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The Historic Lakeside Inn, Mount Dora, Florida
February 18 – 22, 2026 – Day 3

Presentation 2 – Mohammad Faruqui

Biography, Slide Presentation, and Research Paper

Mohammad Ahmed Faruqui is an attorney in Fort Lauderdale, FL. He earned his Florida law license in 2006 after graduating from Nova Southeastern University Shepard Broad Law Center in 2005. He serves aviation clients throughout the United States, Caribbean, Central and South America, and elsewhere in the world.

Mr. Faruqui is an instrumented private pilot. Much of his flight experience was with Cessna 172s and Cirrus SR20s. His personal expertise in the aviation industry equips him to understand the industry better than many other attorneys.

He has negotiated the purchase, sale and lease of many aircraft, ranging in size from piston-engined light aircraft with four seats to Hawkers, Gulfstreams and other large corporate jets.

Mr. Faruqui's legal experience includes negotiating state sales and use taxes, establishing and administering aircraft holding corporations, registering aircraft, and handling other aviation related matters on behalf of satisfied clients.

He defends aircrew facing license suspension, revocation, amendment or modification by the Federal Aviation Administration. Mr. Faruqui also serves as a panel attorney for the AOPA Legal Services Plan.

Mr. Faruqui joined the Florida Bar Aviation Law Committee in 2010. He served as the Vice Chair from 2014 through 2016, as Chair from 2016 through 2017, and is again serving as Vice Chair from 2024 through 2026. He is also a member of the following professional organizations:

- National Business Aviation Association
- South Florida Business Aviation Association
- Aircraft Owners and Pilots Association
- Experimental Aircraft Association
- Lawyer Pilot Bar Association
- Florida Aviation Business Association



By Mohammad Ahmed Faruqui
Aerolaw Offices PLLC
Saturday February 21, 2026

MY BACKGROUND

- Florida-bar Board Certified in Aviation Law
- Practicing since 2006.
- Mix of:
  - Transactions
  - Commercial litigation
  - Regulatory compliance
  - Outside general counsel for aviation businesses

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CASE SELECTION

- Few flight school dispute cases worth taking.
- Students who want to sue are often wrong.
- Prefer to represent the flight schools.
- Usually very little money to fight over.

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SCENARIO

- In late 2016, a Florida flight school and its recruiting agent convinced an 18-year-old female from New Delhi, India that it was the right flight school for her. The following promises were made:
  1. Full training so she could earn her FAA Commercial Pilot Certificate with Instrument and Multi-Engine ratings.
  2. Full support in her reciprocity application to India's Directorate General of Civil Aviation (DGCA) so she would not have to attend flight school in India.
  3. A job with an airline within a year after graduation.
- The school was not able to deliver items 2 and 3.

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ECONOMIC BACKGROUND

- The Old Days - More flight schools in Florida than the rest of the world. Easier and cheaper to attend here.
- Overseas civilian primary flight schools are growing and becoming more competitive.
- U.S. flight schools trying to stand out by offering technical help with reciprocity applications.
  - SEVIS certifications for offering student visas.

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MOTIVATION TO ATTEND U.S. SCHOOLS

- FAA certificate plus home country certificate equals cross marketability for job search.
- Reciprocity applications with multiple countries cuts the primary flight training expenses in half.
- More lucrative opportunities when ranking up in an airline – international flights pay more than domestic flights.
  - International flights will often require that the pilot be licensed in the departure and arrival states.
- Nations accept reciprocity appl. from FAA & EASA licensed pilots.

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CONSEQUENCES OF BREACH

- No reciprocity granted.
- The student incurred the expense of attending flight school all over again in India to earn her commercial pilot certificate in India.
- Significant career delay.

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HOW RECIPROCITY PROMISES WERE MADE

- Flight school had its standard Flight Training Contract that did not mention anything about reciprocity applications.
- However, the recruiting agent made many promises to her and her father, orally and in writing, about his ability and the flight school's ability to help her obtain DGCA certificates by reciprocity:
  - In an email chain between September 12, 2016 and October 18, 2016, the recruiter and the student discussed definite terms and conditions before the student accepted and submitted her flight school enrollment applications.
  - The recruiter specifically said, "Requirements for Indian students is all covered in DGCA program we have" and "I take care of every Indian requirement you need for DGCA."

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SO WHAT HAPPENED?

