वायु यातायात नियत्रंक गिल्ड (भारत)
AIR TRAFFIC CONTROLLERS' GUILD (INDIA)

CC/ATCG/Operations/2022/05

3rd July, 2022

The Director General of Civil Aviation
Opposite Safdarjung Airport
Aurobindo Marg, New Delhi – 110003

{Kind Attention Sh. V. P. Singh Director (Operations)}

Sub: Request for exemption from WDTL CAR implementation for ATCOs.

Sir,

Reference may please be made to draft amendments in WDTL CAR placed on DGCA website for comments. The said amendments are proposed as AAI is unable to comply with WDTL CAR in place now due to ATCOs shortage.

As per ICAO DOC 9966 Manual for the Oversight of Fatigue Management Approaches, "recovery of normal sleep pattern after an accumulated sleep debt takes at least two nights of unrestricted sleep" which is further emphasized in Chapter 2, Page 2-27 "Operational Implication- Scheduling". Any safety critical task without addressing the sleep debt will adversely affect the quality of work and may compromise with safety.

While designing WDTL CAR, DGCA officials themselves have visited many manuals and documents of different countries to bring the minimum rest requirements in Indian aviation system for ATCOs for improved efficiency and better safety standards. A compromise with rest requirements in the name of shortage of ATCOs will not be a good practice.

The rest periods after night duty is nowhere dependent on aircraft movements in ICAO Doc as the officers performing night duty is neither allowed to sleep nor he shall be allowed to handle even a single aircraft with sleep debt as aviation sector has zero tolerance for any errors.

Due to COVID-19, the recruitments were at halt but recently AAI has completed a recruitment of 264 ATC officers who are under training now and will be available on airports by January 2023. Moreover, an advertisement of 400 ATCOs recruitment is already released and, in all probability, these 400 officers will be available at airports by December 2023. Looking into all these aspects it is expected that AAI will be able to comply with WDTL CAR in its current form and hence no amendments will be required as the proposed amendments are in violation to the recommended practices of ICAO Doc 9966 and also to the AAI committee report on WDTL based on which the provision of clear off was made for ATCOs as the 4 shift duty rosters (Afternoon-Morning-Night) earlier in practice were forcing ATCOs to work for 365 days a year without any weekly off.

In view of the above,

1. It is requested to grant an **exemption till January 2023** for WDTL CAR compliance.

2. It is also requested to kindly consider the suggestions attached (**As Appendix**) with this letter for safe and efficient run of operation without any compromise with safety.

03/07/22

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Assuring our best cooperation.

Regards

09/07/22

(Alok Yadav)
General Secretary

Copy to:

1. The Member (ANS), AAI, CHQ, Rajiv Gandhi Bhawan, New Delhi – 110003
2. The Executive Director (ATM), AAI, CHQ, Rajiv Gandhi Bhawan, New Delhi – 110003

GOVERNMENT OF INDIA

OFFICE OF DIRECTOR GENERAL OF CIVIL AVIATION

TECHNICAL CENTRE, OPP SAFDARJANG AIRPORT, NEW DELHI

CIVIL AVIATION REQUIREMENTS
SECTION 9 –AIRSPACE AND
AIR NAVIGATION SERVICES STANDARDS
SERIES L PART VII
DATED 21ST OCTOBER 2020

EFFECTIVE: 05th Nov 2020

F. No.: DGCA-21048/10/2018-ANS

Sub: Watch duty time limitations and rest requirements of air traffic services Personnel engaged in air traffic services.

1. INTRODUCTION

Rule 116 of the Aircraft Rules, 1937 stipulates that every holder of an Air Traffic controller's license shall follow the watch duty time limitations specified by the Director General.

This Civil Aviation Requirement (CAR) lays down the prescriptive limitation regulations in respect of air traffic services personnel engaged in Air Traffic Service and is issued under the provisions of Rule 133A of the Aircraft Rules, 1937.

2. APPLICABILITY

The watch duty time limitations contained in this CAR are applicable to ~~air navigation service provider~~ all Air Traffic Service provider(s) and licenced air traffic services personnel engaged in provision of air traffic service.

3. DEFINITIONS

Airport Acceptance Rate: - A dynamic parameter specifying the number of arriving aircraft that an airport, in conjunction with terminal airspace, ramp space, parking space and terminal facilities can accept under specific conditions during any consecutive 60-minute period.

Air Traffic controller Schedule: - A plan for allocating air traffic controller

duty periods and non-duty periods over a period of time, otherwise referred to as roster.

ATC capacity: - It is the maximum number of aircraft which can be accepted over a given period of time within the airspace or at the aerodrome concerned.

Note-The most appropriate measure of capacity is likely to be the sustainable hourly traffic flow. Such hourly capacities can, for example, be converted into daily, monthly or annual values.

Duty- Any task that an air traffic controller is required by an air traffic services provider to perform. These tasks include those performed during time-in-position administrative work and training.

