

The Aircraft (Carriage of Dangerous Goods) Rules, 2003

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The Aircraft (Carriage of Dangerous Goods) Rules, 2003¹

Whereas the draft of the Aircraft (Carriage of Dangerous Goods) Rules, 2002 was published as required by Section 14 of the Aircraft Act, 1934 (22 of 1934) in the Gazette of India, Part II, Section 3, sub-section (i), dated the 27th July, 2002 with the notification of the Government of India in the Ministry of Civil Aviation, Number GSR 289, dated the 12th July, 2002 inviting objections and suggestions from all persons likely to be affected thereby before the expiry of forty-five days from the date on which copies of the Gazette of India in which the said notification was published, were made available to the public;

And whereas copies of the said Gazette of India were made available to the public on 27th July, 2002;

And whereas no objections or suggestions have been received on the said draft rules;

Now, therefore, in exercise of the powers conferred by Section 5 of the said Act, the Central Government hereby makes the following rules further to amend the Aircraft Rules, 1937, namely:—

1. Short title, extent and application.—(1) These rules may be called the Aircraft (Carriage of Dangerous Goods) Rules, 2003.

(2) They extend to the whole of India and apply also—

- (a) to aircraft registered in India or aircraft operated by an operator who has his principal place of business or permanent place of residence in India, wherever they may be;
- (b) to all aircraft for the time being in or over India; and
- (c) to persons operating air transport services to, from, within and over India, shippers of dangerous goods or their agents.

(3) They shall come into force on the date of their final publication in the Official Gazette.

2. Definition and interpretation.—In these rules, unless there is anything repugnant in the subject or context—

- (1) “aerodrome” means any definite or limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft, and includes all buildings, sheds, vessels, piers and other structures thereon or appertaining thereto;
- (2) “aircraft” means any machine which can derive support in the atmosphere from reactions of the air other than reactions of the air against the earth’s surface and includes balloons whether fixed or free, airships, kites, gliders and flying machines;
- (3) “cargo aircraft” means any aircraft, other than a passenger aircraft, which is carrying goods or property;
- (4) “crew member” means a person assigned by an operator to duty on an aircraft during a flight duty period;
- (5) “dangerous goods” means articles or substances which are capable of posing a risk to health, safety, property or the environment and

1. Ministry of Civil Aviation, Noti. No. G.S.R. 206(E), dated March 5, 2003, published in the Gazette of India, Extra., Part II, Section 3(i), dated 7th March, 2003, pp. 13-18, No. 115

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which are listed as such in the Technical Instructions or which are classified according to the Technical Instructions, and also includes arms, military stores, implements of war and munitions of war;

- (6) “dangerous goods accident” means an occurrence associated with and related to the transport of dangerous goods by air which results in fatal or serious injury to a person ²[or damage to major property or environment];

- ³[(7) “dangerous goods incident” means,—

(i) an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, property or environment, or fire, breakage, spillage, leakage of fluid or radiation or any incident occurred due to defect in packaging; and

(ii) an incident occurred due to the transport of dangerous goods which seriously jeopardises the aircraft or its occupants;]

- (8) “Director General” means Director General of Civil Aviation;

- ⁴[(8-A) “exemption” means an authorisation issued, other than an approval granted by an appropriate national authority providing relief from the provisions contained in the Annexes and the Technical Instructions;]

- (9) “flight crew member” means a licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period;

- (10) “operator” means a person, organisation or enterprise engaged in or offering to engage in an aircraft operation;

- (11) “overpack” means an enclosure used by a single shipper to contain one or more packages and to form one handling unit for convenience of handling and stowage;

- (12) “package” means the complete product of the packing operation consisting of the packaging and its contents prepared for transport;

- (13) “packaging” means receptacles and any other components or materials necessary for the receptacle to perform its containment function;

- (14) “passenger aircraft” means an aircraft that carries any person other than a crew member, an operator’s employee in an official capacity, an authorized representative of an appropriate national authority or a person accompanying a consignment or other cargo;

2. Subs. for “or major property damage” by G.S.R. 296(E), dt. 16-4-2015 (w.e.f. 17-4-2015).

3. Subs. by G.S.R. 296(E), dt. 16-4-2015 (w.e.f. 17-4-2015). Prior to substitution it read as:
 ‘(7) “dangerous goods incident” means an occurrence, other than a dangerous goods accident, associated with and related to the transport of dangerous goods by air, not necessarily occurring on board an aircraft, which results in injury to a person, damage to property, fire, breakage, spillage, leakage of fluid or radiation or other evidence that the integrity of the packaging has not been maintained and also includes any occurrence relating to the transport of dangerous goods which seriously jeopardizes the aircraft or its occupants;’.

