

Rights of Domestic Airline Passengers in India: A Comprehensive Policy **Need of the Hour**

Shaik Nazim Ahmed Shafi¹

"Aviation was once considered the domain of a select few, but that has changed now with the advent of UDAN. My dream is to see a person who wears a 'hawai chappal' to fly on the 'hawai jahaz''. -Prime Minister, Shri Narendra Modi

Introduction

The history of transport starts from 4000 BC domesticated horses and camels were used as a means of transportation and later fixed wheels on carts (3500 BC); usage of boat (3500 BC); Chariot (2000 BC); paved road building initiated by Romans (312 BC); horse-drawn public bus (1662 AD); hot air balloon (1783 AD); Steam load locomotive (1801); steam-powered train (1814); primitive bicycle (1816); airship (1900); first motor-driven airplane (1904).² The invention of aircraft by Wright Brothers in 1903 has led to shape many variety of aircrafts which is evident today. Since then, the aircraft which was thought for using commercial purposes was diverted and was used for WW-I and WW-II. Once the WW-II ended, a conference has taken place which led to the bringing out the Chicago Convention in the year 1944. International Civil Aviation Organisation was established under the provisions of the Chicago Convention 1944. In 1946 the first Bermuda Agreement was signed for commercial transportation and hence, today everyone or anyone can reach any corner of the globe through air transport system.

Airports and the Airliners have become the economic engines for the development of any nation. Air transport has become an important means of transport and also the fastest means of transport system. The integration of the global economy is facilitated by the air transport. It has become a vital connectivity on a domestic, national, regional and international scale. It generates many opportunities like the employment, trade and commerce, promotes tourism etc.³ India is witnessing a larger growth in bringing out new airports to boost economy as well as providing means of employment and also the connectivity for airline passengers. The aviation industry employs lakhs of persons directly or indirectly in sectors like the hospitality, airport management and aircraft maintenance.

In India, air travel once a luxury, has now become easy, due to vast expansion of aviation sector in India and also due its geographical diversity, air travel connects⁴ the remote and difficult terrains like the Northeast, Andaman and Nicobar Islands and Ladakh and has reduced the travel time when compared to other means of transport especially the railways. Air travel has led to the economic growth through trade, tourism, business travel and the cargo and logistics. Even the air ambulances have become a life-saving means of transport which is at nascent stage. India.

Emergence of Liberalization, Privatization and Globalization

With the advent of liberalization, privatization and globalization, India not being an exception to the concept, has introduced Public-Private Partnership (PPP) by which many world class international airports (Hyderabad and Bengaluru) known as Greenfield International Airports and also through PPP, Operation Maintenance and Development Agreement (OMDA) two international airports were renovated known as Brownfield international

© 2023, IJSREM www.ijsrem.com DOI: 10.55041/IJSREM39809 Page 1

¹ Associate Professor of Law, Maharashtra National Law University, Nagpur.

² https://collegedunia.com/exams/history-of-transportation-physics-articleid-3905#definition (visited on 10-08-2024).

³ https://www.worldbank.org/en/topic/transport/brief/airtransport (visited on 14-08-2024).

https://www.civilaviation.gov.in (visited on 15-08-2024).



airports (Delhi and Mumbai) which took shape to boost economy and also to see the growth rate of airline passengers through these airports⁵.

ISSN: 2582-3930

Operational Airports

At domestic level, during the year 2023 there were 149 operational airports, including 107 domestic and 30 international, along with several civil/military enclaves. The government has announced nearly 200 Low-Cost Airports with a long-term approach of establishing the said airports targeting Tier-II and Tier-III towns. Later proposals focused on developing 50 low-cost / no-frills airports via AAI over a 10-year span with ~₹100 crore budget per airport⁶.

Passengers Growth

During the FY 2023-2024, a total number of 10.6 lakh Scheduled domestic airlines operated and a total of 153.7 million scheduled passengers as against 10.0 lakh scheduled flights carrying total of 136.0 million scheduled passengers during the previous financial year 2022-2023, were carried to various places. A growth of 13% was witnessed during the year 2023-2024 by the domestic passengers carried by the scheduled domestic Indian Carriers⁷.

