

DGCA Regulations on the use of Drones in India

written by Raghav Gaiind | April 2, 2019

• Introduction:

The Directorate General of Civil Aviation (DGCA) is an Indian regulatory body under the administration of the Ministry of Civil aviation. DGCA issues various rules and regulations to promote safe and efficient air transportation and reduce the aviation accidents. On August 27th, 2018 the DGCA has released Civil Aviation Requirements (CAR) i.e. the National Drone Policy 2018. This policy focuses on the 'Requirements for Operation of Civil Remotely Piloted Aircraft System (RPAS)'. As per this policy Flying of Remotely Piloted Aircrafts or drones, will be legal across India. This policy has been issued in compliance with the provisions of Rule 15A and Rule 133A of the Aircraft Rules, 1937 and stipulates the requirements for obtaining Unique Identification Number (UIN), Unmanned Aircraft Operator Permit (UAOP) and other operational requirements for civil Remotely Piloted Aircraft System (RPAS). The Policy shall come into force from December 1st, 2018 with an objective to explore and manage the opportunities in the Indian civil aviation sector.

• Applicability:

The National Policy on Drones 2018 is applicable to Civil Remotely Piloted Aircraft Systems, which are Remotely Piloted from a Remote Pilot Station.

• Categories

of RPA or Drones:

On the basis of the weight of the drones it can be divided into five categories. These are following:

Sr. No.	Categories	Maximum weight of RPA
	Nano	Less than or equal to 250 grams
	Micro	Greater than 250 grams and less than or equal to 2 kg.
	Small	Greater than 2 kg and less than or equal to 25 kg.
	Medium	Greater than 25 kg and less than or equal to 150 kg.
	Large	Greater than 150 kg.

• Need

of Unique Identification Number:

As per Civil Aviation Requirements 2018 every RPA or drones shall require Unique Identification Number by the DGCA. It shall be granted to the owner of drone who may be a citizen of India, central or state government, a company registered in India.

However,

Unique Identification Number shall not be required for RPA in Nano category

intended to fly up to 50 feet (15 m) Above Ground Level (AGL) in uncontrolled airspace/ enclosed premises for commercial / recreational / R&D purposes.

RPA's owned by National Technical

Research Organization (NTR0), Aviation Research Centre (ARC) and Central Intelligence Agencies are also exempted from obtaining Unique Identification Number.

- Need for issue of Unmanned Aircraft Operation Permit (UAOP):
RPA operators shall submit duly filled application through Digital Sky Platform along with requisite fees for issue of UAOP to DGCA at least 7 working days prior to actual commencement of operations. The UAOP shall be issued by DGCA within 7 working days, and it shall be valid for the period of 5 years. The UAOP is non transferrable. It can be renewed after the fresh security clearance from the Ministry of Home Affairs.
- Following entities will not require UAOP:
 - a) Nano
RPA operating under 50 feet (15 m) AGL within airspace or enclosed premises which is uncontrolled.
 - b) Micro
RPA operating under 200 feet (60 m) AGL within airspace or enclosed premises which is uncontrolled. However, the user shall inform local police office 24 hours prior to conduct of actual operations.
 - c) RPA
owned and operated by agencies. However, the agency shall intimate local police office and concerned ATS Units prior to conduct of actual operations.
- Equipment Requirements
- All RPA (except for Nano category intending to operate up to 50 ft (15 m) AGL in uncontrolled airspace/ enclosed premises), shall be equipped with the following serviceable components/ equipment:
 - a) GNSS
for horizontal and vertical position fixing
 - b)
Autonomous Flight Termination System or Return Home (RH) option
 - c)
Flashing anti-collision strobe lights
 - d) RFID
and GSM SIM Card/ NPNT compliant for APP based real time tracking
 - e) Fire
resistant identification plate inscribed with UIN
 - f) Flight
controller with flight data logging capability
- In addition to the equipment required under Para 11.1, all RPA (except Nano and Micro category operating in uncontrolled airspace) intending to operate in controlled airspace up to 400 feet (120 m) AGL shall

be

equipped with the following additional equipment/capabilities:

a) SSR

transponder (Mode 'C' or 'S') or ADS-B OUT equipment

a)