4. Ins. by G.S.R. 296(E), dt. 16-4-2015 (w.e.f. 17-4-2015).

- (15) “pilot-in-command” means the pilot designated by the operator, or in the case of general aviation by the owner, as being in command and charged with the safe conduct of a flight;
- (16) “serious injury” means an injury which is sustained by a person in an accident and which—

- (a) requires hospitalization for more than 48 hours, commencing within seven days from the date the injury was received; or
- (b) results in a fracture of any bone (except simple fractures of fingers, toes or nose); or
- (c) involves lacerations which cause severe haemorrhage, nerve, muscle or tendon damage; or
- (d) involves injury to any internal organ; or
- (e) involves second or third degree burns, or any burns affecting more than five per cent of the body surface; or
- (f) involves verified exposure to infectious substances or injurious radiation;

⁵[(16-A) “State of origin” means the state in the territory of which the consignment of dangerous goods is first to be loaded on an aircraft;

(16-B) “State of destination” means the State in the territory of which the consignment is finally to be unloaded from an aircraft;]

(17) “State of the operator” means the State in which the operator’s principal place of business is located or, if there is no such place of business, the operator’s permanent place of residence;

⁶[(18) “Technical Instructions” means the instructions for the safe transport of dangerous goods by air, approved and issued periodically in accordance with the procedure established by the International Civil Aviation Organisation Council;]

⁷[(19) “UN number” means the four digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonised System of Classification and Labelling of Chemicals to identify an article or substance or a particular group of articles or substances;]

(20) “Unit load device” means any type of freight container, aircraft container or aircraft pallet with a net, but excluding an overpack, designed for loading on an aircraft.

5. *Subs.* by G.S.R. 275(E), dt. 25-2-2016 (w.e.f. 3-3-2016). Prior to substitution it read as:
 ‘(16-A) “State of origin” means the state in the territory of which the consignment of dangerous goods is first to be loaded on an aircraft;’.

6. *Subs.* by G.S.R. 296(E), dt. 16-4-2015 (w.e.f. 17-4-2015). Prior to substitution it read as:
 ‘(18) “Technical Instructions” means the Technical Instructions for the Safe Transport of Dangerous Goods by Air issued by the International Civil Aviation Organisation;’.

7. *Subs.* by G.S.R. 275(E), dt. 25-2-2016 (w.e.f. 3-3-2013). Prior to substitution it read as:
 ‘(19) “UN number” means the four-digit number assigned by the United Nations Committee of Experts on the Transport of Dangerous Goods to identify a substance or a particular group of substances;’.

⁸[3. **Carriage of dangerous goods by air.**—(1) No operator shall engage in the carriage of dangerous goods unless it has been certified by the aeronautical authority of the State of the operator to carry the dangerous goods.

(2) No operator shall carry and no person shall cause or permit to be carried in any aircraft to, from, within or over India or deliver or cause to be delivered for loading on such aircraft any dangerous goods, except in accordance with and subject to the requirements specified in the Technical Instructions:

⁹[Provided that dangerous goods classified as explosives shall not be carried in any aircraft to, from, within or over India except in accordance with and subject to the terms and conditions of a permission in writing granted by the Central Government under Rule 8 of the Aircraft Rules, 1937.]

8. *Subs. by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006). Prior to substitution it read as:*

“3. *Carriage of dangerous goods by air.*—(1) Save as otherwise provided in these rules, no person shall carry or cause or permit to be carried in any aircraft to, from, within or over India or deliver or cause to be delivered for loading on such aircraft any dangerous goods, except in accordance with and subject to the terms and conditions of a permission in writing granted by the Central Government.