UDAN Scheme

UDAN (Uda Desh Ka Aam Nagarik-a Regional Connectivity Scheme) scheme was launched on 21st October, 2016 with 625 UDAN routes being operationalized, connecting 90 airports (including 2 water aerodromes and 15 heliports) across India. More than 1.49 crore passengers have benefitted from affordable regional air travel under UDAN. A growth in network was expanded from 74 airports in 2014 to 159 airports in 2024. To promote connectivity to underserved and remote regions, Rs. 4023.37 crore was disbursed as Viability Gap Funding (VGF). Hence, regional tourism, health care access and trade were strengthened through UDAN in Tier-2 and Tier-3 cities⁸.

The increasing middle-class income and aspirational travel, India is becoming one of the fastest-growing aviation markets in the world having 1.46 billion population. There is always a growth rate of domestic passengers of at least 13-15 percent annually.

Rights of Airline Passengers

To ensure a positive experience for airline passengers travelling on Indian airlines and through airports in India, the Indian government has official regulations which protects the rights of the air passengers. Hence, the rights and duties of airline passengers are laid down in the Passenger Charter issued by the Ministry of Civil Aviation (MoCA)⁹. Airline passenger rights in India are governed by a blend of civil aviation regulations, consumer protection laws and international conventions. With the growing number of domestic and international airline travellers (passengers), the protection of their rights has become an essential aspect of Aviation governance. Hence, the following focuses the rights of airline passengers:

Rights during Flight Delays: If the airline passenger, in time has checked-in, but if there is a delay of domestic flight to 2 hours or 3 hours or 4 hours, then the airliner must offer free-of-charge meals, refreshments in relation to waiting time. If the delay is more than 6 hours, the airline passenger has a right to reschedule his flight more than 24 hours or an option of alternate flight within a period of 6 hours or full refund of ticket to the

© 2023, IJSREM www.ijsrem.com DOI: 10.55041/IJSREM39809 Page 2

https://www.civilaviation.gov.in (visited on 21-08-2024).

https://www.aai.aero/en/business-opportunities/traffic-survey-result (visited on 22-08-2024).

https://www.civilaviation.gov.in/sites/default/files/2025-03/Annual (visited on 24-08-2024).

Tier 2 cities denote the second tier of urban regions, encompassing populations ranging between 5 to 10 lakh residents, while Tier 3 cities comprise smaller urban locales with population of 1 to 5 lakh.

https://www.civilaviation.gov.in/sites/default/files/2023-01/Passenger%20Charter% (visited on 21-08-2024)

International Journal of Scientific Research in Engineering and Management (IJSREM)



Volume: 07 Issue: 12 | Dec-2023 SJIF Rating: 8.176 **ISSN: 2582-3930**

airline passenger. Again if, the airliner communicates the delay more than 24 hours, then the airline passenger gets a free hotel accommodation.

2. **Rights during Flight Cancellation**: The general rule is that the Airlines must inform the airline passenger that his flight is cancelled at least two weeks before the scheduled time of departure and arrange alternate flight or refund as acceptable to the airline passenger. Various options are given to the aggrieved airline passenger i.e. if the airliner has informed the airline passenger about the cancellation in advance of 2 weeks but before 24 hours, then the airline passenger will have a right to depart, take alternate flight or refund the ticket, as acceptable to the airline passenger.

Secondly, if the airliner has not informed the airline passenger, or missed the connecting flight booked on same ticket, then alternate flight or compensation in addition to full refund be given to airline passenger based upon the block time including one hour or more than one hour or more than two hours compensation is paid Rs. 5000/-, Rs. 7500/-Rs. 10000/- respectively.

Additionally, if airline passenger reports but waits for alternate flight, then the airliner must provide free-of-charge meals and refreshment during waiting time; the airliner shall bear the expenses if the airline passenger is transferred from booked airport to alternate airport terminal provide by the airliner and in two cases the airliner will not be liable if the airline passenger has not given the contact information or if the airliner has informed the airline passenger was informed in advance of 6 hours before taking the flight.

