



## FEDERATION OF INDIAN PILOTS

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15th September 2025

To:

Capt. Shweta Singh  
Chief Flight Operations Inspector  
Flight Standards Directorate  
Directorate General of Civil Aviation (DGCA)  
New Delhi

**SUBJECT: FIP'S FEEDBACK ON DRAFT OPERATIONS CIRCULAR ON  
FATIGUE RISK MANAGEMENT SYSTEM**

Dear Capt. Shweta Singh,

- 1) This letter is in response to the draft circular on the implementation of a Fatigue Risk Management System (FRMS), circulated for comments and suggestions. The Federation of Indian Pilots (FIP), the preeminent representative body for professional pilots in India, has conducted a thorough review of the proposed framework.
- 2) While FIP fully supports initiatives that enhance safety through the evolution of fatigue management strategies grounded in robust scientific principles, we must assess if the current operational conditions and culture prevailing in our country support a transition to a data-driven fatigue management system where all data and decisions are controlled by the operator. This submission articulates our formal and unequivocal opposition to the draft circular in its current form. It is our expert assessment that the proposal is procedurally flawed, foundationally unsafe in the current Indian aviation context, and dangerously premature.

### **PROCEDURAL INVALIDITY AND LEGAL CONFLICT**

- 3) The FDTL framework in India is governed by CAR Section 7 Series J Part III, which was the culmination of a protracted struggle by the pilot community to establish mutually agreed and enforceable safety limits, a process that necessitated the intervention and directions of the Honourable Delhi High Court. The DGCA's proposal to introduce a parallel, "flexible" FRMS framework via a subordinate instrument like an Operations Circular is deeply disconcerting. The proper and legally mandated instrument for such a fundamental change in safety policy is a Civil Aviation Requirement (CAR), which ensures legislative rigour, transparency, and a statutory right for all stakeholders to be heard through a wide-body consultation process.



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- 4) Importantly, as the FDTL issue was sub-judice with court directions requiring implementation of the current CAR, it is legally incorrect to implement a parallel legislation that totally changes the context of the current CAR, thereby undermining the directions issued by the Honourable Court.

### UNPROVEN REGULATORY READINESS

- 5) A performance-based system like FRMS demands a commensurate increase in the capability of the regulator. ICAO, in its foundational guidance document, Doc 9966, establishes clear preconditions, stating unequivocally: *"The oversight of FRMS, as a performance-based approach, requires extra resources, and a well-trained State inspectorate... before providing FRMS regulations, the State needs to be confident that it has robust, scientifically-based prescriptive limitation regulations... potential safety benefits may be reversed if the State does not have the resources to develop the supporting regulatory processes and provide the necessary oversight."* This guidance makes it clear that a stable, robust, and effectively enforced prescriptive system is a non-negotiable prerequisite. The Indian aviation sector fails to meet this standard. The current FDTL CAR is still in a nascent, phased implementation stage, with the second phase yet to commence from 1<sup>st</sup> Nov 2025. It cannot be considered a "robust" baseline. A minimum stabilization period of 6-9 months *after* full implementation is essential to identify and rectify operational issues and potential loopholes. To rush towards FRMS now is to build a complex structure on an unstable foundation, a direct contradiction of ICAO's cautionary advice. This is compounded by the DGCA's manifest inability to effectively enforce the existing, simpler prescriptive rules, as evidenced by its own findings of "systemic lapses" at a major carrier and consistent reports of widespread FDTL violations. The DGCA must first demonstrate 100% effective oversight of the current CAR, *after* its complete implementation and stabilization, before it can be considered competent to embark on the significantly more demanding task of FRMS oversight.

### NON-COMPLIANT AVIATION ECOSYSTEM

- 6) The success of an FRMS is critically dependent on a mature safety culture, particularly a "just culture" where open and honest reporting is encouraged without fear of reprisal. The Indian aviation ecosystem currently lacks this prerequisite. The prevailing culture within many operators is punitive; There are some instances where legitimate fatigue reports submitted by pilots have been reclassified by management as 'sick leave', a clear attempt to suppress safety data. Furthermore, there is overwhelming evidence of systemic non-compliance with existing FDTL regulations, with operators routinely scheduling to the absolute legal limits as a matter of standard practice. Pilots consistently report that their mandated rest periods are violated by calls from

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scheduling departments during rest period and that un-accounted transport delays significantly erode their actual sleep opportunities.

- 7) There was a swift and strong resistance from airline operators to the FDTL CAR Rev.1 dt 8<sup>th</sup> Jan 2024 to be implemented from June 1st, 2024 —a regulation that enhances safety by decreasing pilot fatigue which required the intervention of the Honourable High Court for its phased implementation (which is not implemented fully till date, Nov 1<sup>st</sup> 2025 being second phase implementation date)—is a matter of public record, due to operators citing a lack of readiness. Operators justified this resistance by citing numerous purported operational and financial implications, effectively arguing against a safety regulation on commercial grounds. This very behaviour provides irrefutable evidence of a culture where safety is readily compromised at the cost of operational and financial considerations. To grant these same operators the "flexibility" to manage their fatigue risks partially or fully under a FRMS would be an act of profound regulatory negligence.

