

DGCA SETS UP CIVIL AVIATION SAFETY ADVISORY COUNCIL ("CASAC")

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August 2010

With a view to strengthen the aviation safety environment, the government has set up Civil Aviation Safety Advisory Council for a period of one year. CASAC is headed by the Director General of Civil Aviation ("DGCA") and has members drawn from various aviation sub-sectors such as airlines (both public and private), flight operations, air worthiness, operations, to name a few. Additionally, representatives from ICAO, FAA, Boeing, Airbus and other organizations will also be periodically involved in its meetings.

CASAC is advisory in nature. It will develop, examine and recommend incorporation of best regulatory practices, recommend short, medium and long-term measures for safety enhancement and reflect public views on aviation safety matters. Its role is to advise DGCA in areas of operations of aircraft, commercial and general aviation, aerodromes and heliports, air navigation services, air operator certification, airworthiness of aircraft, including maintenance, certification of aeronautical products, human performance and training.

PSA's view – Establishment of CASAC is the fallout of the Mangalore air crash in May 2010. Given the number of mishaps that have been lately taking place in the Indian skies, CASAC's establishment is a positive move. An independent advisory body to review the existing regulatory framework and to further strengthen air travel will hopefully address air safety concerns of passengers and the airline industry in the times to come.

* **Compensation for passengers denied boarding and in case of delays or cancellations**

After a long-drawn-out debate, DGCA has at last issued new civil aviation requirements making it mandatory for airline operators, which include both scheduled, non-scheduled domestic and foreign carriers operating to/from India, to compensate passengers for delay and cancellation of flights and in case passengers are denied boarding despite having confirmed tickets. The regulation came into effect from August 15, 2010.

As per these regulations, airlines will now be liable to compensate between Rs. 2000-4000 or the value of the ticket depending upon the duration of flights in case of forcible denial of boarding, and if the flyer is not informed of the flight cancellation 3 hours in advance. This compensation would be over and above the preference of the passenger to opt for a refund of the ticket price, the next flight to destination or any

alternate transportation arranged by the airline at the earliest or at any later date at no additional cost. In case of a delay of flight in excess of 2 hours as well in case of cancellation of flight for passengers awaiting alternate flights, airlines including budget carriers are liable to provide meals and refreshments. Passengers would also have the facility of accommodation including transfers in case of a delay extending beyond 24 hours.

Then again, this compensation will not be payable upon delays or cancellations caused due to natural disasters, weather conditions, security risks, strikes and labor disputes, air traffic control issues, and such other extraordinary situations beyond the control of the airline.

PSA's view – While, these regulations appear, on the front of it, to address the universal gripe of scores of stranded passengers, since the extraordinary conditions are wide enough to cover more or less all regular eventualities, there are misgivings about the likelihood of passengers in reality liable to receive such compensation. Given that airlines were offering similar arrangements to passengers in any case, these regulations appear to be largely a scheme to harmonize the compensations rather than any scheme for effectual change. In addition, by way of these regulations, DGCA has also sanctioned airlines to levy a "No Show" penalty on passengers not reporting on time.

* **Launch of Satellite Based Navigation System**

In order to provide seamless coverage of air traffic, Airport Authority of India and Indian Space Research Organization has launched GPS Aided Geo Augmented Navigation ("GAGAN"). GAGAN is a Satellite Based Navigation System ("SBNS") used to provide satellite based augmentation system services over India and neighboring regions. India is the fourth country after US, Japan and Europe to have such a system.

GAGAN will provide augmentation service for global positioning system over India, South-East Asia, Middle East expanding upto Africa. GAGAN will be compatible and interoperable with other SBNS systems such as the Wide Area Augmentation System of USA, the European Geostationary Navigation Overlay Service of European Union and the Multi-functional Satellite Augmentation System of Japan. The final, operational phase of GAGAN is likely to be completed by June 2013.

PSA's view – In the coming years, the Indian airspace will get more crowded and the chances of accidents may increase. In order to reduce the chances of air mishaps, implementation of SBNS is a positive step. It would not only result in savings on the ground based radar systems, but also improve air traffic capacity through reduced aircraft separation, that is more aircraft can be accommodated in a limited airspace.

* **Regional Airlines start operation in Gujarat**

Recently, two new airlines have started providing services to and from Gujarat. This initiative has been taken by Gujarat's Civil Aviation Department which has set up a special purpose vehicle called the Gujarat Civil Aviation Company ("GCAC"). The purpose of GCAC is primarily to develop and operate private airstrips for smaller aircraft to and from tourist centers, allowing quick movement of tourists. The Gujarat government's Civil Aviation Department has also put in place a new civil aviation policy, which aims at improving connectivity, airstrips and helipads across Gujarat.

PSA's view – The proposed new civil aviation policy by the Gujarat Civil Aviation Department is a step in the right direction, bringing in separate guidelines for the operation of regional airlines. With the need for increased connectivity, industry analysts predict that more regional airlines will launch in the future. Such regional airlines are also looking to cater to business travelers and pilgrimage tourism. On the flip side, there is still no clear consensus on the viability of such regional airline services in terms of use by individuals besides Ministers, VIPs and high net worth individuals.

By:

Pooja Yadava

Priyatha Rao

Ashutosh Chandola

Kartikay Sharma



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