(2) Notwithstanding anything contained in sub-rule (1), the following classes of dangerous goods may, subject to the provisions of sub-rule (3), be carried in any aircraft, namely:—

- (a) articles and substances which are required to be aboard the aircraft in accordance with the pertinent airworthiness requirements and operating regulations or that are authorized by the State of the operator to meet special requirements;
- (b) such goods as are required for the propulsion of the means of transport or the operation of its specialized equipment during transport (e.g. refrigeration units) or those that are required in accordance with the operating regulations (e.g. fire extinguishers);
- (c) aerosols, alcoholic beverages, perfumes, colognes, safety matches and liquefied gas lighters carried aboard a passenger aircraft by the operator for use or sale on the aircraft during the flight or series of flights, but excluding non-refillable gas lighters and those lighters liable to leak when exposed to reduced pressure;
- (d) dry ice intended for use in food and beverage service on board the aircraft;
- (e) such goods as are required to provide during flight, medical aid to a person or veterinary aid or a humane killer for an animal;
- (f) such goods as are required for dropping in connection with agricultural, horticultural, forestry or pollution control activities;
- (g) such goods as are required to provide, during flight, aid in connection with search and rescue operations;
- (h) articles and substances such as small gaseous oxygen or air cylinders required for medical use, radioisotopic cardiac pacemakers or other devices, wheelchairs or other battery-powdered mobility aids, safety matches or a lighter and non-radioactive medicinal or toilet articles like medicines containing alcohols, hair sprays, perfumes and colognes etc. in small quantities as permissible to be carried by passengers and crew in accordance with the Technical Instructions.

(3) Where the carriage of dangerous goods is permitted under sub-rule (1) or by sub-rule (2), it shall be the duty of the shipper, of the operator and of every person concerned with packing, marking, labelling, acceptance, handling, loading, unloading, storage, transportation or any other process connected directly or indirectly with carriage of such dangerous goods, to take all precautions to avoid danger to aircraft or to persons therein or to any other person or property and in particular to ensure—

- (a) that the dangerous goods are so packed, protected and secured as to avoid the possibility of their being a source of danger;
- (b) that the dangerous goods are carried so as not be accessible to the passengers on the aircraft;
- (c) that the nature of the dangerous goods is plainly and conspicuously marked on the outside of the package containing them; and
- (d) that all other provisions of the Technical Instructions and the terms and conditions of the permission granted by the Central Government are strictly complied with.”

9. *Ins. by G.S.R. 231(E), dt. 19-3-2007 (w.e.f. 24-3-2007).*

¹⁰[Provided further that] where dangerous goods classified as radioactive material are to be carried in any aircraft to, from or within India, the operator shall ensure that the consignor or the consignee, as the case may be, has written consent of the Central Government to carry such goods under section 16 of the Atomic Energy Act, 1962 (33 of 1962).

¹¹[Provided also that] where there is extreme emergency such as national or international crisis or natural calamities or otherwise necessitating transportation by air of such goods and full compliance with the requirements specified in the Technical Instructions may adversely affect the public interest, the Director-General or any other officer authorised in this behalf by the Central Government may, by general or special order in writing, grant exemption from complying with these requirements provided that he is satisfied that every effort has been made to achieve an overall level of safety in the transportation of such goods which is equivalent to the level of safety specified in the Technical Instructions

(3) Notwithstanding anything contained in sub-rule (2), the articles and substances that are specifically identified by name or by generic description in the Technical Instructions as being forbidden for transport by air under any circumstances, shall not be carried on any aircraft.

(4) The provisions of sub-rules (1) and (2) shall not apply to—

- (a) the articles and substances classified as dangerous goods but otherwise required to be on board the aircraft in accordance with the pertinent airworthiness requirements and the operating regulations, or for such specialised purposes as are identified in the Technical Instructions.
- (b) specific articles and substances carried by passengers or crew members to the extent specified in the Technical Instructions.

(5) Where dangerous goods are carried under sub-rule (2), it shall be the duty of the shipper, the operator and every person concerned with packing, marking, labelling, acceptance, handling, loading, unloading, storage, transportation or any other process connected directly or indirectly with carriage of such dangerous goods, to take all precautions to avoid danger to the aircraft or to the persons on board or to any other person or property.]

4. Custody of unauthorised Dangerous Goods.—Where any officer authorised in this behalf by the Central Government has reason to believe that the provisions of this rule are, or are about to be, contravened, he may cause the dangerous goods in question to be placed under his custody pending detailed examination of the nature of the goods or pending a decision regarding the action, if any, to be taken in the matter.