### **THE DANGEROUS FALLACY OF "EQUIVALENT LEVEL OF SAFETY"**

- 8) The philosophical cornerstone of the draft circular, articulated in Para 6.2, is that any FRMS implementation must demonstrate an "equivalent or higher level of safety" compared to the existing prescriptive FDTL regulations. While the current FDTL CAR provides the established baseline for safety, the very purpose of a data-driven, performance-based system like FRMS should be to build upon and enhance this foundation, not merely to replicate it. The operational flexibility afforded by an FRMS comes with the significant responsibility for an operator to prove that their system yields a tangible safety benefit. Therefore, simply achieving "equivalence" to the prescriptive baseline is not a sufficient justification for deviating from it; the standard must be elevated to "demonstrably superior," requiring a quantitative safety case showing a marked and measurable improvement in safety outcomes.
- 9) These foundational issues are compounded by numerous ambiguities and loopholes within the specific text of the draft circular. The document is replete with subjective and undefined terms that create loopholes for operators. For instance, Para 1.2 states an application will be considered only where an operator has an "effective and successful" FSAG, yet fails to provide objective criteria for these terms. Para 3.2 makes the dangerously inaccurate assertion of "increasing industry maturity," a premise directly contradicted by the DGCA's own findings. Similarly, Para 14.1.a calls for "Enhanced fatigue monitoring" during irregular operations, a vague and unenforceable term precisely when clear, prescriptive rules are most needed.



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### **FLAWED TRANSITION PROVISIONS**

- 10) The draft circular's provisions for transition are inconsistent and create significant safety loopholes. Specifically, Para 9.1.5 proposes a "Graded Approval Rollout" by establishing an initial "Pilot Cohort" of two or three major operators. This approach is fundamentally flawed, as it risks allowing a commercially-driven or weak FRMS, a trial done and approved for a large airline with extensive resources, to be used as a template across the industry. Given that two major operators in India command a market share that includes approximately 80% of the pilot workforce, a precedent set by them would effectively become the national standard by default, marginalizing the unique operational contexts of smaller carriers. A more prudent and effective approach would be to roll out the pilot project with two or three small-to-medium-sized operators, as this would provide a more realistic assessment of the challenges of implementing FRMS in varied operational environments and ensure that the resulting framework is scalable and safe for the entire industry, not just the dominant players.

### **BYPASSING THE APPROVED FRAMEWORK: THE ISSUE OF UNOFFICIAL ROSTERING POLICIES**

- 11) A significant and persistent issue that undermines the integrity of the current regulatory framework is the widespread practice among operators of using internal documents, often titled "rostering policies" or similar, for the day-to-day scheduling of pilots. These internal documents contain crucial rules, interpretations, and practices that directly impact flight and duty times but are not part of the FDTL scheme officially approved by the DGCA. The approved FDTL scheme should be the sole and comprehensive document governing all aspects of pilot rostering within an organization, ensuring transparency and auditable compliance. By allowing these unapproved, parallel policies to exist, a significant portion of the rostering process operates outside of formal regulatory oversight. Despite being aware of this practice, the DGCA has not taken decisive action to compel operators to integrate these policies into their approved FDTL schemes. This regulatory gap allows operators to create and modify rostering rules without scrutiny, directly compromising the enforceability of established fatigue management regulations and further demonstrating that the industry lacks the foundational compliance culture necessary for a more complex, performance-based system like FRMS.

### **EXCLUSION OF INDEPENDENT CREW REPRESENTATION**

- 12) The most critical failure of the draft is its systemic exclusion of any form of mandated, independent pilot representation. Para 10.1.g specifies the Fatigue Safety Action Group (FSAG) should include a "Line Pilot" from the operator's

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own department. A pilot who is a direct employee appointed by management cannot be considered an independent voice. This contradicts global best practices from bodies like the European Cockpit Association and IFALPA, which insist that independent crew representatives are a prerequisite for a legitimate FRMS. Without the mandatory inclusion of a nominated representative from a pilot body in every operator's FSAG and the DGCA's Task Force, the entire FRMS structure lacks legitimacy, transparency, and the expertise required to function safely.

- 13) The framework creates inherent conflicts of interest by entrusting profit-driven operators with sole control over the entire fatigue risk management process. This is exacerbated by the reliance on Biomathematical Fatigue Models (BMMs), which have significant limitations and can be used to lend a veneer of scientific legitimacy to commercially-driven rosters. In a punitive culture where fatigue reporting is suppressed, the data fed into these systems will be inherently flawed, creating a self-perpetuating cycle where a tool intended for safety becomes a mechanism for justifying increased risk.
- 14) The circular also contains provisions that unfairly shift responsibility. Para 5.3 holds flight crew responsible for "making optimum use of non-work periods to get adequate sleep," ignoring systemic, operator-controlled factors like transport delays and calls during rest periods that prevent this. This clause could be used by operators to absolve themselves of responsibility for fatiguing rosters by blaming pilots, creating a chilling effect on fatigue reporting.

