

Surveillance Policy and Procedure Manual



Civil Aviation Authority of Nepal
Flight Safety Standards Department

Surveillance Policy and Procedure Manual

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Surveillance Policy and Procedure Manual

PREFACE

The surveillance policy and procedures manual has been prepared for the use and guidance of CAA Nepal Inspectors in the performance of their duties with respect to the surveillance requirements. It is designed to provide foundation for promoting safety through regulation and a proactive safety oversight system, as envisioned. The provision of this manual shall apply to the surveillance activities on all operators, service providers and other organization approved by CAA Nepal.

All subject matters pertaining to Flight Safety Standards Department, regarding surveillance, their duties, responsibilities and procedures have been covered to the extent possible. Inspectors are expected to use good judgment while dealing with the matters where specific guidance is not available.

The manual will be updated from time to time based on suggestions/ inputs received.



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Chapter 1

General

1.1 Introduction

The Civil Aviation Authority of Nepal (CAA Nepal) is the regulatory body in the field of civil aviation. It is responsible for regulation of air transport services to/from and within Nepal, formulation and enforcement of civil air regulations, air safety and airworthiness standards, and also co-ordinates all regulatory functions with International Civil Aviation Organization (ICAO).

1.2 Organization

CAA Nepal was established as an autonomous regulatory body on 31st December, 1998 with Civil Aviation Authority of Nepal Act 1996 and it has its Head office in Babarmahal, Kathmandu, Nepal. The organization structure of CAA Nepal is given below:

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1.3 Surveillance Policy

The purpose of surveillance is to determine whether compliance with regulations and standards is being maintained, in relation to the approved provisions in the Operator's Manual or exposition required to be submitted (for acceptance/approval by CAA Nepal) under the organization approval process, and maintained during the validity of the certificate. The rules place emphasis on this exposition and the management and quality assurance systems that show how the organisation will stay in compliance.

In this connection, it is vital to keep in mind the difference between compliance and enforcement. Compliance consists of all regulations and safety standards being met. When compliance exists, there is no need for enforcement. Enforcement is the action necessary when compliance is not present. Enforcement requires legal or administrative action.

During the surveillance the focus is on checking what is being done, against what the organisation says it will do, as set out in the manual(s). The procedures set out in the organisation's manual will be a combination of those required to maintain compliance with regulatory (minimum) standards, and those arising from company (additional) standards activities. A deviation from procedures required to maintain compliance with the minimum standards is a finding of non-compliance, and a finding of nonconformance in other cases, and the corrective action will be determined accordingly.

CAA Nepal has been established as a safety regulator with legal competence for rulemaking and relevant aviation safety regulations. CAA Nepal is the principal regulatory body for implementing and enforcing civil aviation regulations and is also responsible for regulation of air transport services to/from and within Nepal. CAA Nepal discharges State Safety Oversight obligations on behalf of the state.

The procedures detailed here in shall be followed by the CAA Nepal Inspectors, while performing surveillance.

1.4 Aviation Enforcement Policy and Procedures Manual

The aviation enforcement policy and procedures manual has been prepared by CAA Nepal to provide details about the enforcement policy and procedures, roles and responsibilities of CAA Nepal Inspector, description of the enforcement tools available, guidelines and procedure for appropriate use of enforcement tools, Reporting enforcement, Recording enforcement, Collecting and handling evidence, Investigations by officers, Gaining access, Note taking & interviewing and Detaining aircraft. The Aviation Enforcement Policy and Procedures Manual also provide details about CAA Nepal statutory provisions to be complied with by the industry and the procedure to be followed for their enforcement. In this connection, it is vital to keep in mind the difference between compliance and enforcement. Compliance consists of all regulations and safety standards being met. When compliance exists, there is no need for enforcement. Enforcement is the action necessary when compliance is not present. Enforcement requires legal and administrative action. Compliance and enforcement actions need to be applied as consistently as possible. However, CAA Nepal Inspectors shall consider each case individually in order to determine an appropriate enforcement action. They should recommend actions that, in their professional judgment, will appropriately serve the purposes of the CAA Nepal's safety mandate. It is essential that enforcement action where required is taken in as fair and equitable manner as possible, through application of consistent, transparent and systematic procedures. A vital part of this aspect is to achieve uniformity, transparency and consistency of enforcement action. Similar conduct under similar circumstances should result in the same type of enforcement action. In addition, precedents of action taken on similar lapses in the part should be kept in mind while deciding enforcement action.

