

The Ministry of Civil Aviation (Ground Handling Services) Regulations, 2017

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The Ministry of Civil Aviation (Ground Handling Services) Regulations, 2017¹

In exercise of the powers conferred by Section 42 of the Airports Authority of India Act, 1994 (55 of 1994) and in pursuance of Rule 92 of the Aircraft Rules, 1937, and in supersession of the Airports Authority of India (General Management, Entry for Ground Handling Services) Regulations, 2007 except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following regulations for ground handling at Indian airports, namely—

1. Short title, commencement and applications.—(1) These regulations may be called the Ministry of Civil Aviation (Ground Handling Services) Regulations, 2017.

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

(3) They shall apply to all Civil Airports and Civil Enclaves in the country.

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) “civil enclave” means the area, if any, allotted at an airport belonging to any armed forces of the Union of India, for use by persons availing of any air transport services from such airport or for the handling of baggage or cargo by such service, and includes land comprising of any building and structure on such area;

(c) “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;

(d) “Ground Handling Agency” means an entity established for the purpose of providing Ground Handling Service at airport, duly certified by Bureau of Civil Aviation Security;

(e) “maneuvering area” means the part of an airport or an aerodrome or civil enclave to be used for take-off, landing and taxing of aircraft but does not include apron;

1. Ministry of Civil Aviation, Noti. No. F. No. AV-24011/8/2017-AAI-MOCA, dated December 15, 2017, published in the Gazette of India, Extra., Part II, Section 4, dated 20th December, 2017, pp. 8-14, No. 476

- (f) “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;
- (g) “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);
- (h) “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;
- (i) “Schedule” means the Schedule annexed to these regulations;
- (j) “self-handling” means the ground handling services relating to its own aircraft or helicopter by an airline or helicopter operator or its 100% owned subsidiary through its own regular employees, using equipment owned or taken on lease;
- (k) “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.—(a) All domestic scheduled airline operators and scheduled helicopter operators will be free to carry out self-handling at all airports including Civil Enclaves.

(b) A foreign airline may undertake self-handling in respect of passenger and baggage handling activities excluding security functions listed out in Para 1 of AVSEC Order 03/2009 [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 or Joint User Defence Airfields.

(c) At the cargo terminals except Civil Enclaves or Joint User Defence Airfields, all cargo aircraft may undertake self handling excluding security functions listed out in Para 1 of AVSEC Order 03/2009 [Annexure-I].

(d) At all airports having annual passenger through put of 10 million passengers per annum or above, the airport operator shall ensure that there will be three ground handling agencies including that of the Airport Operator or its Joint Venture or its 100% owned subsidiary, a Joint Venture or a subsidiary of Air India and any other ground handling agencies appointed by the airport operator through a transparent bidding process.

(e) At all airports having annual passenger through put of less than 10 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—

- (i) the airport operator or its Joint Venture or its 100% owned subsidiary;
- (ii) a Joint Venture or a subsidiary of Air India;

(iii) any other ground handling agency appointed by the airport operator through a transparent bidding process.

(f) A ground handling agency, with foreign ownership of 50% or more of its paid-up capital shall not be allowed to undertake ground handling activities at Civil Enclaves or Joint User Defence Airfields.

(g) At all airports, the Joint Venture or the subsidiary of Air India shall match the lowest royalty paid by the other ground handling agencies.

(h) The provisions of clauses (d), (e) and (g) of this regulation relating to Air India will be in force so long the Air India remains a Public Sector Undertaking and in case of its disinvestment, the above said clauses will continue with respect to Air India at all such airports where it functions as a ground handling agency, till such time the next bid takes place for that airport.

(i) No royalty is payable in case of self-handling.

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

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

5. Security Protocol.—(1)(a) All ground handling services shall be provided only through the regular employees of the entities in accordance with Regulation 3.

(b) Hiring of employees through handling contractor or manpower supplier shall not be permitted.

(2) Airlines and agencies allowed to carry out ground-handling services at airports shall ensure compliance to security provisions as required under the law.

(3) The ground handling agencies, unless they acquire the status of regulated agent or otherwise duly authorised to do so by the Bureau of Civil Aviation Security, shall not undertake the security functions listed out in Para 1 of AVSEC Order 03/2009 [Annexure-I], as modified from time to time.

6. Equipment.—(a) At all airports, in order to overcome space and time constraints, the airport operator shall provide adequate number of Common User Terminal Equipment and Common User Self Service.

(b) At all airports having annual passenger through put of 1.5 million passengers per annum or above, the airport operator shall provide adequate number of Baggage Reconciliation System:

Provided that where the annual passenger through put is less than 1.5 million passengers per annum, the airport operator may decide the provisions relating to Baggage Reconciliation System.

(c) 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.