¹²**[4-A. Classification of Dangerous goods.**—The dangerous goods shall be classified in accordance with the provisions of the Technical Instructions.]

10. *Subs.* for "Provided that" by G.S.R. 231(E), dt. 19-3-2007 (w.e.f. 24-3-2007).

11. *Subs.* for "Provided further that" by G.S.R. 231(E), dt. 19-3-2007 (w.e.f. 24-3-2007).

12. *Ins.* by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006).

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5. Packing.—(1) Dangerous goods shall be packed in accordance with the requirements specified in the Technical Instructions in addition to the provisions of this rule.

(2) It shall be ensured that no harmful quantity of a dangerous substance adheres to the outside of the packagings used for the transport of the dangerous goods.

(3) Packagings used for the transport of dangerous goods by air shall be of good quality and shall be constructed and securely closed so as to prevent leakage which might be caused in normal conditions of transport by changes in temperature, humidity or pressure, or by vibration.

(4) The packagings shall be suitable for the contents and the packagings in direct contact with dangerous goods shall be resistant to any chemical or other action of such goods.

¹³[(4-A) Packagings shall meet the material and construction specifications contained in the Technical Instructions.

(4-B) Packagings shall be tested in accordance with the provisions of the Technical Instructions.

(4-C) Packagings for which retention of a liquid is a basic function, shall be capable of withstanding, without leaking, the pressure specified in the Technical Instructions.]

(5) Inner packagings used for the transport of the dangerous goods shall be packed, secured or cushioned in such a manner that no breakage or leakage shall be caused and these shall also control the movement of the dangerous goods within the outer packaging(s) during normal conditions of air transport and also the cushioning and absorbent materials shall not react dangerously with the contents of the receptacles.

(6) No packaging used for the transport of the dangerous goods shall be re-used unless,—

(a) it has been inspected and found free from corrosion or other damage; and

(b) all necessary precautions have been taken to prevent contamination of subsequent contents:

Provided that where it is not possible to properly clean a packaging already used for the transport of dangerous goods, then such an uncleaned empty packaging shall be transported by air following the same procedure as laid down for the transport of the dangerous goods for which such packagings has been used earlier.

6. Labelling.—¹⁴[(1)] Unless otherwise provided in the Technical Instructions, each package of dangerous goods shall be labelled in accordance with the requirements specified in the Technical Instructions.

¹³. Ins. by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006).

¹⁴. Renumbered by G.S.R. 314(E), dt. 25-5-2006 (w.e.f. 25-5-2006).

¹⁵[(2) The final order passed under sub-rule (1) shall be served on the owner through the officer-in-charge of the aerodrome in accordance with the procedure laid down in sub-section (3) of Section 9-A of the Act.]

7. Marking.—¹⁶[(1) The owner shall comply with the directions contained in the final order passed under Rule 6 or confirmed or modified under Rule 6-A, as the case may be, within the time limit specified therein.

(2) The owner may claim compensation in accordance with the provisions contained in Section 9-B of the Act.]

¹⁷[(3) In addition to the languages required by the State of origin, English shall also be used for the markings related to dangerous goods.]

8. Shipper's responsibilities.—¹⁸[(1) If the owner fails to carry out the directions contained in the order passed under Rule 6 or confirmed or modified under Rule 6-A, as the case may be, within the time limit specified therein, the officer-in-charge of the aerodrome shall report the matter to the District Collector giving brief facts of the case and a copy of the final order passed under Rule 6 or confirmed or modified under Rule 6-A, as the case may be.]

(2) Unless otherwise provided in these rules, no shipper or his agent shall offer dangerous goods for transport by air unless he has completed, signed and provided to the operator a dangerous goods transport document, as specified in the Technical Instructions.

(3) The dangerous goods transport document shall bear a declaration ¹⁹[signed by the shipper or his agent] indicating that the dangerous goods are fully and accurately described by their proper shipping names and that they are classified, packed, marked, labelled and in proper condition for transport by air as per requirements of the Technical Instructions.

²⁰[(4) In addition to the languages required by the State of origin, English shall also be used in the dangerous goods transport document.]

9. Operator's Responsibilities.—(1) No operator shall accept dangerous goods for transport by air unless,—

15. *Ins.* by G.S.R. 314(E), dt. 25-5-2006 (w.e.f. 25-5-2006).