The cases for enforcement action are brought forward by Inspectors for consideration by Director, FSSD and necessary enforcement action by Civil Aviation Safety Regulation Directorate.

After decision by Civil Aviation Safety Regulation Directorate, the same will be intimated to Director, FSSD to take enforcement action.

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Chapter 2

Surveillance

2.1 Introduction

Nepal being one of the contractual signatories to the convention on International Civil Aviation and a member of the International Civil Aviation Organisation (ICAO), has an obligation to promote safe, orderly and efficient operation of aviation activities. To meet state obligations, CAA Nepal has developed a system of surveillance to ensure that the standard maintained at the time of issue of aviation documents, such as approval certificate, licence, rating, etc. is maintained throughout the validity period. Therefore, primary responsibility of the CAA Nepal is Safety Oversight, and to meet this obligation, Flight Safety Standards Department will prepare an Annual Surveillance Program. The Annual Surveillance Program consists of surveillance plan of Airworthiness Inspection Division and Flight Operation Division. FSSD ensure effective monitoring and compliance of the Annual Surveillance Program.

Any surveillance action to be taken by CAA Nepal Inspectors should clearly and unambiguously be covered by the legal authority available to them. Therefore, only Inspectors with valid and current credentials shall exercise the authorities within the confines of credentials.

The CAA Nepal Safety Oversight Programme has following 8 areas for surveillance:

- a) Surveillance Activities (Planned Inspection)
- b) Regulatory Audit (Planned Audit)
- c) SAFA
- d) Spot Check
- e) Night Surveillance
- f) Ramp Inspection
- g) Surveillance of Foreign MRO and Maintenance Training Organisation (MTO)
- h) Special Inspection or Audit.

a) Surveillance Activities (Planned Inspection)

CAA Nepal has developed a system of surveillance to ensure continuing organizational, as well as individual, professional competency of license/rating/certificate/approval holders. The surveillance ensures the capability of an operator to ascertain an Acceptable Level of Safety in the area of Civil Aviation.

Surveillance provides essential information of the state of compliance of organization and individual participants, identifying any corrective action needed to bring performance up to the required level. Surveillance aims to identify and correct non-compliance behaviors and unsafe practices before they cause any accident or incident. CAA Nepal surveillance activity covers all participants in Civil Aviation System. ("Participants" include all organizations, individuals, products as well as services, procedures and facilities for which an aviation document is required by the Aircraft Rules to operate in the Civil Aviation System).

Surveillance Programme for the aviation activities for the operator/organization shall be inspected as per the Annual Surveillance Programme. The newly recruited officers may be associated with all surveillance/audits activities as observers.

b) Regulatory Audit

Regulatory Audits are the part of Annual Surveillance Program which will be carried out as per Annual Surveillance Plan during the year with an aim to ascertain the internal control of any organization in its activities and to ensure compliance of regulatory requirements.

Regulatory Audit Programme - 2017

Regulatory Audit shall be carried out as per the Annual Surveillance Plan. The Chief of Flight Safety Standards Department (FSSD) will co-ordinate the Regulatory Audits. Audit reports will be disseminated by the Flight Safety Standards Department to the operator. The auditors will ensure that the Corrective Action Plan (CAP) submitted by the

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operators on the findings is acceptable and closed within stipulated time period. The acceptance of corrective action plan and closure of the findings information will be informed to the Chief, FSSD.

c) SAFA Inspection

Under Article 16 of the Convention on International Civil Aviation, States are entitled to search aircraft from other States on landing and departure and to inspect the certificates and other documents. Further, paragraph 4.2.2.2 of ICAO Annex 6 (Operation of Aircraft, Part-I International Commercial Air Transport—Aeroplanes) also requires that states shall establish a programme with procedures for the surveillance of operations in their territory by a foreign operator and for taking appropriate action when necessary to preserve safety.

The SAFA inspections will be carried out jointly by the Airworthiness Inspection Division and Flight Operation Division. The schedule of inspection is given in the respective section of Annual Surveillance Programme.

d) Spot Check

Apart from these scheduled surveillance checks and Regulatory Audits, it is also decided to carry out the spot checks. Spot checks are unplanned checks and will be carried out to verify the effectiveness of internal audit system of any organization and ensuring the continued compliance of previous CAA Nepal audit / surveillance findings. The spot checks shall not form the part of Annual Surveillance Program, however the details and discrepancy reported during this course will be reviewed during Quarterly Surveillance Monitoring Meeting.