Duty Period: Period which starts when an air traffic controller is required by an air traffic services provider to report for or to commence a duty and ends when that person is free from all duties.

Night Duty: A period of night duty shall be defined as starting at **0001** hrs. and ending at 0429 hrs. of Indian Standard Time for all airports.

Non-duty period / Rest Period: - A continuous and defined period of time, subsequent to and/or prior to duty, during which the air traffic controller is free of all duties.

Time-in-position (Operational duty): - The period of time when an air traffic controller is exercising the privileges of the air traffic controller's license at an operational position.

Unforeseen operational circumstance: - Unexpected conditions that could not reasonably have been predicted and accommodated, such as adverse weather, natural calamity, medical emergency, national requirement for relief and rescue operations (mission oriented), equipment malfunction, runway closure, which may result in necessary on-the-day operational adjustments.

4. AIR ~~NAVIGATION~~ TRAFFIC SERVICE PROVIDER'S RESPONSIBILITY

4.1 The ~~ANS~~ ATS provider should prepare and publish the **Air Traffic controller Schedule** /duty roster ~~sufficiently~~ at least five days in advance to provide air traffic services personnel the opportunity to plan adequate rest. The duty roster shall contain the date of publication and details of issuing authority (ATS -in-charge/WSO).

4.2 The ~~ANS~~ ATS provider shall ensure that watch duty time limitation is not exceeded and that non-duty period / rest period requirements are met, specified in this CAR.

4.3 The ~~ANS~~ ATS provider shall ensure that air traffic services personnel are

within the watch duty time limitation before permitting him to operate the watch.

4.4 The ~~ANS~~ ATS service provider shall identify a process for assigning unscheduled duties that allow the air traffic controllers to avoid extended period of being wake.

5. AIR TRAFFIC SERVICES PERSONNEL RESPONSIBILITY

An air traffic services personnel shall comply with the watch duty time limitations made as per Perspective limitation regulations as specified in the CAR.~~not perform duty beyond the watch duty time limitations.~~

6. WATCH DUTY TIME LIMITATIONS

~~DUTY PERIOD~~

~~Period which starts when an air traffic controller is required by an air navigation service provider to report for or to commence a duty and ends when that person is free from all duties.~~

6.1 Limit on duty period

6.1.1 The duty period shall not exceed 12 hours.

6.1.2 The aggregate of duty period hours shall not exceed 45 hours within a defined period of 144 consecutive hours or 6 consecutive days of duty.

6.2 Interval between duty period

6.2.1 There must be at least 11 hours between the end of one duty period and the beginning of the next duty at airports having more than ~~100~~ 50 aircraft movements per day.

6.2.2 There must be at least 7 hours between the end of one duty period and the beginning of the next duty at airports having aircraft movements more than ~~30~~ 20 but less than ~~100~~ 50 per day.

6.2.3 At other airports, where only morning and/or evening shift pattern is followed or split watch hours during the day, there must be at least 5 hours between the end of one duty period and the beginning of the next duty at ATC units where workload for any part of the day is less and the activity is spasmodic rather than continuous.

Note: Aircraft movement - The number of average daily aircraft movements Schedule/Non-Schedule within the airspace of that airport in preceding two years taken on 1st October of each year.

~~There must be at least 12 hours between the end of one duty period and the beginning of the next duty.~~

6.3 Limit on and interval following Consecutive duty period

6.3.1 The air traffic personnel shall not be rostered or called to perform Air Traffic Control duty in a continuous stretch of more than six days. ~~No more than 6 consecutive days of duty shall be worked.~~

6.3.2 If the maximum number of consecutive days of duty is rostered, there shall be a minimum interval of 24 hours between the end of one consecutive period of duty and the next.

Note: This when read in conjunction with proposed 29 hr break after night duties, it is possible that this CAR in this form will empower ATS Provider to force the controllers to work for 365 days without break. For example, controllers working in Afternoon, Morning, Night Shift patterns may be rostered like (A,M,N,NightOff,A,M,N,NightOff) indefinitely and it will still be legal as per this CAR while providing no day off to controllers at all.

6.4 OPERATIONAL DUTY (Time-in-position)

The period during which an air traffic controller is exercising the privileges of the licence at an operational position.

6.4.1 Limit on operational duty

No period of operational duty shall exceed 2 hours except during the period from 2230 hrs. to 0600 hrs.

In the period from 2230 hrs. to 0600 hrs. the operational duty shall not exceed 4 hours. However, the operational duty shall not exceed 8 hrs. at airports having less than 4 aircraft movements during this period.

~~No period of operational duty shall exceed 2 hours, wherever~~

a) ~~H24 operations are in place in an ATC unit; or~~
b) ~~The number of aircraft movement is more than the 50% of defined Airport Acceptance Rate/ ATC unit capacity; or~~
c) ~~Any other criteria established by ANSP for this purpose and~~ approved by DGCA.