16. *Subs.* by G.S.R. 314(E), dt. 25-5-2006 (w.e.f. 25-5-2006). Prior to substitution it read as:

“(1) Save as otherwise provided in the Technical Instructions, each package of dangerous goods shall be marked with the proper shipping name of its contents and, when assigned; the UN number and such other markings as may be specified in those Instructions.

(2) Save as otherwise provided in the Technical Instructions, each packaging manufactured to the specifications of the Technical Instructions shall be marked in accordance with the provisions of the Technical Instructions and no other packagings shall be so marked.”

17. *Ins.* by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006).

18. *Subs.* by G.S.R. 314(E), dt. 25-5-2006 (w.e.f. 25-5-2006). Prior to substitution it read as:

“(1) No shipper or his agent shall offer any package or overpack of dangerous goods for transport by air unless he has ensured that such dangerous goods are not forbidden for transport by air and are properly classified, packed, marked and labelled in accordance with the requirements specified in the Technical Instructions.”

19. *Subs.* for “signed by the shipper” by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006).

20. *Ins.* by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006).

- (a) the dangerous goods are accompanied by a completed dangerous goods transport document, except where the Technical Instructions specify that such a document is not required; and
- (b) the package, overpack or freight container containing the dangerous goods has been inspected in accordance with the acceptance procedures specified in the Technical Instructions.

(2) The operator shall ensure that an acceptance check-list as required by the Technical Instructions has been developed and is being used by his acceptance staff.

(3) Packages and overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for evidence of leakage or damage before loading on an aircraft or into a unit load device and such packages, overpacks or freight containers shall be loaded and stowed on an aircraft in accordance with the requirements specified in the Technical Instructions.

(4) The operator shall ensure that no leaking or damaged packages, overpacks or freight containers containing dangerous goods shall be loaded on an aircraft.

(5) A unit load device shall not be loaded aboard an aircraft unless the device has been inspected and found free from any evidence of leakage from, or damage to, any dangerous goods contained therein.

(6) Where any package of dangerous goods loaded on an aircraft appears to be damaged or leaking, the operator shall remove such package from the aircraft, or arrange for its removal by an appropriate authority or organisation, as the case may be, and thereafter shall ensure that the remainder of the consignment is in a proper condition for transport by air and that no other package has been contaminated.

(7) Packages or overpacks containing dangerous goods and freight containers containing radioactive materials shall be inspected for signs of damage or leakage upon unloading from the aircraft or unit load device and if evidence of damage or leakage is found, the area where the dangerous goods or unit load device were stowed on the aircraft shall be inspected for damage or contamination.

(8) No dangerous goods shall be carried in an aircraft cabin occupied by passengers or on the flight deck of an aircraft, except those specified in ²¹[sub-rule (4) of Rule 3].

(9) Any hazardous contamination found on an aircraft as a result of leakage or damage to dangerous goods shall be removed without delay.

(10) An aircraft which has been contaminated by radioactive materials shall immediately be taken out of service and not returned to service until the radiation level at any accessible surface and the non-fixed contamination are not more than the values specified in the Technical Instructions.

(11) Packages containing dangerous goods which might react dangerously with one another shall not be stowed on an aircraft next to each other or in a position that would allow interaction between them in the event of leakage.

21. Subs. for "sub-rule (2) of Rule 3" by G.S.R. 231(E), dt. 19-3-2007 (w.e.f. 24-3-2007).

(12) Packages of toxic and infectious substances shall be stowed on an aircraft in accordance with the requirements specified in the Technical Instructions.

(13) Packages of radioactive materials shall be stowed on an aircraft so that they are separated from persons; live animals and undeveloped film, in accordance with the requirements specified in the Technical Instructions.

(14) Subject to the provisions of these rules, when dangerous goods are loaded in an aircraft, the operator shall protect the dangerous goods from being damaged, and shall secure such goods in the aircraft in such a manner that will prevent any movement-in-flight which would change the orientation of the packages. For packages containing radioactive materials, the securing shall be adequate to ensure that the separation requirements of sub-rule (13) are met at all times.

(15) Except as otherwise provided in the Technical Instructions, packages of dangerous goods bearing the "Cargo aircraft only" label shall be loaded in such a manner that a crew member or other authorised person can see, handle and, where size and weight permit, separate such packages from other cargo in flight.