Chief of Flight Safety Standards Department shall convene meeting when desirable with the Accountable Manager of respective organization if there are any discrepancies observed during spot checks and to review its affectivity.

e) Night Surveillance Checks

The purpose of Night Surveillance is to ensure that operators do not follow shortcut on any procedures, deployment of necessary manpower, release of aircraft without proper defect rectification, extend MELs due to absence of managerial supervision at night or any other reason.

f) Ramp Inspection

Ramp Inspections are planned and unplanned product inspections carried out to inspect aircraft at ramp during schedule operation to verify the compliance of laid down regulation during operation of schedule airlines. This inspection may be carried out jointly with Airworthiness Inspection Division and Flight Operation Division. The ramp inspections may be carried out at Base, Line stations and Transit stations.

Planned Ramp Inspections are carried out as per Annual Surveillance Plan whereas Unplanned Ramp Inspections are carried out either jointly by Airworthiness Inspection Division and Flight Operation Division or separately by conducting surprise check of the aircraft registered in Nepal at various stations.

g) Surveillance of Foreign MRO and Maintenance Training Organisation (MTO)

These are planned inspection of an approved foreign maintenance and training facilities, carried out at regular intervals by the Airworthiness representatives, to ensure adherence to the laid down requirements by approved foreign organizations for continuation of approval of CAA Nepal.

h) Special Inspection or Audit

Director General when found necessary may direct to carry out any other surveillance / inspections or audits.

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2.2 Formation of Safety Oversight Program

a) Role of each division for the formation of the Annual Surveillance Program

Annual Surveillance Program is formulated by each division for all operator's/ Approval holders. The procedure invoked by each division requires that all non-compliance and safety related findings are recorded by the inspectors as part of their routine regulatory oversight function. These findings raised are to be communicated to the chief in their respective division and entered into a database maintained in their division.

The findings should be classified into various level and in line with the appropriate regulations (NCAR 145.A.25 facilities, NCAR 145.A.65 Quality System, NCAR 145.A.70 MOE etc.). The data will be reviewed and analysed on an annual basis to facilitate establishment of what the most prevalent / significant findings are with the operator. This data will be used in planning the next CAA Nepal surveillance plan to guide inspectors as to the most significant issues to be focused on and also to adjust the frequency of inspections. Significant findings will require increased frequency of audits, spot checks and nil or no significant findings may result in a reduction of the frequency in the routine planned audits. The analysed data should be sent to chief FSSD annually.

b) Role of FSSD for the release of the Annual Surveillance Program

The analysed data received from each division on the annual basis will be further analysed by chief FSSD along with chief of division to check for industry trends. The conclusions of the same will be addressed in Annual Surveillance Monitoring Meetings which is conducted during 4th Quarterly Surveillance Monitoring Meeting. The complete data for all divisions will be consolidated in the annual meeting. This data / information gathered will be used to ensure that weak areas and weak operators are given more quality inspections and monitor the entire surveillance program for all divisions.

2.3 Functions of FSSD with respect to surveillance activities

The Flight Safety Standards Department has a key role to plan, monitor, oversee and enforce actions on behalf of CAA Nepal. Key functions of FSSD are:

- a) Development of a consolidated system of surveillance for all divisions and to monitor compliance of the program as applicable to each division.
- b) Compile the Annual Surveillance Program comprising of all divisions.
- c) To notify Annual Surveillance Plan to various divisions and publish the same on FSSD website. The plan should include the area of activity to be inspected month-wise.
- d) To compile data on surveillance received from various divisions of FSSD during Quarterly Surveillance Monitoring Meeting and Annual Surveillance monitoring meeting.
- e) To organize Quarterly Surveillance Monitoring Meeting and Annual Surveillance Monitoring Meeting with all divisions to analyze the deficiencies pointed out by the each division.
- f) To refer all Level I and important Level II findings to Civil Aviation Safety Regulation Directorate for taking action as per administrative provisions of Aviation Enforcement Policy and Procedures Manual.