- Client earned her FAA Commercial Certificate by November 2017.
- The DGCA gives only six months to submit a reciprocity application with proper logbook endorsements and paperwork.
- The Recruiter continually and deliberately ignored her requests, and when he responded he gave excuses.
- The Recruiter held her logbook and pilot certificate hostage.
- The Recruiter finally sent a WhatsApp message on March 8, 2018 that "I can't help in government process."
- He finally sent her pilot certificate via courier in May 2018.
- Additional breaches involving logbook discrepancies.

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COMMERCIAL PILOT CERTIFICATE

- >250 hours of total time.
- **>100 hours of pilot-in-command time.**
- >50 hours of cross-country time.
- >20 hours of training, including 10 hours of instrument, 10 hours of complex or TAA, various cross-country flights.
- >10 hours of solo training, including various cross-country and night flights.
- Preparation flights for practical test.

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PILOT-IN-COMMAND ACCUMULATION

- Remember that a Commercial Pilot Certificate requires at least **100 hours of Pilot-in-Command** time?
- Money-saving technique known as "Buddy Flights" allowed by the FAA:
  - One pilot wears view-limiting device to simulate instrument flights.
  - Other pilot operates as the safety pilot.
  - Both pilots accumulate "pilot-in-command" time in the same flight.
    - Legal in the U.S. due to an FAA rule interpretation.



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INDIA DGCA OBJECTS

- On Feb 21, 2012, the DGCA Training & Licensing Directorate issued Circular No. 1/2012 specifying what it wants to see in reciprocity applications from pilots who bring their original certificates from ICAO Contracting states.
  - Item #9 says, "Please ensure that the flying carried out on single crew certified aircraft is only logged as PIC when aircraft is flown solo during the flying training for issue of CPL (irrespective of holding of PPL) except the General Flying Tests."
  - The Cessna 152s and 172s in flight schools are single-crew certified.
  - All the Buddy Flight operations violated the DGCA requirements.

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DGCA FURTHER CLARIFIES

- On July 1, 2019, DGCA issued Revision 1 of Circular No. 1/2012 stating:
  - End of Paragraph 4 – "Flying undertaken in the capacity of safety pilot/observer will not be considered as PIC hours for conversion of license.
  - Therefore, the breaches stemmed not just from the Recruiter refusing to deliver, but also because the flight school actively pushed the students to go into buddy flights.

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HER LOSSES

- Paid full tuition at two flight schools. Flight training in India - 2019
- Lengthy ab-initio certificate application process with DGCA.
- Her job applications were subject to a hiring freeze during COVID.
- Loss of wages.
- Still no job as a pilot from 2017 until present – skills are now stale.
- Expenses for travel to/from the U.S., student visa applications, medical certificates, etc.
- Humiliation in her hometown.
- Further training required due to lack of flying in order to find work.

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THE LAWSUIT

- Breach of Contract
- Breach of Implied Covenant of Good Faith and Fair Dealing
- Fraudulent Inducement
- Fraudulent Misrepresentation
- Florida Unfair and Deceptive Trade Practices Act

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PROVING EXISTENCE OF A CONTRACT

- Fla.Stat. §668.004 – Electronic Signature Act of 1996 – electronic signatures have the same force and effect as a written signature.

- Fla.Stat. §668.50 – Florida Uniform Electronic Transaction Act – using this statute for the proposition that an email or a chain of emails taken together constitute as a legally binding contract.

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CASE LAW

- Castelli v. Castelli, 159 So.3d 271 (Fla. 4th DCA 2015) – Court found an email contained sufficient language to properly exercise a party's right of first refusal.
- U.S. Distributors, Inc. v. Block, Case # 09-21635-CIV (S.D. Fla. October 13, 2009) – trial court held emails satisfy the Statute of Frauds under §668.004.
- Hermosilla v. The Coca-Cola Co., Appellate Case #11-11317 (11th Circ. 2011) (Trial Case # 1:10-cv-21418-KMM) – emails established an agreement to use Hermosilla's intellectual property without compensation.

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ON-POINT TEXAS CASE

- Khoury v. Tomlinson, 518 S.W.3d 568, 575-79 (Tex. App. 2017)
- Holding that Tomlinson's name, appearing in the sender field of the email, was sufficient to constitute a signature;
- and holding that an automatic signature block in an email also constitutes a signature binding a party to an agreement because there is no fundamental difference between typing the name by hand and instructing the computer to add a pre-prepared signature block).

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OTHER ARGUMENTS

- Whether fraud or mistake overcomes the integration clause.
- Was the integration clause sufficiently comprehensive?
- Whether the writing was comprehensive and accurate, and how does it affect use of the parol evidence rule.

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EFFECT

- Careful written conversations during contract negotiation.
- Internal controls over who promises what.
- Students might benefit from negotiating through emails.

