

AV-29017/58/2020-SDIT-MOCA
Government of India
Ministry of Civil Aviation

Rajiv Gandhi Bhavan, New Delhi
12 Jan 2021

ORDER

SUBJECT: Conditional exemption from Rule 15A of the Aircraft Rules, 1937 to ICAR - Central Potato Research Institute (CPRI) for agricultural research activities in its research farm using drones

1. Whereas, CPRI (the 'Applicant') had, vide email dated 14 Dec 2020 sought an exemption from Rule 15A and CAR Section 3, Series X, Part I for the afore-mentioned purpose.
2. Whereas based on the request of and undertaking provided by the Applicant, DGCA, vide letter no. DGCA-31031/1/2021-Drone-Dte dated 12 Jan 2021, accorded exemption to the Applicant from the CAR Section 3, Series X, Part I for the afore-mentioned purpose.
3. Now, therefore, the Central Government, in exercise of the powers conferred by Rule 160 of the Aircraft Rules, 1937, grants conditional exemption to the Applicant for a period as stated in the above-mentioned letter from DGCA or until further orders, whichever is earlier; from the provisions of Rule 15A of the Aircraft Rules, 1937 for the afore-mentioned purpose. This shall be subject to complete adherence to the conditions as mentioned in the DGCA letter (copy enclosed).



(Amber Dubey)

Joint Secretary to the Government of India

To:

1. All Ministries/ Departments of the Government of India
2. Chief Secretaries/ Administrators of all States/ Union Territories
3. DGPs/ Heads of Police of all States/ Union Territories
4. Joint Secretary (Internal Security), Ministry of Home Affairs (MHA), New Delhi
5. Joint Director, Intelligence Bureau (Shri Jag Mohan), New Delhi
6. Director, G-Wing, Ministry of Defence, New Delhi
7. Gp Cpt K.B. Mathews, Air Headquarters, IAF, New Delhi
8. DG, Directorate General of Civil Aviation (DGCA), New Delhi
9. DG, Bureau of Civil Aviation Security (BCAS), New Delhi
10. Chairman, Airports Authority of India (AAI), New Delhi
11. PS to HMoSCA (IC), Ministry of Civil Aviation, New Delhi
12. Sr. PPS to Secretary, Ministry of Civil Aviation, New Delhi
13. National Informatics Centre (NIC) team, Rajiv Gandhi Bhavan, New Delhi
14. Digital Sky Platform

GOVERNMENT OF INDIA
OFFICE OF THE
DIRECTOR GENERAL OF CIVIL AVIATION
OPP.SAFDARJUNG AIRPORT,
NEW DELHI – 110003



भारत सरकार
महानिदेशक नागर विमानन
का कार्यालय
सफदरजंग एरपोर्ट के सामने
नई दिल्ली – ११०००३

Reference No./संख्या: DGCA-31031/1/2021-Drone-Dte
Dated/दिनांक: 12th January, 2021

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Director (Acting),
ICAR-Central Potato Research Institute,
Shimla-H.P.-171001.

(Kind attention: Dr. Manoj Kumar, Director (Acting))

Subject: Permission to use Remotely Piloted Aircraft Systems (RPAS) for agriculture research purposes at institute research farm to ICAR-Central Potato Research Institute

Sir,

This has reference to letter no. F.PP/Drone./2020/ dated 14th December, 2020 and other correspondence regarding permission to use Remotely Piloted Aircraft Systems (RPAS) for agriculture research purposes at institute research farm to ICAR-Central Potato Research Institute.

This also refers to the Standard Operating procedures (SOP) reference no. GA/DGCA/CA0201 Revision No. Initial Release dated 29th December, 2020 and the undertakings/ information provided by ICAR-Central Potato Research Institute in this context for granting exemptions.

Based on the above, this office hereby accords exemption from the Paragraphs 5.3, 6, 7, 8.4, 9, 11.1 [c, d], 11.2 [a,d], 12.4, 12.5, 12.18, 12.19 and 15.3 of CAR Section 3, Series X, Part-I to ICAR-Central Potato Research Institute to use Remotely Piloted Aircraft Systems (RPAS) for agriculture research purposes at institute research farm.

The above stated exemption shall be valid until 5th January, 2022 from the date of issue of this letter or until the Digital Sky Platform becomes operational, whichever is earlier.

However, this exemption shall be valid only if all conditions and limitations as stated in Annexure-I to this letter are strictly adhered to. In case of violation of any condition, this exemption shall become null & void and action may be initiated as per Para 18 of the above mentioned CAR.