2.4 Functions of Divisions with respect to surveillance activities

In carrying out the surveillance function, each division has the following broad responsibilities:

- a) Develop Surveillance Programme each year related to their area of surveillance and submit it to FSSD Chief by end of December every year for preparing Annual Surveillance Program.
- b) Develop a checklist for surveillance area giving reference of regulations to applicable be complied with schedule surveillance activities, assigning Inspectors and resources to comply with Annual Surveillance Program.
- c) Report violations to the Chief FSSD including nil response as reported by Inspectors.
- d) Report Level I findings to the respective chief FSSD as reported by Inspectors

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- e) Recommend regulatory action where necessary to ensure compliance with the rules.
- f) Prepared division wise status for Quarterly Surveillance Monitoring Meeting and Annual Surveillance Monitoring Meeting with inspectors to represent their surveillance programme.

2.5 Functions of Inspectors with respect to surveillance activities

The Inspectors have the following functions:-

- a) Execution of surveillance plan as per Annual Surveillance Program.
- b) Compliance with the Inspector handbook as developed by each division while carrying out surveillance.
- c) create database of findings of each organization
- d) track and monitor each findings.
- e) Assess the corrective action taken by the organization and carry out follow up audit if required.
- f) Report violations to the respective chief of division including nil response.
- g) Report Level I findings to the respective chief of division.
- h) Maintain record of the surveillance activities conducted by them.
- i) Attend the Quarterly Surveillance Monitoring Meeting and Annual Surveillance Monitoring Meeting to represent their surveillance programme and submit the summary of Quarterly and Yearly surveillance report.

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Chapter 3

Surveillance Procedures

3.1 General

The most effective method of performing safety oversight functions and enhancing safety within the aviation community is to prepare a structured Annual Surveillance Programme which should be implemented vigorously.

The implementation of a Annual Surveillance Programme is concerned with satisfying the CAA Nepal objectives of regulatory presence, investigation, detection of contraventions, compliance, promotion and education. When a comprehensive and effective Annual Surveillance Programme is in place, a higher degree of compliance and flight safety can be expected. Generally, the surveillance shall be carried out overtly by the Inspector introducing them to the operator/organization and also giving the purpose of surveillance. This helps to promote voluntary compliance of the requirements.

Surveillance is carried out wherever and whenever aviation activity is most likely, including weekends and night. To the extent possible, it should cover a cross-section of all operations taking place in the respective field.

It must be ensured that each surveillance team -

- (a) is composed of Inspectors whose specialty is pertinent to the type of the surveillance activity; and
- (b) is fully qualified, duly authorized and properly briefed for the operation.

Surveillance may be either routine or special-purpose. Routine surveillance, which includes surveys, audits, base inspections, organisation / permit renewal inspections, and ramp checks, is conducted during the normal course of the Inspectors duties of monitoring day-to-day aviation activity. When contraventions of regulations are detected, Inspectors are responsible for completing the detection process for submission to the concerned chief of the division. These contraventions, collected and analyzed at the senior level, may reveal problems, trends or threats to aviation safety. Planned surveillance is directed at specific areas, events and activities in support of Annual Surveillance Program, which will be prepared every year in the month of December and kept in FSSD website after approval from Director General.

The checklist for audit of an organization is given in Flight Operations and Airworthiness Inspector Handbook. The Checklist to perform Ramp inspection of an aircraft registered in Nepal is given AOCI Manual. The Checklist to perform Ramp inspection of Foreign Carrier is given in Foreign Carrier Surveillance Procedure Manual. A standard checklist as per **Appendix-1** of this manual for the night surveillance may be used as a guideline by various division while carrying out the night surveillance.

Inspectors shall make use of the Inspector's Handbook or a similar document provided by the CAA Nepal for this purpose. The primary objective should be to watch for any regulatory contraventions and wherever possible, prevent a contravention by dealing with the cause beforehand. Usually a friendly approach emphasizing the safety element can bring about voluntary compliance with the regulations.

A Quarterly Review of Surveillance Activity will be held, wherein progress, shortfalls against Quarterly targets / problems faced etc; will be analyzed by CAA Nepal along with analysis of identified deficiencies categorized into Level I & II. These deficiencies will be fed into the data base for resolution, tracking and dissemination of safety related issues.

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3.2 Surveillance Authority

Surveillance may be conducted by Inspectors in pursuant to the Rule 84 of Civil Aviation Regulation and its amendments.

3.3 Surveillance Procedure for the Inspectors carrying out routine surveillance

Planned Inspections of facilities and equipments/Aircraft and Regulatory Audit are routine surveillance Activities. For the routine surveillance activities following general procedure have to be followed by Inspector. The detailed procedure Regulatory Audit is laid down in Inspector Handbook.

