

Bill Summary

The Bharatiya Vayuyan Vidheyak, 2024

- The Bharatiya Vayuyan Vidheyak, 2024 was introduced in Lok Sabha on July 31, 2024. The Bill seeks to replace the Aircraft Act, 1934. The Act regulates the civil aviation sector. It sets up three statutory authorities: (i) Directorate General of Civil Aviation (DGCA) for performing regulatory functions and overseeing safety, (ii) Bureau of Civil Aviation Security (BCAS) for overseeing security, and (iii) Aircraft Accidents Investigation Bureau for investigation of aircraft accidents. The central government may issue directions to these authorities and also review their orders, if necessary, in public interest. The Bill retains the regulatory structure and most of the provisions under the 1934 Act.
- **Regulation of design of aircraft:** The Act regulates various activities related to aircrafts including manufacturing, possession, use, operation, and trade. The Bill retains this and also seeks to regulate the design of aircrafts.
- **Powers to make Rules:** The Act empowers the central government to make Rules on several matters. These include: (i) regulation of specified activities related to aircrafts and matters related to licencing, certification, and inspection, (ii) regulation of air transport services, and (iii) implementation of Convention relating to International Civil Aviation of 1944. The Bill retains these provisions and adds that the central government may make Rules on radio telephone operator certificate and licences under the International Telecommunication Convention.
- **Appellate mechanism:** The Act allows the central government to impose penalties for contravention of Rules. It empowers the central government to appoint an officer for adjudication of penalties. This officer must be of the rank of the Deputy Secretary to Government of India or above. Decisions of the Adjudicating Officer may be appealed before an Appellate Officer, who must be of a higher rank than the Adjudicating Officer. The Bill retains this and adds an additional level of appeal. The appeal against the decisions of the First Appellate Officer will lie before the Second Appellate Officer. The Second Appellate Officer must be an officer of a higher rank than the First Appellate Officer.
- **Appeals against orders of DGCA and BCAS:** The Bill adds that appeals against an order of DGCA or BCAS will lie before the central government. No further appeals will be allowed against the central government's orders.

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