Encl.: As stated


(G. Rajasekar)
Joint Director General of Civil Aviation
for Director General of Civil Aviation

Copy for information to:

1. Joint Secretary (Sh. Amber Dubey), Ministry of Civil Aviation, New Delhi 110003 – may consider for exemption from Rule 15A of Aircraft Rules, 1937.
2. Joint Secretary (Internal Security), Ministry of Home Affairs, New Delhi-110001.
3. Director, G-Wing, Ministry of Defence, South Block, New Delhi 110001
4. The Executive Director (ASM), Airport Authority of India, Safdarjung Airport, New Delhi 110003- For necessary clearances if required.
5. DDG (IR), DGCA HQ- regarding permission for Aerial Photography (if applicable).
6. DDG (Air Safety) - DGCA HQ.

Conditions and limitations to ICAR-Central Potato Research Institute (CPRI) for operating Remotely Piloted Aircraft for agriculture research purposes at institute research farm.

1. This exemption to CPRI from the paragraphs 5.3, 6, 7, 8.4, 9, 11.1 [c, d], 11.2 [a,d], 12.4, 12.5, 12.18, 12.19 and 15.3 of CAR Section 3, Series X, Part I, is subject to exemption from Rule 15A of the Aircraft Rules, 1937 by Ministry of Civil Aviation.
2. The CPRI shall obtain necessary clearances from (a) Local Administration (b) Ministry of Defence (c) Ministry of Home Affairs (d) Air Defence Clearance from Indian Air Force and (e) Airport Authority of India (AAI) [as applicable] prior to operation of Remotely Piloted Aircraft System (RPAS).
3. The CPRI shall only operate the RPAS models specified in the CPRI's Standard Operating procedures (SOP) GA/DGCA/CA0201 Revision No. Initial Release dated 29th December, 2020. The operations shall be as per the above the above mentioned SOP. The RPAS have to be voluntarily disclosed to Government of India and issued with a valid Drone Acknowledgement Number (DAN) and the fleet details are to be maintained by CPRI. Any change/ amendment/ revision in the SOP or model or change in use case shall be included in the SOP and submitted to DGCA for approval.
4. CPRI shall ensure that only trained / experienced bona fide personnel operates the RPAS. Further, CPRI shall ensure that remote flight crew are trained through approved FTOs/ RPTOs.
5. The CPRI shall ensure that the RPAS is in working condition as mentioned in the SOP and shall be responsible for any eventualities due to malfunction / disorientation of equipment.
6. CPRI shall maintain the records of each RPA flight and make such records available to the DGCA on demand.
7. CPRI shall take necessary permission regarding Aerial Photography from Directorate of Regulations & Information, DGCA or Ministry of Defence (as applicable). The photographs/video-graphs, taken through RPAS shall be used by CPRI only. CPRI shall be responsible for safety and security of RPAS and data collected through RPAS.
8. CPRI shall ensure that the RPAS are made NPNT compliant [certified by QCI] as soon as the digital sky platform is made operational.
9. CPRI shall ensure that each RPAS has fire resistant identification plate inscribed legibly with OAN, DAN and Model No. of the RPAS.
10. The operation of RPAS shall be restricted to day operations (from sunrise to Sunset), within Visual Line of Sight (VLOS) in uncontrolled airspace only and at a height of 10m max only.
11. RPAS shall not be operated in the vicinity of airport as per the provisions of the CAR. If required to operate near the airport, approval from Airports Authority of India (AAI) shall be taken in advance regarding time and area of operations of RPAS.
12. CPRI shall ensure their no items are discharged or dropped during flight of the RPAS. The CPRI shall also ensure that hazardous material or variable payload are not carried in / using the RPA under any circumstances except allowed pesticides.
13. CPRI shall ensure that uninvolved persons are not allowed within the operation area during spraying and ensure safety conditions (especially wind conditions) specified in the SOP and in this letter are adhered to.
14. CPRI shall ensure safety, security and privacy of public, property, operator etc. Further, in case of any eventuality, DGCA shall not be held responsible.
15. CPRI shall ensure the RPAS is not flown in a manner to cause danger to any person or property. In case of any injury to any person due to physical contact with the equipment, CPRI shall be responsible for medico-legal issues. The CPRI shall have adequate level of insurance to cover any damage to third party resulting from accident / incident occurred during the operation of RPAS.
16. CPRI shall not operate the RPAS in no-fly zones specified in Para 13.1 of the CAR Section 3, Series X, Part I without the approval of concerned Ministries/ authorities.
17. The CPRI shall indemnify DGCA from any legal cases or any other issues arising due to these operations.
18. This letter shall not override other restrictions / SOP on Remotely Piloted Aircraft System framed by other Government Agencies.
19. In case of incident/accident during at any phase of the operations, reports to be submitted to Air Safety Directorate of DGCA.


12/01/2021