- a) Intimate the organization of the CAA Nepal Annual Surveillance Plan at least 7 days in advance of the officer's visit. On request from the organization, the dates of inspection may be deferred by a week, and another suitable date intimated. If this is also requested for deferment, a third date should be given. Any further request for postponement should not be agreed to and the surveillance to be carried out on dates finally intimated. If the inspection is not allowed by the organization, it should be reported to respective chief of the Division, who will further report to Director, FSSD and Director General as Level I finding for immediate enforcement action.
- b) The Inspector should be familiarized with the reference regulation in a thorough manner. The Inspector should also be familiarized with:
 - Applicable regulations, CARs, CAA Nepal circulars etc.
 - Company procedures
 - Previous audit(s) / Inspection reports (at least two previous reports must be studied and actions taken by organization to close all previous findings should be noted).
- c) Applicable checklist should be updated with any changes in the regulations / manuals and customization notes for the specific organization should be prepared.
- d) The division specific information with respect to area of surveillance such as ADs, MMEL revision no., manufactures latest instruction with regard to AMM revision etc should be noted prior to commencement of audit.
- e) It is expected that the study and familiarization with the organization specific material will take 2-3 days prior to the surveillance date. Chief of the division should ensure that the Surveillance Team is relieved of extraneous office duties to enable them to prepare for meaningful surveillance.
- f) The surveillance shall be started with an Entry meeting between surveillance team and Accountable Manager along with Post Holder of the organization.
- g) Surveillance shall be carried out with the use of customized audit checklist available in Flight Operation and Airworthiness Inspector Handbook.
- h) Observations made during surveillance shall be recorded against each item of audit check list. The findings should be appropriately categorized as Level I and Level II as per guidance laid down in requirements.
- i) Surveillance team shall conduct the debriefing of the audit with Accountable Manager and Post Holder of the organization after the completion of the audit.
- j) After the conclusion of the surveillance activity, two copies of detailed report (Deficiency Reporting Form or Corrective Action Notice) shall be prepared and submitted to the Director of FSSD for approval.
- k) The 1st copy of report shall include the evidence that has been gathered in support of the contraventions as well as an account of all actions taken. After approval from Director, FSSD the 1st copy of the report should be filed in organization Index file.

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- l) The 2nd copy of report (Deficiency Reporting Form or Corrective Action Notice) should be forwarded to the concerned organization within 7 days of completion of Audit along with covering letter, for necessary corrective action.
- m) After receipt of notification of findings, the organization shall prepare Corrective Action Plan along with root cause analysis and submit the proposed Corrective Action Plan to CAA Nepal for its acceptance within 30 days from the receipt of Deficiency Reporting Form or Corrective Action Notice.
- n) On receipt of Corrective Action Plan from the organization, CAA Nepal Inspectors shall review the proposed Corrective Action Plan for its acceptability, if found satisfactory, the proposed Corrective Action Plan submitted by organization will be approved. The information on approval of Corrective Action Plan will be given to organization in writing.
- o) All organizations shall take prompt action of resolving the non-conformities brought out during the surveillance, inspection, spot checks or safety audits conducted by CAA Nepal.
- p) Time period for compliance shall be counted from the next calendar day of the date of raising the Deficiency Reporting Form or Corrective Action Notice.
- q) Where the organization fails to implement the Corrective Action Plan within the time period agreed with CAA Nepal, the FSSD will forward the non-compliance report to Director, FSSD for consideration with appropriate recommendation.
- r) Where no reasonable and justified reasons are assigned for non-implementation of the Corrective Action Plan within the time frame agreed upon with CAA Nepal, necessary enforcement action will be initiated against the organization or the person responsible for noncompliance as the case may be.
- s) Inspectors should prepare the database of all the finding so that the findings can be monitored and tracked.
- t) The inspector should prepare themselves for the Quarterly Surveillance Monitoring Meeting.