²²[9-A. **Mis-declared or undeclared dangerous goods.**—(1) The Operator or any other person directly or indirectly acting on his behalf for the acceptance or handling of baggage, cargo or mail, if notices or finds any mis-declared or undeclared goods, shall submit a report to the Director-General.

(2) The report under sub-rule (1), in addition to such other relevant information, shall also contain the following information, namely—

- (i) the name and address of person or operator reporting;
- (ii) the name and address of the shipper;
- (iii) date and location of detection of mis-declared or undeclared dangerous goods;
- (iv) class or division of dangerous goods with the proper shipping name and quantity of such dangerous goods;

(3) On receipt of the report the Director-General shall, if considered necessary, order an investigation to determine the causes of mis-declared or undeclared dangerous goods and take preventive measures to avoid reoccurrence of such occurrences.]

10. Provision of Information.—(1) The operator of the aircraft in which dangerous goods are to be carried shall provide information in writing to the pilot-in-command as early as practicable before departure of the aircraft as required by the Technical Instructions.

(2) The operator shall provide such information in the Operations Manual so as to enable the flight crew member to carry out their responsibilities with regard to the transport of dangerous goods and shall also provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

22. *Ins. by G.S.R. 296(E), dt. 16-4-2015 (w.e.f. 17-4-2015).*

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(3) Operators shall ensure that information is promulgated in such a manner that passengers are warned as to the types of goods which they are forbidden from transporting aboard an aircraft as provided in the Technical Instructions.

(4) Operators, shippers or other organisations involved in the transport of dangerous goods by air shall provide such information to their personnel so as to enable them to carry out their responsibilities with regard to the transport of dangerous goods and shall also provide instructions as to the action to be taken in the event of emergencies arising involving dangerous goods.

(5) If an in-flight emergency occurs, the pilot-in-command shall, as soon as the situation permits, inform the appropriate air traffic services unit, for the information of aerodrome authorities, of any dangerous goods on board the aircraft, as provided in the Technical Instructions.

(6) In the event of an aircraft accident, the operator of an aircraft carrying dangerous goods as cargo shall provide information, without delay, to emergency personnel responding to the accident about the dangerous goods on board, as shown on the written information to the pilot-in-command.

(7) In the event of an aircraft incident, the operator of an aircraft carrying dangerous goods as cargo shall, upon request, provide information, without delay, to emergency personnel responding to the incident about the dangerous goods on board, as shown on the written information to the pilot-in-command.

²³[10-A. **Inspection.**—²⁴[(1) The Director-General, or any other officer authorised by the Central Government in this behalf by a general or special order in writing may, at any reasonable time, enter any place to which access is necessary and inspect any services, equipment, documents and records with a view to ensuring compliance with the provisions of these rules.]

(2) The operator, shipper, training establishment and every other person concerned with carriage of dangerous goods shall allow the person so authorised, access to any part of the aircraft, building or any facility including equipment, records, documents and personnel, and shall co-operate in exercising his powers or carrying out his duties under these rules.

²⁵[(3) The Director-General, or any other officer authorised under sub-rule (1), may carry out investigation into alleged violations by an entity performing any function under these rules and for such investigation, the authorised officer may exercise the power under sub-rule (1).]

²⁶[11. **Dangerous Goods Accidents and Incidents.**—(1) In the event of a dangerous goods accident or dangerous goods incident, as the case may be,

23. *Ins.* by G.S.R. 600(E), dt. 27th September, 2006 (w.e.f. 28-9-2006).

24. *Subs.* by G.S.R. 275(E), dt. 25-2-2016 (w.e.f. 3-3-2016). Prior to substitution it read as:
“(1) The Director-General, or any other officer authorised by the Central Government in this behalf by a general or special order in writing may, at any reasonable time, enter any place to which access is necessary and inspect any services, equipment, documents and records with a view to ensuring compliance with the provisions of these rules.”

25. *Ins.* by G.S.R. 275(E), dt. 25-2-2016 (w.e.f. 3-3-2016).

26. *Subs.* by G.S.R. 600(E), dt. 27-9-2006 (w.e.f. 28-9-2006). Prior to substitution it read as:

the pilot-in-command of the aircraft and the operator of the aircraft or of the aerodrome, as the case may be, shall submit a report in writing to the Director-General on such accident or incident.

