

(6) In sub-rules (4) and (5) of this rule—

(i) "night" means the period commencing one hour after sunset and terminating one hour before sunrise;

(ii) "flight over the high seas" means a flight in the course of which an aircraft finds itself over the sea at a distance of more than 50 miles from the nearest point of the coast; and

(iii) "recognized route" means a route which has been recognized by the Director-General of Civil Aviation in India as being suitably marked, or adequately provided with wireless facilities, with a view to assist navigation.

(7) *Radio-Telegraph Operator's Licence*.—An aircraft which is required by these rules to carry radio-telegraph apparatus shall carry, in addition to the pilot and whether or not it participates in the international service of public correspondence, a person holding either a first class or a second class radio-telegraph operator's licence issued in accordance with this Part to operate radio-telegraph apparatus on aircraft.

(8) *Radio-Telephone Operator*.—An aircraft which is required by these rules to carry radio-telegraph apparatus and which communicates by radio-telephony, shall carry a person holding a first class radio-telegraph operator's licence:

Provided that an aircraft which carries radio-telephone apparatus and which communicates solely by radio-telephony, may carry, instead of a person holding a first class radio-telegraph operator's licence, a radio-telephone operator licensed in accordance with this Part to operate radio-telephone apparatus on aircraft.

39. Licensing authority.—The authority by which the licences referred to in rule 38 may be granted renewed or varied shall be the Central Government which may withhold the grant or renewal of a licence if for any reason it considers it desirable to do so.

39A. Disqualification from holding or obtaining a licence.—(1) where the licensing authority is satisfied, after giving him an opportunity of being heard, that any person—

(a) is a habitual criminal or is habitually intemperate in the use of alcohol, or is an addict of narcotics, drugs, etc., or

(b) is using, has used or is about to use an aircraft in the commission of a cognizable offence or in contravention of these rules, or

(c) has, by his previous conduct as member of the crew of an aircraft, shown that he is irresponsible or is likely to endanger the safety of the aircraft or any person or thing carried therein, or of other aircraft or of persons or things on the ground, the licensing authority may, for reasons to be recorded in writing, make an order disqualifying that person for a specified period from holding or obtaining a licence.

(2) Upon the issue of any order under sub-rule (1), the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority, if the licence has not already been surrendered, and the licensing authority shall keep it until the disqualification has expired or has been removed.

39B. Medical requirements.—(1) On and from the 1st April, 1956, no licence required for any of the personnel of an aircraft referred to in rule 38, shall be issued, nor shall any such licence issued after