- 3. **Rights when Boarding denied due to over-booking**: The right of an airline passenger lies if an arrangement of alternate flight is arranged within one hour from the schedule departure, the airline passenger who was denied boarding due to over booking and missed the original flight cannot hold liable the airliner. However, if a flight was not arranged within 24 hours from booked time, 200% compensation is to paid and if an alternate flight is arranged after 24 hours, then the compensation will be 400% and in both the cases it is subject to a maximum of Rs. 10000/- and Rs. 20000/-. 10
- 4. **Right to get Refund:** If the payments were made in cash, the amount is refunded immediately. But if it is paid through Credit Card, it takes seven days to get the refund. If the booking is made through the travel agent, the amount will be refunded through the travel agent only.
- 5. **Rights due to Flight Diversion**: The airliner which is to reach the destination, may be diverted due to some technical reasons, or due to natural calamities or due to any bad weather condition or any other reason which is not within the purview of the pilot's skill, diligence, expertise or experience. During the diversion, the concerned staff communicates to all the queries of airline passengers and provide constant information. Facilitation or refreshment should be provided during the waiting, if the waiting time is more than two hours; and if it is less than 2 hours, at alternative airport, appropriate announcement for boarding to be made. Refreshment, water, tea or coffee is provided during diversion of the airliner.
- 6. **Right to Refund-Cancellation Charges:** Every airline passenger must know the breakup of an air ticket (domestic flights) which includes the (i) bare fare; (ii) airline fuel charges; (iii) taxes and fees (airport-based fees which includes; Passenger Service Fee; User Development Fee or Airport Development Fee) and government-based fees relates to; Taxes and Fees; which includes; Goods and Services Tax (5% GST cancellation on economy class and 12% on business class); Security Fee Bureau of Civil Aviation Security [BCAS] and finally the other charges include; convenience fee; seat selection fee (if selected); baggage fee (if exceeding free limits); and meal charges (for low-cost carriers)

The nature of air ticket is in the form of a Standard Form of Contract; the airline passenger must be thoroughly acquainted with the terms and conditions of refund policy whenever the airline passenger wants to cancel the ticket. There is an obligation on the part of the airliner to indicate clearly the amount of refund money admissible

Passenger Charter, issued by Ministry of Civil Aviation, 2019.



International Journal of Scientific Research in Engineering and Management (IJSREM)

Volume: 07 Issue: 12 | Dec-2023 SJIF Rating: 8.176 **ISSN: 2582-3930**

on cancellation of ticket. It must be displayed on their respective websites. At least one integrated display should be provided that includes the schedules, fares, rules and seat availability of all participating carriers. The refund is based in accordance with the regulations of the airline's country of origin if the airline is a foreign carrier operating to/from India.

- 7. **Rights due to Cancellation or Amendment**: An airline passenger can cancel or amend the ticket without any additional charges within 24 hours of booking the ticket. This facility is available up to 7 days prior to the specified flight departure on the first leg.
- 8. **Rights of Persons with Disability:** A person with disability, holds the highest priority for transportation. The airliner cannot refuse in any way in carrying the person with disability along with his/her assistive aids/devices, escorts and guide dogs. All the information must be furnished to the airliner at the time of booking the ticket. They must inform the airliners their requirements at least 48 hours prior to the schedule departure time. Cabin-crew must brief the persons with disability, its take-off, how to act during emergency situation; cabin layout and specialized equipment on board to cater their needs. Denial on board by the airliner must be in writing. They are given priority in quick clearance of baggage deliver by the airliner.
- 9. **Right to Medical Care:** During the transit, if any airline passenger feels uncomfortable due to any medical illness, the airline passenger will be facilitated with medical doctors; ambulance; medical support equipment; paramedics and expert handling of medical emergencies. All airports are equipped with these facilities for saving the lives of the airline passengers.
- 10. **Liability of the Airliner:** On board, if any airline passenger suffers with bodily injury or death, the airliner is liable to pay up to Rs. 20 lakhs per passenger. Airliner will not be liable if the death of an airline passenger is caused due to the natural causes.
- 11. **Rights due to loss, delay or damage to baggage:** The airliner liability is limited to Rs. 20000/- per passenger, But, if the loss, delay or damage is caused to cargo, the airliner will be liable to Rs. 350 per kilogram.
- 12. **Right to Wi-Fi:** Every airport whether domestic or international provides the facility of Wi-Fi to the domestic or international air passengers.
- 13. **Right to Information:** At the check-in points, a notice is displayed which states that; "if you are denied boarding or if your flight is cancelled or delayed, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance".
- 14. **Right to lodge complaint:** If any of the aforesaid airline passenger's rights are violated, the airline passenger can claim compensation at the help desks placed at arrival and departure stations or can do so electronically.
- 15. **Right to Air Sewa:** If any airline passenger is not satisfied with the resolution of the airliner, the airline passenger can file a grievance with Air Sewa (app or portal).
- 16. **Right under Statutory Bodies/Courts:** If any airline passenger is not satisfied with Air Sewa, the airline passenger can complain to any statutory body or court for resolving their dispute.
- 17. **Rights under Indian Constitution:** If the airliner discriminates any airline passenger or persons with disability by not giving them an opportunity to board the aircraft without any reason, the affected airline passengers may approach High Court(s) under Art. 226 of the Constitution of India.
- 18. **Rights under Tort Law:** If any airline passenger's rights are infringed due to the negligence, or harassment or violation of any norms by the airliners, or airport authorities under Tort law for negligence;





Volume: 07 Issue: 12 | Dec-2023 SJIF Rating: 8.176 **ISSN: 2582-3930**

harassment or violation of an airline passenger or persons with legal disabilities, are prone for claiming their rights through the civil courts.

