts corresponding to those mentioned in 11.2 (ii) a) and 11.2 (ii) b), the marks shall appear in a manner such that the aircraft can be identified readily.

12. Measurements of Nationality and Registration Marks

12.1 Lighter-than-air aircraft:

a) The height of the marks on lighter-than-air aircraft (other than unmanned free balloons) shall be at least 50 centimeters.

b) The measurements of the marks related to unmanned free balloons shall be determined taking into account the size of the Payload to which the identification plate is affixed, and shall have prior approval of Director General of Civil Aviation.

c) Special case: If a lighter-than-air aircraft does not possess parts of sufficient size to accommodate the marks described in 12.1 a), the measurements of the marks shall have prior approval of the Director General of Civil Aviation.

12.2 Heavier-than-air Aircraft:

a) Wings: The height of the marks on the wings shall be at least 50 centimeters.

b) Fuselage (or equivalent structure) and vertical tail surfaces: The height of the marks on the fuselage (or equivalent structure) and on the vertical tail surfaces shall be at least 30 centimeters.

c) Special case: If a heavier-than-air aircraft does not possess parts corresponding to those mentioned in 12.2 a) and 12.2 b) or if the parts are too small to accommodate the marks described therein, the measurements of the marks shall have prior approval of the Director General of Civil Aviation.

12.3 Types of Characters for Nationality and Registration Marks: The letters used for Nationality and Registration marks shall be of equal height. b) The letters shall be capital letters in Roman characters without any ornamentation.

c) The width of each letter (except the letter I) and the length of hyphens shall be two-thirds of the height of a letter. $W = 2H / 3$

d) The letters and hyphens shall be formed by solid lines and shall be of a color contrasting clearly with the background. The thickness of the lines shall be one-sixth of the height of a letter. $T = 1H / 6$

e) Each letter shall be separated from that which it immediately precedes or follows, by a space of not less than one quarter of a letter's width. A hyphen shall be regarded as a letter for this purpose. $D = 1/4 W = 1/4 * 2/3 H = 1/6 H$

f) The letters shall always be kept in good condition, so that they are read clearly and easily.

13. Identification Plate

An aircraft shall carry an identification plate inscribed with Nationality and Registration mark together with the name and address of the registered owner. The plate shall be made of fireproof metal or other fireproof material of suitable physical properties and shall be secured

to the aircraft in a prominent position near the main entrance or, in the case of an unmanned free balloon, affixed conspicuously to the exterior of the payload.

14. General

The provision of this CAR shall not apply to meteorological pilot balloons used exclusively for meteorological purposes or to unmanned free balloons without a payload.

15. Registration fees

15.1 The following fee shall be payable in respect of a certificate of registration for an aircraft having maximum permissible take-off weight —

(i) of 15,000 kilograms or less :Rs. 20,000/-

(ii) exceeding 15,000 kilograms, :Rs. 5,000/- for every 1,000 kilograms or part thereof.

Note: For the purpose of registration of the aircraft the maximum take-off weight shall be as indicated in the Flight Manual of the aircraft.

15.2 Where the original certificate of registration is lost or destroyed, a duplicate thereof may be issued on payment of ten percent of the fee payable under 15.1

15.3 A temporary certificate of registration referred to in rule 32, may be issued on payment of twenty five percent of the fee payable under 15.1

15.4 The C of R may be renewed, or re-issued for any changes on payment of fifty percent of fee except change in owner and/ or operator for which full fee as prescribed in para 15.1 be payable.

15.5 All fee shall be paid by web-based online transaction system of DGCA (Bharatkosh).