Barometric equipment with capability for remote sub-scale setting

b)

Geo-fencing capability

c) Detect

and Avoid capability

- Remote pilot shall be equipped with communication facilities to establish two way communications with the concerned ATS unit.
- The tracking system of the RPA shall be self-powered and tamper/ spoofing proof to ensure data relay even in the event of RPA accident.
- Indian Air Force shall monitor RPA movements in the country in coordination with Airports Authority of India.[1]
- Glimpse

necessary operating requirements by RPA:

This

policy has laid down various requirements which are essential for the operations of the RPAs. These necessary operating requirements are following:

1. Irrespective of weight category, all RPA operations shall be restricted to day only, within Visual Line of Sight (VLOS)
 2. Every operator of the RPAs except Nano RPA shall obtain permission before undertaking flight through 'Digital Sky Platform.
 3. All RPA operators (except micro and Nano) are required to file flight plan at least 24 hours before actual operations.
 4. All RPA operators (except Nano RPA operating below 50 ft), shall inform the concerned local police office in writing prior to commencing the operations.
 5. The take-off and landing areas should be properly segregated from public access.
 6. No person shall act as a remote pilot for more than one RPA operation at a time
 7. RPA operator shall be responsible for ensuring that the RPA is operated safely and remains clear of all manned/ unmanned air traffic, terrain and obstacles.
 8. RPA shall not discharge or drop substances unless specially cleared and mentioned in UAOP.
 9. RPA shall not transport any hazardous material such as explosives or animal or human payload.
 10. RPA shall not be flown in a manner to cause danger to any person or property.
 11. RPA operator/ remote pilot shall be liable to ensure that privacy norms of any entity are not compromised in any manner.
- Restrictions on the operation of RPAs:
 - RPA shall not be flown within the 5 km from the perimeter of airports at Mumbai, Delhi, Chennai, Kolkata, Bengaluru and Hyderabad.
 - RPA shall not be flown within a distance of 3 km from the

perimeter of any civil, private or defence airports.

- Within 25 km from international border which includes Line of Control (LoC), Line of Actual Control (LAC) and Actual Ground Position Line (AGPL) the operation of RPA is prohibited.
- It cannot be flown within permanent or temporary Prohibited, Restricted and Danger Areas.
- It is prohibited to operate beyond 500 m (horizontal) into sea from coast line provided the location of ground station is on fixed platform over land.
- Within 3 km from perimeter of military installations/ facilities/ where military activities/ exercises are being carried out unless clearance is obtained from the local military installation/facility it is prohibited to operate.
- It cannot be operated within 5 km radius from Vijay Chowk in Delhi. However, this is subject to any additional conditions/ restrictions imposed by local law enforcement agencies/ authorities in view of the security.
- Within 2 km from perimeter of strategic locations/ vital installations notified by Ministry of Home Affairs unless clearance is obtained from MHA the operation of RPA is prohibited.
- An RPA cannot be operated from a mobile platform such as a moving vehicle, ship or aircraft.
- Legal Obligations.

This

Civil Aviation Requirement, 2018 provides that a UIN or UAOP which is being granted by DGCA does not confer on the Remote Piloted Aircraft System (RPAS) any rights against owner or resident of any land or building or over which the

operations are conducted, or prejudice in any way the rights and remedies which

a person may have in respect of any injury to persons or damage to property caused directly or indirectly by the RPA[2].

The DGCA shall not absolve the operator or the remote pilot from compliance with any other regulatory requirement, which may exist under the State or local law.

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Source: <http://dgca.nic.in>

[1] <http://dgca.nic.in/cars/D3X-X1.pdf>

[2] <http://dgca.nic.in/cars/D3X-X1.pdf>

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