- 19. **Rights against Airport Operators:** An airline passenger, if his/her rights are infringed and if the issues are related to airport facilities, security checks, sanitation or ground services can also be raised with Airport Manager; Grievance Kiosks at major airports and Airport websites' complaint section etc. Presently, some of the airport operators are Airports Authority of India (AAI) and the GMR.
- 20. **Rights under Civil Aviation Regulations (CARs):** The airline passenger has many rights, which are issued by the DGCA under Rule 133A¹¹ of the Aircraft Rules, 1937. The rights include for compensation, refreshments or alternate flights for the airline passenger due to flight delay and cancellation of a flight¹²; compensation for denied boarding; compensation for lost or delayed or damaged baggage¹³; right to assistance; priority boarding and non-discriminatory treatment¹⁴ and refunds under various categories as stated above.
- 21. **Rights under Consumer Law:** From Help Desk to Airsewa if the airline passenger's rights were not resolved or not satisfied with the airline or the DGCA, the said airline passenger can avail their rights through their well-established forums like the District Consumer Disputes Redressal Commission; State Commission and the National Consumer Disputes Redressal Commission (NCDRC).

The Consumer Protection Act, 2019¹⁵ recognizes airline passengers as 'consumers¹⁶' the moment they purchase ticket and travel through airlines and airports. It empowers them to seek redressal for compensation against deficiency in service (which includes proper flight operations, safe aircraft take-off, transit, landing and emergency preparedness); punishment for unfair trade practices like the misleading advertisements hiding the information relating to charges or cancellation rules or cancellation of flights by stating company is not liable etc., and overcharging; disclose full fare details and terms of service); airline passengers' can file complaints against delays, cancellations without proper communication or reason; loss or damage to baggage; or denied boarding despite confirmed tickets; misbehaviour of the staff off board (at airport) and on board (in aircraft).

Due to the aforesaid factors, if an airline passenger is able to prove beyond reasonable doubt, can claim compensation for mental agony, harassment and financial loss due to negligence and also include cases of loss of baggage, delayed flights or overbooking. Consumers also have a right to information and must be informed about the flight schedule changes; cancellation policies; refund timelines in advance as per the Passenger Charter¹⁷. There were many cases in India relating to product liability, and while landing, the

Explanation. -- For the purposes of this clause, --

¹¹ Aircraft Rules 1937 (XXII of 1934)

¹² CAR, Section 3, Series M, Part IV.

¹³ CAR, Section 3, Series M, Part III.

¹⁴ CAR, Section 3, Series M, Part I.

¹⁵ Act No. 35 of 2019.

Section 2 (7) "consumer" means any person who ---

⁽i) buys any goods for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any user of such goods other than the person who buys such goods for consideration paid or promised or partly paid or partly promised, or under any system of deferred payment, when such use is made with the approval of such person, but does not include a person who obtains such goods for resale or for any commercial purpose; or

⁽ii) hires or avails of any service for a consideration which has been paid or promised or partly paid and partly promised, or under any system of deferred payment and includes any beneficiary of such service other than the person who hires or avails of the services for consideration paid or promised, or partly paid and partly promised, or under any system of deferred payment, when such services are availed of with the approval of the first mentioned person, but does not include a person who avails of such service for any commercial purpose.

⁽a) the expression "commercial purpose" does not include use by a person of goods bought and used by him exclusively for the purpose of earning his livelihood, by means of self-employment;

⁽b) the expressions "buys any goods" and "hires or avails any services" includes offline or online transactions through electronic means or by teleshopping or direct selling or multi-level marketing;

Ministry of Civil Aviation – Passenger Charter – 'Know your rights when you fly'.





Volume: 07 Issue: 12 | Dec-2023 SJIF Rating: 8.176 **ISSN: 2582-3930**

landing gears doesn't function leading to a crash at airports. If anyone is injured or dies, liability follows and it is a right to be claimed by the victim himself or on behalf of the victim who suffered death.

