

THE AIRPORTS AUTHORITY OF INDIA (GROUND HANDLING SERVICES) REGULATIONS, 2018¹

In exercise of the powers conferred by section 42 of the Airports Authority of India Act, 1994 (55 of 1994) and in supersession of the Ministry of Civil Aviation (Ground Handling Services) Regulations, 2017, except as respects things done or omitted to be done before such supersession, the Airports Authority of India with the previous approval of the Central Government hereby makes the following regulations, namely:—

1. Short title and commencement.—(1) These regulations may be called the Airports Authority of India (Ground Handling Services) Regulations, 2018.

(2) They shall come into force on the date² of their publication in the Official Gazette.

2. Definitions.—In these regulations, unless the context otherwise requires,—

- (a) “apron” means a defined area of an airport intended to accommodate aircraft for the purpose of loading or unloading passengers or cargo, refuelling, parking or maintenance;
- (b) “ground handling” means services necessary for an aircraft’s arrival at, and departure from, an airport other than air traffic control and it includes—
 - (i) ramp handling including activities as specified in Schedule-I;
 - (ii) traffic handling including activities as specified in Schedule-II; and
 - (iii) any other activity specified by the Central Government from time to time;
- (c) “Ground Handling Agency” means an entity established for the purpose of providing ground handling service at an airport and security cleared by the Bureau of Civil Aviation Security and duly appointed by the airport operator;
- (d) “maneuvering area” means the part of an airport or an aerodrome or civil enclave to be used for take-off, landing and taxiing of aircraft but does not include apron;
- (e) “movement area” means part of an airport or an aerodrome or civil enclave intended for surface movement of aircraft including the maneuvering area and apron;
- (f) “regular employee” means a person employed and paid for a regular work directly by the employer without the intervention of a contractor; and does not include contract labourers as defined in the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970);
- (g) “royalty” means compensation, consideration or fee paid for providing ground handling services at an airport payable to the airport operator in addition to applicable land or space rentals;
- (h) “Schedule” means the Schedule annexed to these regulations;
- (i) “self-handling” means the ground handling services relating to its own aircraft or helicopter by an airline or helicopter operator or its hundred percent owned subsidiary through its own regular employees, using equipment owned or taken on lease;
- (j) “terminal building” means the building or area of the airport or civil enclave which is used for embarkation or disembarkation or processing of passengers;

3. Ground handling services at airports.—³[(1) All domestic scheduled airline operators and domestic scheduled helicopter operators may carry out ground handling activities solely for the purpose of self-handling at all airports including civil enclaves;]

1. *Vide* Notification F.No. AAI/OPS/707/GHR-2018, dated 26th October, 2018, published in the Gazette of India, Extra., Part III, Sec. 4, No. 405, dated 30th October, 2018.

2. Came into force on 30-10-2018.

3. Subs. by Notification F. No. OP-89012/2/2022, dated 20th April, 2023, for sub-regulation (1) (w.e.f. 20-4-2023). Sub-regulation (1) before substitution, stood as under:

“(1) All domestic scheduled airline operators and scheduled helicopter operators will be free to carry out self-handling at all airports including civil enclaves;”

(2) A foreign airline may undertake self-handling in respect of passenger and baggage handling activities excluding security functions listed in paragraph 1 of AVSEC Order No. 03/2009 dated the 21st August, 2009 [enclosed as Annexure-I] at the airport terminals restricted to the passenger check-in at pre security hold area, at all the airports except civil enclaves;

(3) At the cargo terminal except civil enclave, all cargo aircraft operator may undertake self handling excluding security functions listed in paragraph 1 of AVSEC Order No. 03/2009 referred to in sub-regulation (2);

¹[(4) At the airport having annual passenger throughput of ten million passengers per annum or above, the airport operator shall ensure that there will be three ground handling agencies including that of,—

