



# Bharatiya Vayuyan Vidheyak Bill 2024

**For Prelims:** [Parliament](#), [Directorate General of Civil Aviation](#), [Bureau of Civil Aviation Security](#), [Article 14 of the Constitution](#), [Ude Desh Ka Aam Naagrik](#), [Foreign Direct Investment](#), [Digi Yatra](#)

**For Mains:** Bharatiya Vayuyan Vidheyak Bill, 2024, Sustainability in Aviation, India's aviation sector

[Source: TH](#)

## Why in News?

Recently, the [Parliament](#) passed the **Bharatiya Vayuyan Vidheyak (BVV) Bill, 2024**, which seeks to replace the [Aircraft Act, 1934 \(last amended in 2020\)](#), and bring major reforms to the [aviation sector](#).

## What are the Key Features of the Bharatiya Vayuyan Vidheyak Bill, 2024?

- **Aircraft Act 1934:** The Bill retains the provisions from the **Aircraft Act, 1934**, which established the [DGCA \(Directorate General of Civil Aviation\)](#), [BCAS \(Bureau of Civil Aviation Security\)](#), and [AAIB \(Aircraft Accidents Investigation Bureau\)](#).
  - These bodies will continue to oversee safety, security, and accident investigations, respectively.
  - The Bill provides a mechanism for **appeals against the orders of DGCA or BCAS to the central government**, which will be the final authority.
- **Single Window Clearance:** The BVV Bill, 2024, moves the responsibility for managing **Radio Telephone Operator Restricted (RTR) certifications** from the Department of Telecom (DoT) to the DGCA.
  - This change aims to streamline the licensing process for aviation personnel and address **corruption in the DoT's RTR exams**, ensuring more transparency under the DGCA's oversight.
    - RTR certification, or RTR (A) for aeronautical purposes, is a license certifying a **person's qualification to use radio communication equipment on an aircraft**, primarily for air traffic control communication. It is mandatory for pilots in India.
- **Regulation of Aircraft Design:** The Bill empowers the DGCA to regulate not only the manufacture, repair, and maintenance of aircraft but **also the design and locations where aircraft are being designed**.
  - With these new powers, the DGCA can ensure more comprehensive and efficient oversight of the aviation sector in India.
- **Arbitrator Appointment:** The Bill allows the Central government to **unilaterally appoint an arbitrator** (a person who is or has been qualified for appointment as a [Judge of a High Court](#)) to resolve compensation disputes related to land acquisition near airports.

## What are the Concerns Regarding the BVV Bill, 2024?

- **Lack of Independence of DGCA:** The Bill keeps the DGCA under direct government control, unlike independent regulators, **and** the Bill does **not specify the qualifications or tenure of the DGCA head**, which could result in potential conflicts of interest and influence from the central government.
- **Arbitration Process Issues:** The unilateral appointment of an arbitrator for compensation disputes may **violate the right to equality under Article 14 of the Constitution**, as it undermines the impartiality and independence of the arbitration process.
  - The **Supreme Court** stated that such appointments could **violate the right to equality** due to concerns about impartiality.
  - By exempting the Bill from the **Arbitration and Conciliation Act, 1996**, the government risks bypassing standardised arbitration processes, leading to potential inconsistencies in adjudication.
- **Penalty Framework:** The Bill allows the **central government to set penalties** for aviation offenses, raising concerns about potential inconsistency and fairness due to executive discretion rather than fixed legal guidelines.

## Arbitration and Conciliation Act, 1996

- Arbitration is a method of resolving disputes between parties outside of the court system. It's an **alternative dispute resolution (ADR)** method, along with conciliation and mediation.
- Arbitration in India is governed and regulated by the **Arbitration and Conciliation Act 1996 (which is amended in 2015, 2019 and 2021)**.
  - The 2019 Amendment Act aims to establish the **Arbitration Council of India (ACI)** for grading arbitral institutions and accrediting arbitrators. However, ACI has not yet been formally established and operationalized.