In the process of ensuring compliance, the Inspectors shall invariably be guided by the following principles:-

- a) Natural Justice and Accountability:** Decisions of Inspectors must be -
 - fair and follow due process of law;
 - transparent to those involved;
 - consistent between like circumstances; and
 - subject to appropriate internal and external review.
- b) Impartiality:** Decisions of Inspectors must not be influenced by -
 - personal conflict
 - irrelevant considerations, such as gender, race, religion, political views or affiliation; or
 - personal, political or financial power of those involved.
- c) Proportionality:** Decisions of Inspectors must be commensurate with the identified breaches and the safety risk they give rise to, in particular -
 - CAA Nepal's first priority shall be to protect the safety of the members of the public including fare-paying passengers;
 - CAA Nepal shall take strong action against those who consistently and deliberately operate outside the existing law or approved Procedures;
 - CAA Nepal shall endeavor to educate and promote training or supervision of those who are observed to be lacking in proficiency but are willing to comply;

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- CAA Nepal shall take action as per Aviation Enforcement Policy and Procedure Manual when dealing with licensed and certified personnel, who breach the Rules, Regulations and Requirements etc.

3.4 Surveillance Procedure for the Inspectors carrying out non routine surveillance

Unplanned inspections of facilities and equipments/aircraft, spot checks, night surveillance or special Inspection or audits are non routine surveillance activities. For the non routine surveillance following general procedure has to be followed by Inspector.

- Inspection should be conducted at a time that minimizes inconvenience to flight crew, owner/operator and the travelling public;
- Inspectors shall not enter aircraft or premises which are locked or where the owner/operator or appointed representative is not present;
- They shall use credentials card for personal identification. They should also wear the airport entry permit,
- The flight crew and owner/operator of an aircraft shall be informed about the inspection. Notifying the Pilot-in-Command or Station Manager is considered sufficient for this purpose. This can be done either by phone or by having met them in the aircraft;
- A document produced for the purpose of inspection should be kept no longer than is necessary to determine its validity;
- Where the validity of a document cannot be determined readily, a photocopy, photograph, accurate record or facsimile of the entries or endorsement on both sides of the document should be made before returning the document;
- Inspectors may seize relevant and appropriate evidence with respect to a contravention discovered during the course of a routine inspection;
- If an unsafe situation is discovered, the Pilot-in-Command or Operator representative shall be informed and the inspector shall decide whether or not immediate detention of the aircraft is required;
- In the event of any obstruction to an inspection, the inspector should politely inform the individual of the purpose of the inspection, the authority granted for performing the inspection, and that the individual is obstructing the conduct of this inspection. If this does not gain cooperation, the Inspector shall explain that obstruction is an offence, and that a charge could be laid under the rules for obstructing an inspection. Should the individual continue to obstruct the inspection, the inspection should be abandoned and report the same to chief of the division. The chief of the division will report the same to the Director of FSSD, who will act in accordance with the provision laid down in Civil Aviation Regulations 2002.

3.5 Seizure, Retention and Return of Evidence

Where evidence is seized, the Inspector shall ensure that -

- the holder is given a receipt or note.
- the evidence is clearly marked in an identifiable manner;
- reasonable care is taken to preserve and protect the evidence; and
- continuity of possession of evidence is assured.

Where an Aircraft Journey Log Book has to be seized, a photocopy of the log book properly identified as a certified true copy and signed by the owner, the inspector or the investigator is acceptable. Before making a photocopy, the original should be marked in a uniquely identifiable manner to preclude alteration or substitution; and the evidence is returned to

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the person from whom it was seized or who has lawful entitlement to it as soon as practicable when continued retention is not required for the purposes of any investigation, hearing or other similar proceeding.

Usually original copy of the evidence must be returned within 30 days of seizure and the receipt or note mentioned above be cancelled if –

- there is no dispute as to who is lawfully entitled to it;
- return is not likely to affect aviation safety; and
- it is no longer required.

3.6 Detention and Return of Aircraft

Refer to Procedure for detention and Release of Aircraft, 2013.

3.7 Inspectors Flying as Passengers

If Inspectors, while flying as passengers either on duty or off duty, detect a contravention which, in their judgment, must be brought to the attention of the flight crew (e.g. a major disregard of the Rules and Regulations), they shall contact the Pilot-in-Command after the flight has terminated. After identifying themselves, the Inspectors shall indicate to the Pilot-in-Command the nature of the contravention and advise him that a detailed written report shall be made in this regard. Reporting regarding this matter shall be done to chief of the division and director of FSSD without delay. It shall contain sufficient details including all available evidence to allow follow-up action. The policy of post-flight notification does not apply where the contravention compromises flight safety. In such cases, direct and immediate action shall be taken by the Inspector.