6.4.2 Break in operational duty

6.4.2.1 No operational duty shall exceed 2 hours, without there being a break not less than 30 minutes (during which the air traffic controller is freeof all duties), taken during or at the end of that period,however during the period between 2230 to 0600 hrs. the break at the end of duty will be provided on pro-rata basis (e.g. 120 minutes after 3 hours or 240 minutes after 4 hours) except at airports ~~having less than 4 aircraft movements during~~ this period Subject to condition mention in the para 6.2.1~~of this CAR.~~

6.4.2.2 At ATC units where workload for any part of the day is less than

the 50% of defined Airport Acceptance Rate/ ATC unit capacity and the activity is spasmodic rather than continuous, periods of operational duty, at these times, may be extended to a maximum of four hours, provided that the following break is taken pro-rata (e.g. 45 minutes after 3 hours or 60 minutes after 4 hours. This period may be extended upto 5 hrs. to cater to airport with watch hours upto 6 hours, provided there will be a break of minimum 5 hours after the above duty).

~~**NIGHT DUTIES**~~

~~A period of night duty shall be defined as starting at 0130 local and ending at 0529 local, except for the Air Traffic Service Units in the North Eastern States where the night duty shall be defined as starting at 1230 local and ending at 0429 local.~~

6.4.3 Limit on night duty

a) A duty which covers all or part of the period of night duty shall not exceed 12 hours.

b) No more than 3 consecutive duties shall be worked which cover all or part of the period of night duties.

6.4.4 Interval after night duties

~~a)~~ A minimum period of 46 hours (Two local nights) shall occur between the end of duties which cover all or part of the period of night duty and the commencement of the next period of duty. ~~However, this period may be reduced to 29 Hrs. at airports having less than 100 aircraft movements per day (Number of average daily aircraft movements Schedule/Non-Schedule in preceding two years taken on 1st October of each year).~~

Justification:–ICAO DOC 9966 says that a "recovery of normal sleep pattern after an accumulated sleep debt takes at least two nights of unrestricted sleep" which is further emphasized in Chapter 2, Page 2-27 "Operational Implication- Scheduling". Sleep debt has no relation with aircraft movements. Any safety critical task without addressing the sleep debt will adversely affect the quality of work and may compromise the safety.
The minimum period of 46 hrs(two local nights) shall be applicable to all ATS units after a period of night duty, irrespective of the number of movements, as it is the *sleep debt* which affects the next duty.

~~b) A minimum period of 24 hours (One local night) shall occur between the end of duties which cover all or part of the period of night duty and non-operational duties like Simulator training, Refresher training, Skill~~

~~enhancement/ evidence-based training etc.~~

~~A minimum period of 48 hours shall occur between the end of duties which cover all or part of the period of night duty and the commencement of the next period of duty.~~

7 VARIATION FROM WATCH DUTY TIME LIMITATIONS

7.1 By the DGCA

7.1.1 The DGCA at its discretion may vary any limitations provided in the CAR. Such variations may be made either as a requirement of the DGCA, or in exceptional or extraordinary circumstances, on the request of an Air

Traffic Service Provider. The application for variation shall be communicated in writing to DGCA.

7.1.2 The application of variation from watch duty time limitations shall include the following details;

a) The published operational hours of the unit/station;
b) The reason for the need to deviate;
c) The extent of the deviation;
d) The period/date and time of enactment of the deviation;
e) A safety case, outlining mitigations, to support the deviation,
f) Such other information considers to be relevant.

7.1.3 Variation from watch duty time limitations may be made or granted by DGCA upon such conditions, duration as considered appropriate.

7.2 By the Air navigations services provider

7.2.1 In Unforeseen Operational circumstance at ATS station ~~an air navigations services provider with prior approval of Member (ANS~~) ATS-in-charge/WSO (Watch Supervisor Officer) may modify watch duty time limitations at a unit and obtain ex-post facto approval of Member (ANS). Such modification may only be made to overcome unforeseen difficulties at the unit, provided that modification only be made if the safety and effectiveness of Air Traffic Control will be maintained. All the records of ex-post facto approval shall be kept for a period of 24 months.

8. RECORDS

8.1 The ATS provider to ascertain that the prescriptive limitation regulations are functioning, therefore the records shall be kept for 24 months of the duties performed and rest periods provided.

8.2 The ATS provider shall ensure that these records include for each air traffic services personnel at least:

8.2.1 The start, duration and end of each Operational duty period;
8.2.2 The start, duration and end of each duty period;
8.2.3 Non-duty periods /rest periods.

9. Oversight

DGCA may carry out inspection/audit of ATS provider/ air traffic services personnel at any time to ensure compliance of the provision of the CAR. Relevant records and log books shall be provided promptly to DGCA officers during such inspections / audits.

Director General of Civil Aviation