- (a) the airport operator or its joint venture or its hundred percent owned subsidiary, provided that this mode is used only when the airport operator has invited bids as under clause (c) and no bidder is found suitable or selected;
- (b) subject to sub-regulations (8) and (8A), a subsidiary or joint venture of a public sector undertaking. In case there is no subsidiary or joint venture of a public sector undertaking, a ground handling agency shall be selected through a bidding process as under clause (c); and
- (c) any other ground handling agency appointed by the airport operator through a transparent bidding process;]

²[(5) At the airport having annual passenger throughput of less than ten million passengers per annum, based on the traffic output and airside and terminal building capacity, the airport operator may decide on the number of ground handling agencies, not exceeding three, including that of,—

- (a) the airport operator or its joint venture or its hundred percent owned subsidiary, provided that this is used only when the airport operator has invited bids as under clause (c) and no bidder is found suitable or selected;
- (b) subject to sub-regulations (8) and (8A), a subsidiary or joint venture of a public sector undertaking. In case there is no subsidiary or joint venture of a public sector undertaking, a ground handling agency shall be selected through a bidding process as under clause (c); and
- (c) any other ground handling agency appointed by the airport operator through a transparent bidding process;]

(6) A ground handling agency, with foreign ownership of fifty percent or more of its paid-up capital shall not be allowed to undertake ground handling activities at the civil enclave;

1. Subs. by Notification F. No. OP-89012/2/2022, dated 20th April, 2023, for sub-regulation (4) (w.e.f. 20-4-2023). Sub-regulation (4) before substitution, stood as under:

“(4) At the airport having annual passenger throughput of ten million passengers per annum or above, the airport operator shall ensure that there will be three ground handling agencies including that of,—

- (a) the airport operator or its joint venture or its hundred percent owned subsidiary;
- (b) a joint venture or a subsidiary of the Air India; and
- (c) any other ground handling agencies appointed by the airport operator through a transparent bidding process;”

2. Subs. by Notification F. No. OP-89012/2/2022, dated 20th April, 2023, for sub-regulation (5) (w.e.f. 20-4-2023). Sub-regulation (5) before substitution, stood as under:

“(5) At the airport having annual passenger throughput of less than ten million passengers per annum, based on the traffic output and air side and terminal building capacity, the airport operator may decide on the number of ground handling agencies, not exceeding three, including that of,—

- (a) the airport operator or its joint venture or its hundred percent owned subsidiary;
- (b) a Joint Venture or a subsidiary of Air India; and
- (c) any other ground handling agency appointed by the airport operator through a transparent bidding process;”

¹[(7) Subject to sub-regulations (8) and (8A), at all airports, the subsidiary or joint venture of a public sector undertaking shall match the lowest royalty or revenue share, as applicable, paid by the other ground handling agency at such airport;]

²[(8) The provisions of sub-regulations (4), (5) and (7) relating to subsidiary or joint venture of a public sector undertaking shall:

- (i) continue to apply so long as such ground handling agency remains a subsidiary or joint venture of a public sector undertaking;
- (ii) continue to apply to such ground handling agency at all such airports where it is operating as a ground handling agency, from the date such ground handling agency ceases to be a subsidiary or a joint venture of a public sector undertaking till the earlier of:
 - (a) eighty four months, or
 - (b) change in more than fifty percent shareholding of such ground handling agency save and except where such change in shareholding is after the expiry of the lock-in period agreed to at the time of acquisition of such ground handling agency by a private sector entity;
- (iii) continue to be applicable to a successor entity, being a special purpose vehicle, which acquires the ground handling agency at a civil enclave subject to:
 - (a) compliance with sub-regulation (6), and
 - (b) there being no change in more than fifty percent shareholding of such successor entity for the period of eighty-four months from the date of its acquisition, save and except where such change in shareholding is after the expiry of the lock-in period agreed to at the time of acquisition of such ground handling agency by a private sector entity;]

³[(8A) No ground handling agency or any person(s) controlling such ground handling agency shall have significant influence in any other ground handling agency operating on the same airport. In case a ground handling agency or the person(s) controlling the ground handling agency has significant influence in another ground handling agency operating on the same airport or acquires significant influence in another ground handling agency operating on the same airport pursuant to an acquisition from a public sector enterprise:—