Upon reporting to the chief of division and Director of FSSD, they will assign an investigator to the case. Both the reporting officer and assigned investigator shall continue to coordinate their work as necessary until the conclusion of the case.

3.8 Conflict of Interest

Inspectors are required to take measures to prevent real, potential or perceived conflict of interest in accordance with the principles enshrined in the conduct rules.

If it becomes apparent that there could be a possible conflict of interest during an surveillance, the Inspector shall inform his or her supervisor with the request to be removed from the case.

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Chapter 4

Resolution of Safety Concerns

For effective implementation of surveillance programme, it is necessary that surveillance carried out by Inspectors of various divisions should be monitored at higher level. Therefore, a Quarterly Surveillance Monitoring Meeting is conducted with chairmanship of Deputy Director General, Director of FSSD, Chief of all divisions of FSSD with the objective to resolve Level I safety deficiencies in a timely manner.

In addition to above the meeting will also review the following:-

- Cases where significant non compliance occurs with the applicable requirement which lowers the safety standards and hazards seriously the flight safety.
- Cases of violations to the Civil Aviation Regulations and requirements and other CAA Nepal Directives.
- Repetitive findings which could lower the safety standards and could possibly hazard the flight safety.
- Other deficiencies if not rectified within the stipulated time period.
- Cases put up under Appeals.
- Review of recommendations of Courts of Inquiry and similar safety recommendation.
- Important incidents to all aircraft and
- Other Important safety issues.

The meeting decides on the enforcement actions to be taken in a fair, transparent and firm manner. The decisions are taken in line with Aircraft Rules and penalties invoked as per the Aviation Enforcement Policy and Procedures Manual.

In the process of ensuring Enforcement the following principles are adhered to:-

- Natural justice and accountability
- Impartial and unbiased consideration
- Proportionality and standardization of enforcement actions.

The cases under consideration are presented by the chief of concerned Division and discussed in the Meeting. The decisions of the meeting are minuted and conveyed to the participants and concerned division for taking effective action.

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Chapter 5 Safety Information Analysis

5.1 Introduction

For the purpose of Safety Information Analysis, information is needed to Flight Safety Standards Department. Need for pro-active actions for strengthening and enhancement of aviation safety requires no emphasis. Utilization of safety related information and taking corrective actions for future is one effective way to promote safety. For that reason,

- Safety related information is furnished to Civil Aviation Safety Regulation Directorate from various sources such as VIRS, airlines, aerodromes etc. These information relate to incidents / occurrences which may have affected operations of aircraft and also have potential of converting into serious affected / accidents in future if pro-active actions are not taken by the concerned and also other stake holders (as per iceberg theory).
- Notification of accidents / serious incidents / incidents should be informed to Director of FSSD as soon as possible.
- “CAA Nepal Guidance on Occurrence Reporting” lists types of occurrences that are needed to be reported to CAA Nepal.
- In cases of accidents /serious incidents/incidents where formal investigations are ordered by Ministry/ CAA Nepal, recommendations are generated for action by concerned stake holders. Likewise, Internal Investigation carried out at the level of airlines etc. also produces recommendations pertaining to cases falling in their jurisdiction. Cases of such occurrences, their analysis and corrective actions and, in particular, trends shall be disseminated to the industry in identified form for sharing and proactive action at their end to prevent recurrence of such troubles in their organizations.

5.2 Recording and Preserving Occurrences Reports

a) Reports received will be categorized under following categories: -

- Engineering / Maintenance troubles.
- Human Factors
- Operations
- Ground Handling
- Runway incursion, FOD etc.
- Bird Hit
- Misc

b) Compile month-wise occurrences, analyze, determine trends occurrence wise, de-identify and disseminate useful information to all stakeholders as a periodic bulletin.

c) A safety information database on the basis of (i) above will be generated.

d) Each operator will be required to fully utilize the information shared with them by CAA Nepal.

Surveillance Policy and Procedure Manual

Chapter 6

Monitoring Deficiencies

6.1 Procedure for monitoring deficiencies

All deficiencies observed during surveillance carried out by Inspectors are required to be forwarded to concerned chief of division. The chief of division will examine level of the deficiencies and forward a report to the Director of Flight Safety Standards Department.

