

No. 6722

**INDIA
and
CZECHOSLOVAKIA**

**Agreement relating to air services (with annex). Signed at
Prague, on 19 September 1960**

Official texts : Hindi, Czech and English.

Registered by the International Civil Aviation Organization on 15 May 1963.

**INDE
et
TCHÉCOSLOVAQUIE**

**Accord relatif aux services aériens (avec annexe). Signé à
Prague, le 19 septembre 1960**

Textes officiels hindi, tchèque et anglais.

Enregistré par l'Organisation de l'aviation civile internationale le 15 mai 1963.

No. 6722. AGREEMENT¹ BETWEEN THE GOVERNMENT OF INDIA AND THE GOVERNMENT OF THE CZECHOSLOVAK SOCIALIST REPUBLIC RELATING TO AIR SERVICES. SIGNED AT PRAGUE, ON 19 SEPTEMBER 1960

The Government of India and the Government of the Czechoslovak Socialist Republic, hereinafter referred to as the "Contracting Parties",

Desiring to conclude an agreement for the operation of air services,

Have agreed as follows :

Article I

The Contracting Parties mutually grant the rights specified in the present Agreement and in the Annex thereto, for the purpose of operating agreed air services.

Article II

1. Agreed air services may be inaugurated immediately or at a later date at the option of the Contracting Party, to whom the rights under this Agreement and the Annex thereto are granted, on condition that

- (a) the Contracting Party, to whom the rights are granted, designates an airline for operating agreed air services ;
- (b) the other Contracting Party shall issue to the designated airline the appropriate operating permission.

2. Either Contracting Party shall have the right to refuse to accept the designation of an airline and to withhold or revoke the grant to an airline of the rights specified in the present Agreement and the Annex thereto or to impose such conditions on the exercise of those rights, as it may be considered necessary, in any case in which it is not satisfied that substantial ownership and effective control of the designated airline are vested in the other Contracting Party or its nationals.

Article III

1. The designated airline of one Contracting Party shall have the right to use in the territory of the other Contracting Party

¹ Came into force on 7 June 1961, the date of the exchange of the instrument of ratification and note of approval, in accordance with the provisions of article XIV (2).

- (a) for traffic purposes the airports provided for public use at the point specified in the Annex to this Agreement and the aids provided for public use on the specified air routes ;
- (b) in emergency or necessity of diversional landing, the airports and aids available for this purpose.

2. The laws, regulations and instructions of one Contracting Party relating to entry into or departure from its territory of aircraft or air services operating in international air navigation or to the operation of such aircraft or air services while within its territory shall apply to aircraft and agreed air services of the designated airline of the other Contracting Party.

Article IV

1. The designated airline of each Contracting Party shall enjoy fair and equal rights for the operation of air services between the territories of the Contracting Parties.

2. The capacity, frequency, type of aircraft and the nature of air service, such as transiting through or terminating in the territory of the other Contracting Party, operated by the designated airline of either Contracting Party on the specified air route, shall be agreed in the first instance between the designated airlines and shall be effective only upon the approval of the aeronautical authorities. If one Contracting Party has not designated an airline, or the designated airlines are unable to come to an agreement, the aeronautical authorities shall endeavour to come to an agreement, failing which the matter shall be settled by the Contracting Parties.

3. Any increase in capacity or frequency or change in the type of aircraft or nature of the air services operated by the designated airline of either Contracting Party shall be agreed, in the first instance, between the designated airlines, and shall be subject to the approval of aeronautical authorities on the basis of mainly third and fourth freedom traffic and any other subsidiary traffic to be jointly agreed and determined. In the event of one Contracting Party not having designated an airline, or the designated airlines being unable to come to an agreement, the aeronautical authorities shall endeavour to come to an agreement, failing which the matter shall be settled by the Contracting Parties. Pending such agreement or settlement, the arrangements already in force shall prevail.

Article V

The designated airline of each Contracting Party shall be entitled to keep on the territory of the other Contracting Party such number of technical and commercial personnel as may be considered adequate by the Contracting Parties for the air services operated.

Article VI

1. The aeronautical authorities of both Contracting Parties shall exchange information on current authorisations extended to their respective designated airline for operation of air services into, through or from, the territory of the other Contracting Party, including changes, amendments and exemptions.

2. Each Contracting Party shall cause its designated airline to provide to the aeronautical authorities of the other Contracting Party as promptly as possible copies of time tables and tariff schedules including any modification thereof and all other usual information concerning the operation of agreed air services including those data as may be required to satisfy the aeronautical authorities that conditions of present Agreement are being duly observed.

3. Each Contracting Party shall cause its designated airline to provide to the aeronautical authorities of the other Contracting Party statistical data relating to the traffic carried during each month on their air services to, or from the territory of the other Contracting Party and the points of embarkation and disembarkation of such traffic.

Article VII

Supplies of fuel, lubricating oils, spare parts, regular equipment and aircraft stores introduced into or taken on board aircraft of the designated airline of one Contracting Party in the territory of the other Contracting Party and remaining on board on departure from the last airport of call in that territory shall be accorded, with respect to customs duty, inspection fees or similar charges, treatment not less favourable than that granted by the second Contracting Party to other foreign airlines engaged in similar international services :

Provided that neither Contracting Party shall be obliged to grant to the designated airline of the other Contracting Party exemption or remission of customs duty, inspection fees or similar charges unless such other Contracting party grants exemption or remission of such charges to the designated airline of the first Contracting Party.

Article VIII

Each Contracting Party reserves the right to itself to withhold or revoke, or impose such appropriate conditions as it may deem necessary with respect to an operating permission, in case of failure by a designated airline of the other party, to comply with the laws and regulations of the former party, or in case, in the judgment of the former party, there is a failure to fulfil the conditions under which the rights are granted in accordance with this Agreement. Except in case of a failure to comply with laws and regulations, such action shall be taken only after consultation between the parties.