- (a) the two ground agencies operating at the same airport shall be deemed to be a single ground handling agency at the relevant airport;

1. Subs. by Notification F. No. OP-89012/2/2022, dated 20th April, 2023, for sub-regulation (7) (w.e.f. 20-4-2023). Sub-regulation (7) before substitution, stood as under:

"(7) At all airports, the joint venture or the subsidiary of Air India shall match the lowest royalty paid by the other ground handling agencies, as long as majority share in such entity is with the Government;"

2. Subs. by Notification F. No. OP-89012/2/2022, dated 20th April, 2023, for sub-regulation (8) (w.e.f. 20-4-2023). Sub-regulation (8) before substitution, stood as under:

"(8) The provisions of sub-regulations (4), (5) and (7) relating to subsidiary or joint venture of the Air India shall apply so long as such ground handling agency remains a subsidiary or a fifty-fifty joint venture of a public sector undertaking and in case such ground handling agency ceases to be subsidiary or a fifty-fifty joint venture of a public sector undertaking, the provisions of sub-regulations (4), (5) and (7) shall continue to apply to such ground handling agency at all such airports where it is operating as a ground handling agency, for a period of thirty-six months from the date such ground handling agency ceased to be a subsidiary or a joint venture of a public sector undertaking;"

3. Ins. by Notification F. No. OP-89012/2/2022, dated 20th April, 2023 (w.e.f. 20-4-2023).

- (b) airport operator for such airport shall promptly appoint another ground handling agency through a transparent bidding process; and
- (c) (A) within twenty four months of such acquisition, such ground handling agency/person(s) controlling the ground handling agency shall reorganize or restructure the business of the ground handling agencies to ensure that on completion of such twenty four month period, only one of the two ground agencies operates at the relevant airport; or
- (B) on expiry of twenty four months of such acquisition, of the two ground handling agencies, the ground handling agency with the shorter outstanding concession period, shall be deemed to have surrendered its concession at the relevant airport.

Explanation:—For the purposes of this sub-regulation, the terms “significant influence” and “control” shall have the meanings as respectively assigned to them in the Companies Act, 2013 (18 of 2013);]

(9) No royalty is payable in case of self-handling; and

(10) All airlines, joint ventures, subsidiaries, ground handling agencies shall enter into an agreement with the airport operator for the satisfactory observance of performance of standards as may be mutually acceptable.

4. Entry into terminal building or movement area.—Except as provided in rule 90 of the Aircraft Rules, 1937, the entities permitted to undertake ground handling services at airports under these regulations shall also be allowed to enter and remain in the terminal building or movement area.

5. Security Protocol.—(1) All ground handling services shall be provided only through the regular employees of the entities permitted under these regulations;

(2) No hiring of employees through handling contractor or manpower supplier shall be permitted;

(3) An airline and agency allowed to carry out ground handling services at the airport shall ensure compliance to security provisions as required under any law for the time being in force; and

(4) The ground handling agency, unless it acquire the status of regulated agent or otherwise authorised to do so by the Bureau of Civil Aviation Security, shall not undertake the security functions listed in paragraph 1 of AVSEC Order referred to in sub-regulation (2) of regulation 3.

6. Equipment.—(1) At all airports, in order to overcome space and time constraints, the airport operator shall provide adequate number of common user terminal equipment (CUTE) and common user self service (CUSS);

(2) At the airport having annual passenger throughput of one and a half million passengers per annum or above, the airport operator shall provide adequate number of baggage reconciliation system:

Provided that where the annual passenger throughput is less than one and a half million passengers per annum, the airport operator may decide the number of baggage reconciliation system as may be necessary;

(3) All agencies concerned shall ensure the use of state-of-art equipment and best practices in line with the International Air Transport Association Airport Handling Manual; and

(4) The airport operator shall, as far as may be, provide adequate parking space for the equipment required for ground handling purpose, within the airport premises on mutually agreed terms and conditions.

7. (1) All airport operators shall complete the process of selection of requisite number of ground handling agencies by the 31st October, 2018 unless extended by Government of India.