6.2 Quarterly Review of Deficiencies

A Quarterly Surveillance Monitoring Meeting is held to monitor compliance of annual surveillance programme under the chairmanship of Deputy Director General. All Inspectors are required to attend this meeting. In the meeting the FSSD will present analysis of the quarterly progress, shortfall against the quarterly target and also analyze the deficiencies categorized as Level I and II. After analysis, these deficiencies will be fed into the database for resolution, tracking and dissemination of safety related issues.

All Inspectors are required to intimate concerned chief of division immediately, whenever they observe any Level I finding while carrying out their surveillance programme. These Level I findings will be examined in the meeting chaired by Dy. Director General in the presence of Director of Flight Safety Standards Department, Chief of Divisions. If there is any emergency, the meeting can be held immediately to resolve Level I discrepancies.

All Level I discrepancies are discussed in the meeting, to take a view on the action to be taken against the concerned organization/personnel. Records of Level I findings and action taken are being maintained by the respective Division of the FSSD.

6.3 Generation of computer data for all deficiencies

All the divisions of Flight Safety Standards Division maintain data relating to monitoring of Level I and Level II deficiencies. After surveillance the deficiencies are being fed into computer. The system is capable of monitoring open and close deficiencies of organizations /operators wise.

6.4 Deficiencies record in the form of files

All divisions of Flight Safety Standards Department shall also maintain manual record in the form of files of all the deficiencies observed while carrying out surveillance of organizations/operators. The records files shall have following information:

- Surveillance Area
- Organization name
- Surveillance Date
- Regulation Reference
- Deficiency Detail
- Deficiency Closure Details.

The surveillance records shall be maintained for 5 years.

All divisions of Flight Safety Standards Division maintain database of Level I and Level II deficiencies. It is the responsibility of each Inspectors to monitor and track all the findings raised by them to ensure that open discrepancies do not exceed the time limit determined by CAA Nepal from time to time.

Surveillance Policy and Procedure Manual

Chapter 7

Monitoring of Surveillance Activities

7.1 Assessment of surveillance activities

In order to ensure that surveillance inspections are carried out as per Annual Surveillance Program and proper procedures are followed for grading findings as Level I or Level II, surveillance records are maintained properly and closure actions of deficiency reporting form or Corrective Action Notice are taken after due completion of all actions.

To achieve the above objective a Quarterly Report shall be prepared by all the division which shall be presented during Quarterly Surveillance Monitoring Meeting.

Surveillance Policy and Procedure Manual

Chapter 8

Spot Check and Night Surveillance Inspection

In order to enhance safety of operation and to maintain higher standard of continued oversight of operators, all divisions are required to carry out spot check and night surveillance inspections ensuring that the activities carried out by various operators/ organizations during the Maintenance are meeting the desired level of standards. The purpose of such inspection is also to ensure that operators do not shortcut any procedures, deployment of necessary manpower, release of aircraft without proper defect rectification, extend MELs due to absence of managerial supervision or any other reason.

The operators need not be intimidated for such surveillance inspections. This will make operator aware of the fact that the CAA Nepal may conduct surprise surveillance checks also and will make operator vigilant and alert to follow the laid down procedures while conducting tasks. The surveillance inspectors must ensure that the operator has detailed adequate staff / manpower for the particular activity and the personnel use laid down procedures, updated technical data and are provided with adequate facilities for satisfactory performance of the task. The working environmental conditions, fatigue level, human factor / human performance and use of alcohol, psychoactive substance must also be checked. These are some of the areas where compromises can be made while performing the task.

A standard checklist "**Appendix-1**" for the spot check and night surveillance may be used as a guideline by various divisions while carrying out spot check and night surveillance. The reports of spot check and night surveillance shall be submitted by all divisions to Chief of their respective divisions.

Surveillance Policy and Procedure Manual

Appendix -1

Civil Aviation Authority of Nepal

Flight Safety Standards Department

Spot Check and Night Surveillance Check

I. Audit Composition	
1. Name of Division	
2. Team Member(s) (Names & Designations)	1. 2. 3.
3. Area(s) under Surveillance	
4. Date of Surveillance	
II. Items to be Checked	
1. Check for sufficient manpower	
2. Check validity of Licenses / certificates	
3. Check for availability of Procedures / updated technical data, Tools / Equipments etc.	
4. Check for adequacy of facility	
5. Check for the roster	
6. Check for adequate lighting	
7. Availability of Tools / Tool Kits	
8. Check for use of Psychoactive Substances, alcohols etc.	

Name and Signature of Inspector

1.

2.

3.