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

7. (a) The entities which are not permitted in these regulations and are currently carrying out the ground handling activities at any airport or Civil Enclave shall be allowed exit time of 240 days from the date of publication of these regulations.

(b) The Airport Entry Permits in respect of the above entities referred to in clause (a) shall continue to be issued till 240 days from the date of publication of these regulations.

(c) All airport operators shall appoint the requisite number of ground handling agencies within a period of 120 days from the date of publication of these regulations.

SCHEDULE I

[See Regulation 2(c)(i)]

Ramp Handling

1. Aircraft handling:

- 1.1 Attendance
- 1.2 Marshalling
- 1.3 Parking
- 1.4 Starting
- 1.5 Safety measures
- 1.6 Mooring of Aircraft
- 1.7 Ramp to flight deck communication

2. Aircraft servicing:

- 2.1 Liaison for fuelling and defueling
- 2.2 Liaison with suppliers for replenishing of oil and other fluids
- 2.3 Cabin Equipment
- 2.4 Routine & Non-Routing services
- 2.5 Cooling & Heating
- 2.6 Storage of cabin material

3. Aircraft Cleaning:

- 3.1 Exterior cleaning
- 3.2 Interior cleaning
- 3.3 Toilet service
- 3.4 Water service

4. Loading or Unloading:

- 4.1 Loading and unloading of passenger baggage
- 4.2 Transshipment of passenger baggage
- 4.3 Operation of Loading/Unloading equipment
- 4.4 Position and removing of passenger stairs/bridges
- 4.5 Emplane/Deplane passengers

- 4.6 Break/Make-up of baggages
- 4.7 Bussing of passengers/crew
- 4.8 Bulk loading/unloading of baggage
- 4.9 Catering ramp handling
- 4.10 Load control
- 4.11 Communication
- 4.12 Flight operations
- 4.13 Crew administration
- 5. Cargo handling services:**
 - 5.1 Loading, off-loading, export, import and transshipment cargo on/from the aircraft.
 - 5.2 Mail handling services
 - 5.3 Operate/provide/arrange essential equipments for handling of cargo
 - 5.4 Transshipment of cargo
 - 5.5 Palletisation/containerization of cargo
 - 5.6 Break-up/Make-up of cargo container/unit load device
 - 5.7 Bulk loading or unloading
 - 5.8 Cargo and mail handling
 - 5.9 Customs control
 - 5.10 Documentation handling
 - 5.11 Physical handling outbound/inbound
 - 5.12 Transfer/transit cargo
 - 5.13 Post office mail
- 6. Support Services:**
 - 6.1 Accommodation
 - 6.2 Automation/Computer systems
 - 6.3 Unit load device (ULD) control
 - 6.4 Fuel farm (Depot)
 - 6.5 Ramp fuelling/defuelling operations
 - 6.6 Surface transport
 - 6.7 Catering services – liaison and administration
- 7. Aircraft Maintenance:**
 - 7.1 Routine services
 - 7.2 Replenishing of oils and fuels
 - 7.3 Non-routine services
 - 7.4 Material handling
 - 7.5 Parking and hanger space

SCHEDULE II

[See Regulations 2(c)(ii)]

Traffic Handling

1. Terminal Services:

- 1.1 Handling documents and load control
- 1.2 Passenger and baggage handling at the airport terminals
- 1.3 Cargo handling services at the airport terminals
- 1.4 Mail handling services at the airport terminal
- 1.5 Traffic services at the airport terminals including passenger check-in

2. Flight Operations:

- 2.1 Inform the carrier of any known project affecting the operational services and facilities made available to its aircraft in the areas of responsibility
 - 2.2 Flight preparation at the airport of departure
 - 2.3 Flight preparation at a point different from the airport of departure
 - 2.4 In-flight assistance
 - 2.5 Post flight activities
 - 2.6 In-flight re-dispatch
 - 2.7 Communication system associated with Ground Handling
 - 2.8 Material handling
- 3. Surface Transport:**
- 3.1 Arrangement for the transportation of passengers/baggages and cargo between separate terminals at the same airport.
 - 3.2 Arrangements for passengers or crew transport together with their baggage between airport and city or other agreed points
- 4. Representational Services:**
- 4.1 Liaison with local authorities
 - 4.2 Information to interested parties, movement of carrier aircraft
 - 4.3 Disbursement of payment on behalf of the carriers at all airports
 - 4.4 Supervision and administration services

ANNEXURE 1

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: 21-8-2009

AVSEC Order No. 03/2009

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

In exercise of powers conferred by Section 5-A 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 11-A of Aircraft Act, 1934.

This issues with the approval of Commissioner of Security (CA).

Sd/-

(M. Malaviya)

I.P.S

Addl. Commissioner of Security (CA)

Distribution: As per list attached.