

**GOVERNMENT OF INDIA  
MINISTRY OF CIVIL AVIATION  
RAJYA SABHA  
UNSTARRED QUESTION NO : 1607  
(TO BE ANSWERED ON THE 13<sup>th</sup> December 2021)**

**INVESTIGATION INTO MCAS OF BOEING 737 MAX**

1607. SHRI M. MOHAMED ABDULLA

Will the Minister of CIVIL AVIATION be pleased to state:-

- (a) whether the DGCA has conducted an investigation into the issues caused by the Maneuvering Characteristics Augmentation System (MCAS) on the Boeing 737 Max planes and the report of the investigation and the details thereof
- (b) if not, the reasons therefor
- (c) whether the DGCA has independent airworthiness certification process independent of the FAA or EASA and the details thereof
- (d) if not, the reasons therefor
- (e) whether recertification tests were conducted by the DGCA and the reasons as to why the ban on B737 Max was lifted based on European Aviation Safety Agency (EASA) directives and
- (f) whether Akasa Air and Spice Jet have been allowed to fly B737 Max planes?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF CIVIL AVIATION

(GEN. (DR) V. K. SINGH (RETD))

- (a) & (b) No, Sir. ICAO Annex 13 - Accident and Incident Investigation requires the State of Occurrence to institute an investigation into the circumstances of an accident or an incident. Further, the State of Registry, the State of the Operator, the State of Design and the State of Manufacture participate in the investigation. In the case of the issues caused by the MCAS system of Boeing 737 Max planes, India was not the State of Occurrence, Registry, Operator, Design or Manufacture and as such did not participate in the investigation.
- (c) & (d) According to the provisions contained in the Aircraft Rules, 1937, Directorate General of Civil Aviation( DGCA) has accepted the type certificate issued by Federal Aviation Administration (FAA), the State of Design of the Boeing 737 Max aircraft. The issuance/ acceptance of a type certificate indicates that the aircraft design is as per the laid down airworthiness standards.
- (e) FAA (State of Design) on November 18, 2020 issued an Airworthiness Directive (AD) mandating actions on the U.S-registered Boeing 737 MAX airplanes calling for maintenance and operations actions for return of service of the

aircraft. Concurrently, FAA also rescinded the Emergency Order of Prohibition permitting the operations of US registered Boeing 737Max aircraft.

EASA did not adopt the above FAA AD and issued its own EASA AD on February 17, 2021. As the State of Registry, DGCA has the liberty to mandate any action keeping in view the safety of aircraft operations. Accordingly, DGCA mandated EASA AD which is more restrictive than the FAA AD for compliance on Indian registered fleet.

(f) Out of 13 grounded Boeing 737 Max aircraft of M/s Spice Jet, six (6) aircraft have been put into operations along with return to service actions after modifications as mandated in EASA AD.

M/s Akasa Air is yet to obtain an Air Operator Certificate (AOC) and acquire the aircraft for operations.

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