

Bill Summary

The Aircraft (Amendment) Bill, 2006

- The Aircraft (Amendment) Bill, 2006 was introduced in the Lok Sabha on August 7, 2006 to amend the Aircraft Act, 1934. The Bill has been referred to the Departmentally-related Parliamentary Standing Committee on Transport, Tourism and Culture (Chairperson: Shri Sitaram Yechury).
- The Act empowers the central government to exercise control over manufacture, possession, use, operation, sale, import and export of civil aircrafts and licensing of aerodromes. In 1994, private airlines were permitted to fly domestic routes and the management of airports was transferred to the Airports Authority of India. The Bill seeks to amend the Act keeping in view the developments in the aviation sector.
- The Bill seeks to regulate foreign registered aircraft which is operating in India and aircraft operated by a person who is not an Indian citizen but has his principal place of business or permanent residence in India.
- The central government can make rules on matters that include:
 - licensing, inspection and regulation of aerodromes. It can regulate or prohibit the use of unlicensed aerodromes. It can regulate the fees that may be charged at those aerodromes which do not fall within the purview of the Airports Authority of India Act, 1994.
 - licensing of air traffic control personnel;
 - the certification, inspection and regulation of communication, navigation and surveillance or air traffic management facilities;
 - measures to safeguard civil aviation against acts of unlawful interference;
 - investigation of incidents and accidents of aircrafts occurring while navigating over India;
- The scope of powers of Director General of Civil Aviation (DGCA) has been enlarged. The DGCA or any other officer specially appointed for the purpose can issue directions on matters related to any person using an aerodrome or engaged in air traffic operations, air traffic control, maintenance and operation of aerodrome, air traffic management facilities etc. The DGCA is also empowered to perform safety oversight functions.
- The Bill enhances existing penalties for the following violations:
 - contravention of any provisions which prohibits or regulates the carrying of arms, explosives or dangerous goods in the aircraft. The penalty would be enhanced from imprisonment upto two years and a fine to imprisonment upto two years and a fine of upto Rs 10 lakhs.
 - contravention of provisions that prohibit the slaughter of animals, depositing rubbish, filth and other polluted matters within a radius of 10 km from the aerodrome reference point (a point near the centre of the aerodrome where airplanes land and take off). The penalty would be increased from imprisonment upto a year or a fine of upto Rs 2,000 to imprisonment for a maximum of three years or with a fine of upto Rs 10 lakhs, or with both.
 - wilfully flying an aircraft in a manner which may cause danger to any person or property on land, water or air. The penalty would be enhanced from conviction upto six months or a fine of upto Rs 1,000 to a prison term of upto two years or with fine upto Rs 10 lakhs, or with both.
 - non compliance with the rules made by the DGCA or any other person appointed by the central government. The penalty has been enhanced from a prison term of upto six months to imprisonment upto two years or with a fine that may extend to Rs 10 lakhs, or with both.
 - contravention of any rules with regard to construction of buildings or planting of trees within 20 km radius of an aerodrome reference point or higher than the specified rules. Such a violation is punishable with imprisonment upto two years or a maximum fine of Rs 10 lakhs. The penalty would be increased from conviction for a maximum period of six months or a fine of upto Rs 1,000, or with both.

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