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GOVERNMENT OF INDIA
OFFICE OF DIRECTOR GENERAL OF CIVIL AVIATION
Opposite: Safdarjung Airport, New Delhi-110003

FLIGHT CREW LICENSING CIRCULAR 01 OF 2012

File No: 8/2/2008-LII/ AV. 11012/05/2018-DTL-DGCA
Dated: 21st February 2012

Rev. 1, dated 1st July 2019

Subject: **Demonstration of competency for conversion of foreign Commercial Pilot Licence (Aeroplanes) to Indian Commercial Pilot Licence (Aeroplanes).**

CAR Section - 7 Series 'G' Part- I lays down the requirements for obtaining Indian Pilot's Licence or Rating on the basis of such Licence or Rating issued by a Contracting State which require the applicant to meet requirements relating to (i) age; (ii) educational qualifications; (iii) medical fitness; and (iv) flying experience and competency as laid down in respective Sections of Schedule II of the Aircraft Rules, 1937.

2. All applicants for conversion of foreign CPL to Indian CPL are required to undergo skill tests in India, on at least one aircraft type required to be endorsed on the Indian Licence.

3. Further, in case IR is not issued by the Contracting State, the skill test carried out in the Contracting State shall not be recognized. For the issue of IR, the applicant shall be required to undergo IR skill test in India.

4. Only Authenticated Original Log book/s utilized and maintained for issue of contracting state license will be accepted. It must include at least information regarding dates, aircraft type(single/Multi) and registration, crew status (PIC, dual etc.), flight time, total time, Sectors, day & Nights, X-country flights, instrument time(actual, simulated in aircraft), simulator flying (separately logged). **All the entries must be verified by the appropriate authority in the State of Issue of foreign license and should contain endorsements of respective stages of flying training**. (Example: Check rides with DPE signatures where applicable, Solo release, Cross country, knowledge etc). Flying undertaken in the capacity of safety pilot/observer will not be considered as PIC hours for conversion of license.

5. An aircraft type to be included in the Aircraft Rating of a Pilot's licence shall be the aircraft type on the Indian Register of Civil Aircraft and in respect of which a valid Certificate of Airworthiness is in force.

6. The experience gained for obtaining foreign license in contracting state is considered towards the conversion of license, irrespective of the type registration and acceptance in India. However, the aircraft type should fall within the definition of Aeroplanes as laid down in Aircraft Rules 1937. Additionally, in case the aircraft type is not registered in India, or not endorsed on the foreign license, the applicant will have to pass the DGCA examination, undergo required training and skill tests on the aircraft registered and accepted in India with a valid C of A, and that which is required to be endorsed on his Indian CPL.

7. The revised Guidelines for Conversion of Professional Pilot's Licenses issued in ICAO Contracting States into Indian Professional Pilot's License (Commercial Pilot's License) introducing the above are attached at Appendix I.

Sd/-
(Arun Kumar)
Director General of Civil Aviation

APPENDIX I

OFFICE OF DIRECTOR GENERAL OF CIVIL AVIATION

Guidelines for Conversion of Professional Pilot's Licenses issued in ICAO contracting States into Indian Professional Pilot's License (Commercial Pilot's License)

(A) Applicants must obtain from foreign for submission along with application:-

1. Valid foreign Professional Pilot's License.

2. Valid foreign Class-I Medical Assessment from State of issue.

3. Statement of 20Hrs of PIC Cross-country flights / 50 Hrs PIC cross-country flights if IR is also requested. (Clearly indicating a flight to a point beyond a radius of one hundred nautical miles from the aerodrome of departure).

4. Certificate of PIC cross-country flight of not less than three hundred nautical miles in the course of which full stop landings at two different aerodromes shall be made. (First leg of cross country shall be a flight to a point beyond a radius of one hundred nautical miles from the aerodrome of departure).

5. Statement of 5 hrs. Night Flying as PIC with at least 10 take offs and 10 landings, carried out within six months immediately preceding the date of application for conversion of Licence.

6. **For IR issue:** Statement of Instrument time total =40 hrs. (actual/simulated on aircraft - 20 or more; and on simulator 20 or less) and at least 5 hrs. Instrument time on actual/simulated on aircraft in preceding six months (for IR issue).

8. For endorsement of additional aircraft (Single/Multi) on CPL at the time of issue : The applicant has to ensure that he possess same current multi-engine type rating/ class rating on foreign license and is required to submit reports of Skill Tests undertaken in preceding six months from the date of application.