(2) The ground handling agency so appointed shall commence its operation expeditiously and in any case not later than the 30th June, 2019.

(3) Airport where duly appointed ground handling agency is already in place and where any agency which is not permitted under these regulations is operating, such agencies shall not be allowed to continue after the 31st October, 2018 unless extended by Government of India.

(4) Any agency which is not permitted under these regulations and carrying out the ground handling activities on the commencement of these regulations, at an airport or civil enclave other than those referred to in sub-regulation (3), shall be allowed to continue till the 30th June, 2019 or till thirty days from the commencement of operations by the ground handling agencies duly appointed under these regulations, whichever is earlier.

(5) The Bureau of Civil Aviation Security shall issue airport entry permits to the existing ground handling agencies till such time their operations are allowed to continue under this regulation.

SCHEDULE I

[See regulation 2(b)(i)]

RAMP HANDLING

1. Aircraft handling:

- (1) Attendance;
- (2) Marshalling;
- (3) Parking;
- (4) Starting;
- (5) Safety measures;
- (6) Mooring of Aircraft;
- (7) Ramp to flight deck communication.

2. Aircraft servicing:

- (1) Liaison for fuelling and defueling;
- (2) Liaison with suppliers for replenishing of oil and other fluids;
- (3) Cabin Equipment;
- (4) Routine and Non-Routine services;
- (5) Cooling and Heating;
- (6) Storage of cabin material.

3. Aircraft Cleaning:

- (1) Exterior cleaning;
- (2) Interior cleaning;
- (3) Toilet service;
- (4) Water service.

4. Loading or Unloading:

- (1) Loading and unloading of passenger baggage;
- (2) Transshipment of passenger baggage;
- (3) Operation of Loading or Unloading equipment;
- (4) Position and removing of passenger stairs or bridges;
- (5) Emplane or Deplane passengers;
- (6) Break or Make-up of baggages;
- (7) Bussing of passengers or crew;
- (8) Bulk loading or unloading of baggage;
- (9) Catering ramp handling;
- (10) Load control;
- (11) Communication;
- (12) Flight operations;
- (13) Crew administration.

5. Cargo handling services:

- (1) Loading, off-loading, export, import and transshipment cargo on or from the aircraft;
- (2) Mail handling services;
- (3) Operate or provide or arrange essential equipments for handling of cargo;
- (4) Transshipment of cargo;

- (5) Palletisation or containerisation of cargo;
- (6) Break-up or Make-up of cargo container or unit load device;
- (7) Bulk loading or unloading;
- (8) Cargo and mail handling;
- (9) Customs control;
- (10) Documentation handling;
- (11) Physical handling outbound or inbound;
- (12) Transfer or transit cargo;
- (13) Post office mail.

6. Support Services:

- (1) Accommodation;
- (2) Automation or Computer systems;
- (3) Unit load device control;
- (4) Fuel farm (Depot);
- (5) Ramp fuelling or defueling operations;
- (6) Surface transport;
- (7) Catering services – liaison and administration.

SCHEDULE II

[See regulation 2(b)(ii)]

TRAFFIC HANDLING**1. Terminal Services:**

- (1) Handling documents and load control;
- (2) Passenger and baggage handling at the airport terminals;
- (3) Cargo handling services at the airport terminals;
- (4) Mail handling services at the airport terminal;
- (5) Traffic services at the airport terminals including passenger check-in.

2. Flight Operations:

- (1) Inform the carrier of any known project affecting the operational services and facilities made available to its aircraft in the areas of responsibility;
- (2) Flight preparation at the airport of departure;
- (3) Flight preparation at a point different from the airport of departure;
- (4) In-flight assistance;
- (5) Post flight activities;
- (6) In-flight re-dispatch;
- (7) Communication system associated with Ground Handling;
- (8) Material handling.

3. Surface Transport:

- (1) Arrangement for the transportation of passengers or baggages and cargo between separate terminals at the same airport;
- (2) Arrangements for passengers or crew transport together with their baggage between airport and city or other agreed points.