(2) The report under sub-rule (1) shall, in addition to any other relevant information, contain the following information, namely:—

- (a) the type, nationality and registration marks of aircraft;
- (b) the name of the owner, operator and hirer of the aircraft;
- (c) the name of the pilot-in-command of the aircraft;
- (d) the nature and purpose of the flight;
- (e) the date and time of the dangerous goods accident or incident;
- (f) the place where the accident occurred;
- (g) the last point of departure and the next point of intended landing of the aircraft;
- (h) the details of the dangerous goods on board the aircraft viz. their proper shipping name, UN number, quantity etc.
- (i) the known cause of the dangerous goods accident or incident;
- (j) details of other cargo on board the aircraft;
- (k) the extent of known damage to the aircraft, other property and persons on board the aircraft;
- (l) any other information required to be included by the Director-General.

(3) On receipt of the report under sub-rule (1), the Director-General may, if considered necessary, order an investigation to determine the causes of such accident or incident and take preventive measures to avoid re-occurrence of such accident or incident.]

²⁷[**12. Requirement of Training.**—(1) No person shall engage himself in any manner in the transport of dangerous goods unless he has undergone proper training commensurate with his responsibilities.

"11. Report of dangerous goods accidents and incidents.—In the event of a dangerous goods accident or dangerous goods incident, as the case may be, the pilot-in-command of the aircraft and the operator of the aircraft or of the aerodrome, as the case may be, shall submit a report in writing to the Director General on such dangerous goods accident or dangerous goods incident in such form as he may specify from time to time."

27. Subs. by G.S.R. 823(E), dt. 12-11-2009 (w.e.f. 13-11-2009). Prior to substitution it read as:

"12. Establishment of Training Programmes.—(1) No person shall engage himself in any manner in the transport of dangerous goods unless he has undergone proper training in accordance with the Technical Instructions.

(2) Initial and recurrent dangerous goods training programmes shall be established and maintained by or on behalf of—

- (a) shippers of dangerous goods including packers and shippers' agents;
- (b) operators;
- (c) agencies which perform, on behalf of the operator, the act of accepting, handling, loading, unloading, transferring or other processing of cargo;
- (d) agencies located at an aerodrome which perform, on behalf of the operator, the act of processing passengers;
- (e) agencies not located at an aerodrome which perform, on behalf of the operator, the act of checking in passengers;
- (f) agencies, other than operators, involved in processing of cargo; and
- (g) agencies engaged in the security screening of passengers and their baggage.

(2) The training shall be provided or verified upon the employment of a person in a position involving the transport of dangerous goods and recurrent training shall take place within twenty-four months of the previous training.

²⁸[(3) The period of validity of the training referred to in sub-rule (2) shall be twenty-four months from the date of successful completion of the training.

(4) In case of the recurrent training, the period of validity of the training shall commence from the date of expiry of the previous training subject to the condition that the recurrent training has been successfully completed within a period of not more than three months prior to the date of expiry of the previous training.

(5) In cases other than those referred to in sub-rule (4), the period of validity of the recurrent training shall commence from the date of successful completion of the recurrent training.]

12-A. Establishment and Approval of Training Programme.—(1) Initial and recurrent dangerous goods training programmes shall be established and maintained by or on behalf of,—

- (a) shippers of dangerous goods including packers and persons or organisations undertaking the responsibilities of the shipper;
- (b) operators;
- (c) ground handling agencies which perform, on behalf of the operator, the act of accepting handling, loading, unloading, transferring or other processing of cargo;
- (d) ground handling agencies located at an airport which perform, on behalf of the operator, the act of processing passengers;
- (e) agencies, not located at an airport, which perform on behalf of the operator, the act of checking in passengers;
- (f) freight forwarders; and
- (g) agencies engaged in the security screening of passengers and their baggage and cargo.

(2) Training shall be provided in the requirements commensurate with the responsibilities of the personnel being trained and such training shall include,—

(3) Training shall be provided in the requirements commensurate with the responsibilities of the personnel being trained and such training shall include—

- (a) general familiarization training aimed at providing familiarity with the general provisions;
- (b) function-specific training providing detailed training in the requirements applicable to the function for which that person is responsible; and
- (c) safety training covering the hazards presented by dangerous goods, safe handling and emergency response procedures.