### FIP'S POSITION AND RECOMMENDATIONS

- 15) Based on our comprehensive review, FIP proposes a constructive path forward built on the following non-negotiable principles and recommendations.

#### **a) A Collaborative CAR-Based Approach**

The introduction of FRMS must be a carefully managed evolution, not a regulatory shortcut. We insist that FRMS be kept genuinely voluntary and flexible, and that its framework be established as part of a revised Civil Aviation Requirement (CAR), not merely an Operations Circular. This is the only legally sound method to ensure a process of wide-body consultation with the pilot community, which is mandatory before any such fundamental shift in safety policy is implemented.

#### **b) Mandated Independent Pilot Representation**

A successful FRMS is built on trust and collaboration. To ensure this, it is imperative to mandate the involvement of independent pilot bodies, in every operator's Fatigue Safety Action Group (FSAG) and in all DGCA-level fatigue oversight committees and task forces. The presence of an employee "line



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pilot" who is appointed to the FSAG by the operator is insufficient and does not constitute independent representation. This is the global standard and the only mechanism to ensure genuine oversight, data integrity, and the confidence of the flight crew.

### **c) DGCA Readiness and Roster Stability**

Before any operator is permitted to roll out an FRMS, two critical preconditions must be met. First, the DGCA must transparently demonstrate its own readiness by strengthening its surveillance capacity with a well-trained, specialized inspectorate, as mandated by ICAO Doc 9966. Second, operators must be required to demonstrate a sustained period of stable roster patterns as a precondition for FRMS approval. Since FRMS is fundamentally a data-driven and proactive approach, it requires operators to utilize data-driven insights for scheduling. Therefore, before being permitted to adopt such a system, operators must first prove their capability for this level of proactive management. This can be demonstrated by their ability to provide stable, published rosters for the entire month under the existing prescriptive regulations, thereby proving they can effectively manage resources without constant reactive adjustments.

### **d) Safeguards for Pilots**

A data-driven system must be built on a foundation of trust. We recommend that all data collection be strictly limited to proportionate, privacy-compliant methods, with the informed consent of the flight crew. Furthermore, to foster the "just culture" necessary for honest fatigue reporting, the framework must include robust, independent grievance mechanisms and explicit whistleblower protections for pilots who submit fatigue reports. Without these safeguards, reporting will be suppressed, and the FRMS will fail. To ensure uncorrupted data collection and immediate, transparent oversight, we strongly recommend integrating a dedicated fatigue reporting module within the e-GCA portal, which would automatically transmit any report filed by a pilot simultaneously to both the DGCA and the respective operator.

### **e) Ensuring Independent Oversight**

To prevent inherent conflicts of interest, the role of the Flight Standards Directorate (FSD) must be carefully managed to separate the functions of FRMS approval from the ongoing policing of the system. We must express grave concern over this proposed oversight structure, given the current regulatory environment. There are instances where, even under the existing prescriptive FDTL, violations by operators are being regularized, or are recommended for regularization, by the very bodies meant to enforce them. In such a state, entrusting the same oversight body with the sole authority to police a flexible, operator-data-driven FRMS would be perilous. It would shift the oversight from a matter of compliance to one of faith—faith that the



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operator's data is complete, that their analysis is unbiased, and that commercial pressures have not influenced their safety case. Therefore, we must insist that the monitoring of any approved FRMS cannot be the sole purview of the operator or the regulator. It must be a joint responsibility, formally shared between the operator and the pilot community. This collaborative oversight is not merely a recommendation but an essential safeguard to ensure transparency, accountability, and to mitigate the risk of commercial pressures compromising safety in a system where regulatory enforcement has already shown vulnerabilities.

### CONCLUSION

16. The draft Operations Circular on FRMS is fundamentally flawed in its legal procedure, its timing, and its substance. It proposes a complex solution for an ecosystem that has not yet mastered the basics, ignores the operational realities of Indian aviation, bypasses essential legal safeguards, and fails to incorporate the most critical element of a successful FRMS: the independent, expert voice of the flight crew.
17. The circular as written is not a step towards enhanced safety; it is a blueprint for regulatory ambiguity and commercial exploitation that will, in our expert assessment, lead to a degradation of safety margins. We strongly urge the Director General of Civil Aviation to heed the serious concerns outlined in this submission, withdraw this flawed proposal, and embrace the constructive path forward we have proposed—a path of partnership to build a fatigue management framework that is truly world-class, legally sound, and genuinely enhances safety.

Yours Sincerely,

Capt C.S. Randhawa  
President - FIP