4. Representational Services:

- (1) Liaison with local authorities;
- (2) Information to interested parties, movement of carrier aircraft;
- (3) Disbursement of payment on behalf of the carriers at all airports;
- (4) Supervision and administration services.

ANNEXURE 1

[See regulation 3(2)]

RESTRICTED

NO.CAS-6(1)/2008/Div.I (Sec.functions)

BUREAU OF CIVIL AVIATION SECURITY

(MINISTRY OF CIVIL AVIATION)

GOVERNMENT OF INDIA

A WING (I-III Floor), JANPATH BHAVAN

JANPATH, NEW DELHI

Dated: 21/08/2009

AVSEC Order No. 03/2009

Sub: Security Functions to be carried out by aircraft operators.

In exercise of powers conferred by Section 5A of Aircraft Act 1934 delegated to him *vide* Government of India, Ministry of Civil Aviation Notification No. 1797 dated July 3, 1997, read with para-4 of DGCA Circular No. 9/1/2002-IR dated 28/9/07; and Regulations 6 and 7 of the Airports Authority of India (General Management, Entry for Ground Handling Services) Regulations, 2007 issued *vide* Gazette of India (Extraordinary) Notification No. AAI/LEGAL/GHREG/2007 dated 18.10.2007, the Commissioner of Security (Civil Aviation), Bureau of Civil Aviation Security (BCAS), for the purpose of securing the safety of aircraft operations, directs that the following activities **pertaining to aircraft operations** shall be treated as Aircraft Operators' Aviation Security Functions:

- (i) Access control to the aircraft;
- (ii) Aircraft security search/Security check during normal as well as bomb threat situation;
- (iii) Screening of registered/unaccompanied baggage, cargo, mail and company stores etc.;
- (iv) Surveillance of screened baggage till acceptance at check-in counters;
- (v) Security control of the checked baggage from the point it is taken into the charge of aircraft operator till loading into aircraft;
- (vi) Passengers baggage reconciliation/identification;
- (vii) Security of baggage tag, boarding cards and flight documents;
- (viii) Security of mishandled/unaccompanied/transit/transfer baggage;
- (ix) Secondary checks at ladder point of aircraft;
- (x) Security of catering items from pre-setting stage till loading into aircraft;
- (xi) Security control of express cargo, courier bags, cargo, company stores, parcels, mail bags and escorting from city side up to aircraft;
- (xii) Receiving, carriage and retrieval of security removed articles;
- (xiii) Any other security functions notified by the Commissioner from time to time.

2. Despite the fact that the above activities are carried out on ground at the airports, keeping in view the AVSEC requirements under the current surcharged security scenario, these AVSEC functions cannot be mixed-up with other ground handling activities, and these AVSEC functions shall not be allowed by an aircraft operator/airport operator to be undertaken by a Ground Handling Agency.

3. The above mentioned security functions shall be carried out by the concerned airlines' security personnel who possess all competencies required to perform their duties and are appropriately trained and certified according to the requirements of the approved Security Programme of respective Aircraft Operator and the National Civil Aviation Security Programme of India.

4. Foreign airlines may enter into agreement with Indian Air carriers having international operation from that airport only after specific approval from the BCAS in each case.

5. As approved by Ministry of Civil Aviation (GoI) *vide* letter No. AV-24013/004/2007-AAI dated 20th March 2008, the In-line screening of hold baggage to be transported by an aircraft operator from the airports in India, shall be carried out by trained and BCAS certified screeners of respective airport operator or NACIL or their JV at airports having In-line baggage Inspection System.

6. Screening and security control of Cargo consignments may also be undertaken by trained and BCAS certified screeners of Regulated Agents approved by the BCAS in accordance with the instructions issued by the BCAS from time to time.

7. The responsibility for all security related functions shall be with the airlines concerned. For this purpose, a security coordinator shall be designated by the respective airlines at each airport from where they shall have operations.

8. This order supersedes all instructions (except BCAS Cir. No. 4/2007) on the subject and shall come into force with immediate effect. Violation of this order will attract legal action under section 11A of Aircraft Act, 1934.

These issues with the approval of Commissioner of Security (CA)

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