(4) Training shall be provided or verified upon the employment of a person in a position involving the transport of dangerous goods by air and recurrent training shall take place within twenty-four months of previous training to ensure knowledge is current.

(5) The training programmes established and maintained by or on behalf of operators shall be subjected to review and approval by the State of the operator and the training programmes established and maintained by or on behalf of agencies other than operators shall be subjected to review and approval by the Director General."

28. *Ins.* by G.S.R. 928(E), dt. 29th November, 2010 (w.e.f. 29-11-2010).

- (a) general familiarisation training aimed at providing familiarity with the general provisions;
- (b) function-specific training providing detailed training in the requirements applicable to the function for which that person is responsible; and
- (c) safety training covering the hazards presented by dangerous goods, safe handling and emergency response procedure.

(3) A training programme established and maintained by or on behalf of an Indian operator or by any other agency in India shall be subjected to review and approval by the Director-General.

(4) The training programme established and maintained by or on behalf of a foreign operator for their own staff shall be accepted as valid by the Director-General on production of evidence that it has been approved by the regulatory authority of the State of the Operator.

(5) An application for grant of approval under sub-rule (3) shall be made to the Director-General in such form and contain such particulars or documents as may be specified by him.

(6) The Director-General or any other officer authorised in this behalf by the Central Government may, on being satisfied, grant approval to an organisation to establish or maintain the training programme.

(7) Unless suspended or cancelled, the approval granted under sub-rule (6) shall remain valid for a period not exceeding one year, which may be renewed for a period not exceeding one year at a time.

(8) A fee of Rupees Fifty thousand shall be payable for the grant of approval and Rupees Twenty-five thousand shall be payable for renewal thereof.

(9) The fee shall be paid by crossed Indian Postal Order or Demand Draft drawn in favour of Pay and Accounts Office, Director General of Civil Aviation, Ministry of Civil Aviation, New Delhi.]

13. Directions by Director General.—²⁹[(1)] The Director General may, through Aeronautical Information Circulars (AICs) and publication entitled Civil Aviation Requirements (CARs), issue special directions, not inconsistent with the provisions of the Aircraft Act, 1934 (22 of 1934), the Aircraft Rules, 1937 or these rules, relating to packing, marking, labelling, acceptance, handling, loading, unloading, storage, training and any other process or procedure connected directly or indirectly with the carriage of dangerous goods by air.

³⁰[(2)] The Civil Aviation Requirements under sub-rule (1) shall be issued after placing the draft on the website of the Directorate General of Civil Aviation for a period of thirty days for inviting objections and suggestions from all persons likely to be affected thereby:

Provided that the Director-General may, in public interest and by order in writing, dispense with the requirement of inviting such objections and suggestions.

29. Rule 13 renumbered as sub-rule (1) thereof by G.S.R. 928(E), dt. 29-11-2010 (w.e.f. 29-11-2010).

30. *Ins.* by G.S.R. 928(E), dt. 29-11-2010 (w.e.f. 29-11-2010).

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(3) Every direction issued under sub-rule (1) shall be complied with by the person or persons to whom such direction is issued.

(4) If any person fails to comply with any direction issued under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to two lakh rupees, or with both.]

14. General Power to exempt.—The Central Government may, by general or special order in writing, exempt any aircraft or class of aircraft or any person or class of persons from the operation of these rules, either wholly or partially, subject to such conditions, if any, as may be specified in that order.

³¹[**15. Cancellation or suspension of licence, certificate and approval.**—Where ³²[the Director-General or any officer authorised in this behalf by the Central Government] or any officer authorized in this behalf by the Central Government, after giving an opportunity of being heard, is satisfied that any person ³³[has contravened or failed to comply with the provisions of these rules or any direction issued under Rule 13, he may], for reasons to be recorded in writing, cancel or suspend any licence, certificate or approval issued under these rules or under the Aircraft Rules, 1937.]

31. *Ins.* by G.S.R. 600(E), dated 27-9-2006 (w.e.f. 28-9-2006).

32. *Subs.* for "the Director-General" by G.S.R. 823(E), dt. 12-11-2009 (w.e.f. 13-11-2009).

33. *Subs.* for "has contravened or failed to comply with the provisions of these rules, he may" by G.S.R. 928(E), dt. 29-11-2010 (w.e.f. 29-11-2010).