Hence, an airline passenger can complain through the well-established portals and forums like the e-Daakhil Portal (Online filing); National Consumer Helpline (NCH) or Consumer Commissions under the Act, 2019 i.e., the District Commission (claim up to Rs. 50 lakhs); State Commission (Rs. 50 lakhs to 2 crores).

22. **Exception (Non-liability of Airliner):** Any airliner whether domestic or international are exempted from liability due to "force majeure" which impacts delay of flights, and which could not have been avoided even if all reasonable measures had been taken by the airliner. Force majeure relates to natural disasters like heavy winds, cyclones, earth-quakes, hurricanes, floods etc. Also the airliner will not be held liable to airline passengers effected due to political instability; civil war; insurrection or riot; explosion; government regulation or order affecting the aircraft; strikes and labour disputes causing cessation, slowdown or interruption of work or any other factors that are beyond the control of an airliner and includes delay clearly attributable to air traffic control, meteorological conditions, security risks, or any other causes that are beyond the control of the airline which affect their ability to operate the flights on schedule.

Redressal System

The redressal system is structured under multiple bodies and mechanisms, both regulatory and consumer-focused. Each airliner in India is required by the DGCA to establish an internal grievance redressal mechanism; Customer Support Desks (at airports and Online); Designated Nodal Officers to handle complaints; Time-bound resolutions (usually within 30 days). Air Sewa Portal (a government platform) launched by the MoCA is a centralized platform for airline passengers to file complaints related to; flight delays and cancellation; refunds; baggage issues; staff misbehaviour and facilities at airports.

Regulatory Authorities

The regulatory authority that monitors airlines' compliance with civil aviation requirements is the DGCA. Section 3 Series M, Part IV of the CARs lays down the passenger charter and rights of air travellers including compensation for delays, cancellations, overbooking, baggage loss or damage and refund timelines. If the airline passengers' issues were not resolved, they can approach the grievance cell of the DGCA through email or online (DGCA Grievance Redressal system [eSahayog]. Secondly, the Ministry of Civil Aviation (MoCA) formulates policies at national level and oversees its implementation. It has introduced the AirSewa Portal and the Passenger Charter for grievance redressal and transparency. Thirdly, the Bureau of Civil Aviation Security (BCAS) focuses on security regulations, especially affecting passenger screening and safety. There are cases where for frequent flyers they have to cross the scanning or X-rays, which have made the airline passengers life miserable affecting their lives due to the X-rays etc.

Judicial Response

In *InterGlobe Aviation Ltd.* V. N. Satchidanand¹⁸; The case revolves around a passenger's experience with airline Indigo, where they were delayed for over 13 hours due to bad weather and ATC clearance issues. The passenger alleged deficiencies in service, negligence, and failure to provide facilitation and also stated that the airliner had a moral duty to take back to lounge. However, the court concluded that the airline was not liable to pay damages due to reasons beyond its control.

In Goibibo Com v. Amrit Pal Jaiswal¹⁹; The case revolves around the liability of an online platform (Goibibo) for refund in case of failure by an airline to run a flight as per booking. The issue is whether an online platform liable for refund in case of airline's failure to provide service? The court reasoned

LAWS (SC), 2011 7-31.

¹⁹ LAWS (NCD)-2024-8-2.





Volume: 07 Issue: 12 | Dec-2023 SJIF Rating: 8.176 **ISSN: 2582-3930**

that since Goibibo acts as a commission agent, it should be liable for refund in case of airline's failure to provide service. The guidelines issued by Goibibo itself indicate that they will manage the refund in such cases. The court upheld the decision of the State Commission, holding that Goibibo is liable for refund in case of airline's failure to provide service.

In Shakeb Khan Altamash v. Thai Airways International PLC²⁰; Whether the petitioner is a consumer entitled to benefits under the Consumer Protection Act, 2019; Whether the respondent's actions were justified in rejecting the petitioner's claims of loss of baggage. The petitioner argued that he was entitled to benefits under the Consumer Protection Act, 2019 as a 'consumer', and relied on Sec. 22 (2) of the Carriage by Air Act, 1972 which limits carrier liability to \$250 per kg for registered luggage. Held, not a consumer based on jurisdiction.