9. The flying carried out on single crew certified aircraft will be considered as PIC only when the flying is undertaken as the sole manipulator of controls irrespective of holding of PPL, except the General Flying Tests.

10. In case the regulation of Contracting State requires flying experience less than the flying experience specified in Schedule II of the Aircraft Rules 1937 for the issue of the license then the remaining hours (as required in Schedule II) will be completed in the Contracting State where the licence was issued or in India.

Note: - Language Proficiency in Aviation English is mandatory for utilizing the privileges of license. In case level of proficiency of English is mentioned in the foreign license, the same will be endorsed on the Indian CPL.

In case of licenses only indicating Proficient in English Language, ELP level 4 will be endorsed on the Indian CPL.

In case the applicant is not English Proficient or his/her English Language Proficiency is not valid, the same will have to be carried out in India for endorsement on the Indian License.

(B) Applicants need to do in India before submission of application:-

1. Within the preceding six months of the date of application in DGCA.

   (i) General flying test by day,

   (ii) General flying test by night;

   (iii) A cross-country flight test by day consisting of a flight of not less than two hundred fifty nautical miles in the course of which at least one full stop landing at an aerodrome other than the aerodrome of departure shall be made; and

   (iv) A cross-country flying test by night consisting of a flight of not less than one hundred twenty nautical miles returning to the place of departure without landing elsewhere and Instrument Rating test (if IR desired) from an approved Flying training institute in India.

Note: In case CPL is requested only on Multi engine aircraft then all skill tests as mentioned above on the said type will be carried out in India.

2. Signal reception tests report by an approved Flying training institute in India, if not carried out in a flying training institute approved by the regulatory authority of the ICAO Contracting State.

3. Pass results of Air Regulation and Composite Papers covering (Met + Navigation) in DGCA within preceding 60 months from the date of application.

4. Indian Class-I Medical assessment shall be valid on the date of application.

5. Indian RTR(A) (if flight radio telephony operator's license is not issued earlier)

6. Obtains Verification certificates from respective school Boards examination for 10^{th} and 12^{th} with original certificates (candidate must ensure pass in Physics and Maths separately and recognition of his qualification from AIU). In case verification has been provided for issue of Computer Number, the same be mentioned specifically.

7. Fees as prescribed in Rule 48 of Aircraft Rules, 1937 paid on Bharat Kosh website.

SUBMISSION OF DOCUMENTS AT DGCA HQRS NEW DELH

Duly filled application form with appropriate fees and supporting documents as per check list to be submitted at DGCA

At DGCA

At DGCA reception: By Hand/Post

Examination of papers in DTL

General Requirements to be fulfilled on the date the application:-

(a) **Age** - 18 years or above
(b) **Educational Qualification** – Pass Class 12th with Physics & Mathematics from recognized board/university or equivalent
(c) **Medical** – Valid Class 1 Medical (both foreign & Indian)
(d) **Knowledge** – Pass CEO (DGCA) examination in Air Regulation & Air Navigation Composite (validity 5 years)
(e) **Valid RTR** issued by WPC, DoT.
(f) **Valid foreign license** with current ratings
(g) **Original Verification** of Educational Qualification (10th and 12th)
(h) Original Log books
(i) Eight passport size photographs with name imprinted.

Flying Requirements to be fulfilled on the date the application:-

(a) Total- 200 hrs., PIC- 100 hrs., , PIC Cross Country- 20 hrs. (enclose separate statement)
(b) Statement of 300 NM PIC Cross Country
(c) Statement of 10 hrs. Instrument time

Flying experience required in preceding 6 months:-

(a) PIC- 15hrs.
(b) PIC in Night- 5 hrs. with 10 take offs & 10 landings
(c) GFT by Day
(d) GFT by Night
(e) 250 NM PIC Day Cross Country test
(f) 120 NM PIC Night Cross Country test

For Instrument Rating:-

(a) PIC Cross Country- 50 hrs.
(b) Instrument Time- 40 hrs. (Actual/simulated 20 hrs. or more + Synthetic Simulator 20 hrs. or less)
(c) 5 hrs. instrument time Actual/simulated in preceding 6 months
(d) IR test in preceding 6 months
(e) Pass Signal Reception test (6 to 8 words per minute)

Examination of documents

Not Satisfactory

Papers returned to applicant with letter giving reasons for rejection for compliance of complete requirement and re submission (no fee refund)

Note:
Applicant has to meet all the requirements at the time of next date of submission.

For further details please go through the Aircraft Rules 1937 and CARs on the subject

Satisfactory

License issued and dispatched by Speed Post only.