## What are the Implications of BVV Bill, 2024 for the Aviation Sector?

- **Streamlined Licensing:** Bringing RTR certification under DGCA control aims to reduce corruption and delays in the certification process.
- **Improved Oversight:** Expanded powers to regulate aircraft design and enforce penalties could enhance safety and compliance.
- **Regulatory Challenges:** Concerns over the lack of independence for DGCA and government centralization may affect fairness and transparency.
- **Regulatory Burden on Private Airlines:** Imposes severe penalties for offenses like dangerous flying, with fines up to one crore rupees and imprisonment, though the discretionary power for penalties raises concerns.
  - New compliance requirements may increase costs for private operators.

## What is the Scenario of India's Aviation Industry?

- **Rapid Growth in Passenger Traffic:** Domestic air traffic in FY23 reached **306.79 million** passengers, a **13.5% YoY growth**, while international traffic rose **22.3%** to **69.64 million** passengers.
- India is the third-largest domestic aviation market after the US and China.
- **Expanding Infrastructure:** Operational airports increased from 74 in 2014 to 157 in 2024, with a goal of 350-400 by 2047.
- **Fleet Expansion:** Indian carriers added **112 new aircraft** in 2023, bringing the total to **771 planes**, with plans to reach **1,100 by 2027**.
- **Market and Revenue Growth:** India's aviation revenue is expected to grow by **15-20% in FY24** and **10-15% in FY25**.
  - Freight traffic showed steady growth, with domestic freight at **1.32 million tonnes** and international freight at **2.04 million tonnes** in FY24.

## What are India's Initiatives Related to the Aviation Industry?

- **Policy Interventions:**
  - **National Civil Aviation Policy 2016:** The [NCAP 2016](#) aims to make flying accessible to the masses by enhancing affordability and connectivity, promoting ease of doing business, deregulation, simplified procedures, and e-governance.
    - The [Regional Connectivity Scheme-Ude Desh Ka Aam Naagrik \(UDAN\)](#), is a key component of NCAP 2016.
  - **UDAN-RCS Scheme:** Aims to improve regional air connectivity; operationalized **519 routes** and benefited over **13 million passengers**.
  - **FDI Policy:** The Centre allows **100% Foreign Direct Investment(FDI) in aviation sectors** like air transport and Maintenance, Repair, and Overhaul (MRO).
- **Infrastructure Modernization:** Initiatives like [Digi Yatra](#) and [NABH Nirman](#) enhance operational efficiency and passenger experience.
  - **21 Greenfield Airport projects** have been approved, with 11 operationalized by 2023 (**Donyi Polo Airport, Itanagar, Arunachal Pradesh is the first greenfield airport in India**).
    - Greenfield airports are aviation facilities built from scratch on undeveloped land, designed with **eco-friendly features to minimize environmental impact**.
- **Sustainability Efforts:** Airports like Delhi and Mumbai achieved [Level 4+ Carbon Accreditation](#).
  - 73 airports fully use [green energy](#), with [solar energy](#), and new greenfield airports prioritize [net-zero emissions](#).

## Way Forward

- **Transparent Arbitration Framework:** Introduce **independent third-party oversight** for compensation disputes to uphold the constitutional **right to equality under Article 14**.
- **Strengthening Regulatory Independence:** Consider restructuring the DGCA to function as an autonomous regulatory body to enhance impartiality and credibility.
- **Consistent Penalty Framework:** Develop a clear and consistent framework for penalties related to aviation offenses, reducing the scope for executive discretion and ensuring fairness.
- **Inclusive Consultation Process:** Engage with stakeholders, including airlines, aviation personnel, and the public, to gather feedback and address concerns. This can help build consensus and ensure the Bill's provisions are practical and effective.

### **Drishti Mains Question:**

Discuss the significance of the Bharatiya Vayuyan Vidheyak, Bill 2024, and its implications for India's aviation sector.

## UPSC Civil Services Examination, Previous Year Questions (PYQs)

### **Mains**

**Q.** Examine the development of Airports in India through joint ventures under Public-Private Partnership (PPP) model. What are the challenges faced by the authorities in this regard? **(2017)**