In Amita Jain v. Air Chartered Services Pvt. Ltd. & Ors²¹; The case revolves around the liability of respondent no. 2 (airline) towards passengers who died in an accident involving a plane operated by respondent no. 1 (airline). The issue is whether the airline is liable for the deaths of the passengers and if so, what amount should be paid? The court analysed the provisions of the Air Travel Regulations, 1973 and concluded that those who are covered under the provisions of the said Act are entitled to compensation for the death of a passenger. The court also held that since there is a special contract between respondent no. 2 and respondent no. 1, which covers passengers, the airline is liable for the deaths of the passengers. The court referred to previous judgments in similar cases where it was held that those who are covered under the provisions of the Air Travel Regulations, 1973 are entitled to compensation for the death of a passenger. The court also cited the doctrine of contra-proferentem which states that in case of ambiguity in a contract, the provision is held against the maker of the contract. The court concluded that each passenger is entitled compensation for an amount of Rs. 7.5 lakhs as per statutory liability under the Air Travel Regulations, 1973 and respondent no. 2 is directed to pay an amount of Rs. 42.5 lakhs with interest @ 6% per annum from the date of filing of petitions.

In *Triveni Kodkani* v. Air India Ltd.²² The facts state that; one Late Mahendra Kodkani, husband of complainant no.1 and the father of complainant no. 2 & 3 and his mother-in-law died in an air crash at Mangalore on 22.05.2010, while they were travelling in Flight IX 812 of Air India Express from Dubai to Mangalore. The issue is whether the airline company should pay compensation to the dependents of the deceased for his death due to air accident. The petitioner's arguments were that the airline company should pay compensation to the dependents of the deceased for his death due to air accident, and has calculated a figure of Rs.8,29,67,122/- based on their calculations. The respondent's arguments was that the liability of the carrier for damages payable for the loss suffered on account of death or injury of a passenger in an air accident is unlimited, but only actual damages proved by the claimants can be determined. The Court reasoned that the airline company is liable to pay actual damages proved by the claimants for death or injury of a passenger in an air accident, and that the multiplier of 14 can be applied to calculate the compensation. However, the court has also deducted certain amounts from the calculated compensation. Finally, the Court held that the airline company should pay an amount of Rs.2,95,14,187/- as compensation to the complainants, with interest on the principal amount.

Challenges

The challenges relate to the enforcement of the application of law; lack of awareness among the airline passengers relating to their rights as a consumer; DGCA enforces the major violations only neglecting the minor one's; compensation paid is not clear because there are multiple laws each contradicting the other, while the Court's decision becomes final and binding; and delay in refunds from the claims made by the airline passengers.

²⁰ LAWS (NCD)-2024-11-58.

²¹ AIR (DEL) -2019-0-188.

²² LAWS (NCD)-2018-12-116.



International Journal of Scientific Research in Engineering and Management (IJSREM)

Volume: 07 Issue: 12 | Dec-2023 SJIF Rating: 8.176 ISSN: 2582-3930

Conclusion

The legal framework in India is in a stage of ambiguity, because there are complex rules, regulations, law, civil aviation regulations (CARs); passenger charters, forums, courts and finally the judicial precedents. The rights discussed above states that there are rules made by the Passenger Charter which focuses how refreshments, accommodation, arrangement of alternate flight are discussed. Again, as per the DGCA, CARs also play an important role in protecting the rights of the airline passengers. Many regulatory systems are provided for the sake of the rights of the airline passengers. Consumer forums are established for the consumers' grievances. The Carriage by Air Act 1972 also plays a vital role in payment of compensation. Various e-portals are available to complain about the grievances of airline passengers. Next, comes to the Consumer Commissions whether District, or State or National. Again, for these forums, the matter goes for an appeal to the Supreme Court, Finally the matter is resolved. This lengthy process of dispute resolution becomes clumsy and finally the airline passenger loses the hope and confidence in getting justice after many years.

The Indian legal framework for airline passenger rights is fairly comprehensive, drawing from domestic regulations and international obligations. However, the real challenge lies in enforcement, consumer awareness, and ensuring accountability of both airlines and regulatory agencies. Continuous reforms and judicial activism play a key role in bridging the gap between rights on paper and their realization in practice.

Suggestions

The author suggests that, at every airport, whether domestic or international, must establish an Aviation Ombudsman to protect the rights of the airline passengers spontaneously. Wider campaigns over airline passengers' must be focussed. The grievances should be settled at the earliest because the airline passenger cannot devote time for a lengthy litigation. The liability of the private parties on digital platform like Make My Trip etc., must be fixed instead of letting them scot-free. Enforcement is at a slow pace. Hence, due to a complex redressal mechanism and regulations, the author suggests for a comprehensive policy on the Rights of Domestic Airline Passengers in India, need of the hour.
