



BUSINESS AIRCRAFT OPERATORS ASSOCIATION

Ref. No. BAOA/AERA/01/2017-18

February 21, 2018

Secretary,
Airports Economic Regulatory Authority of India,
AERA Building,
Administrative Complex,
Safdarjung Airport
New Delhi - 110 003

Subject:- Comments on AERA Consultation Paper 43/2017-18

Madam,

Please refer your Consultation Papers 43/2017-18

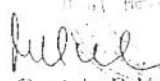
The following comments are offered:-

- (i) AERA has adopted 'light touch approach' for deciding the aeronautical tariff for AIATSL at Mumbai International Airport due to service deemed as 'material and competitive'. However, there is a lack of reasonability in charges being proposed at the airport due to no transparent and documented process of stakeholder's consultation. This situation doesn't conform to provision of 'competition laws' and the latest GH Policy of the GOI (Please refer para 3(d) of the Gazette of India F.No. AV-24031/8/2017-AAI-MoCA dated 15 December 2017). While assessing reasonableness of existing user agreements, AERA has concluded that there has no complaint from 'users' regarding User Agreements. This presumption by the authority could prove to be faulty as the users are mostly unaware of their rights at public airport and consider the mentioned charges in User Agreement as '*fait accompli*' without any redressal. Therefore, AERA is requested to seek specific comments from users on 'User Agreements' before presuming their reasonableness.
- (ii) The 'service provider' has also not conducted any stakeholders consultation, which is critically important to ensuring reasonability of tariff in 'light touch approach'
- (iii) In view of the above, it is required to rationalise GH charges through a transparent process of stakeholders consultations and objective feedback. There is a need to restructure the charges based on limited GH services required by small aircraft. AIATSL be asked to offer rates in baskets starting from minimum charges for limited GH services essential for small aircraft movements.
- (iv) Annex V of CP 43/2017-18 doesn't include charges for smaller code 'A' & 'B' aircraft. Please see the attached ICAO codes for reference. This needs to be included for the benefit of NSOP operators.
- (v) Finally, it is the time AERA disallows levying of royalty / revenue share, in any form, at all public airports. In this regard, please refer BAOA letter Ref. No. BAOA/AERA/01/2017-18 dt. 01 May 2017 sent in response to AERA CP 08/2016-17 (copy attached).

We are readily available for any further discussion/clarification on this issue.

Thanking you

For Business Aircraft Operators Association


Gp. Captain R.K. Bali (retd.)
Managing Director

Enclosed:- Letter Ref. No. BAOA/AERA/01/2017-18 dt. 01 May 2017

Rohit Kapur
President

Pradeep Agarwal
Vice President

Gp. Capt. Rajesh K Bali (retd.)
Managing Director

Mr. Harsh Vardhan Sharma
Treasurer