

Notice of Complaint to Show Cause

Case No. 39/1051/11-12

Dated 21.02.2012

In the matter of:

Suo-Motu

Vs

Spice Jet Ltd.
Through its Chairman,
Murasoli Maran Towers,
73, MRC Nagar Main Road,
MRC Nagar,
Chennai-600028 (T.N.)

Respondent No.1

Director General of Civil Aviation,
Technical Centre,
Opposite: Safdarjung Airport,
New Delhi

Respondent No.2

Whereas it has been reported in the Times of India, New Delhi edition dated 20.02.2012 that Miss Jeeja Ghosh, a teacher with cerebral palsy was forced to get off the Spice Jet Flight at Kolkata Airport because of disability on 19.02.2012;

2. And whereas, besides not being able to travel to Goa and attend the seminar, Miss Jeeja Ghosh was harassed and humiliated;

3. And whereas, para 4 of the Civil Aviation Requirements (CAR) inter-alia provides as under:

“4. **REQUIREMENTS**

4.1 *No airline shall refuse to carry persons with disability or persons with reduced mobility and their assistive aids/devices, escorts and guide dogs including their presence in the cabin, provided such persons or their representatives, at the time of booking and /or check-in for travel, inform the airlines of their requirement. The airlines shall incorporate appropriate provisions in the online form for booking tickets so that all the required facilities are made available to the passengers with disabilities at the time of check-in.*

4.2 *The airline shall formulate a detailed procedure for carriage of disabled persons or persons with reduced mobility and publish the same on their website.*

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- 4.4 *All airlines and airport management shall run program for their staff engaged in passenger handling e.g. cabin crew / commercial staff including floor walkers and counter staff etc. for sensitization and developing awareness for assisting passengers with disabilities. The training program shall be conducted at the time of initial training and a refresher shall be conducted every 3 years on the subject. Only such persons who have current course shall be assigned to handling disabled persons. The training program should interalia, include assisting disabled persons in filling up travel documents as may be required while providing assistance in flight.*
- 4.5
- 4.6
- 4.7
- 4.8
- 4.9 *Persons with disabilities not holding any certificate shall also be provided necessary assistance as well as the aids such as wheel chairs, ambulifts etc. In such cases during ticketing/ check-in the individuals' degree of disability and his need for assistance may be confirmed. Airlines shall not refuse carriage in such cases.*
- 4.10 (a) *Airport operator shall display International symbol of Disability within the visible proximity of the main entrance of the arrival/departure terminal, informing that they may contact the concerned airline operator for special assistance. Special assistance to be provided by Airport operator/ security agencies to the visually impaired in locating concerned airline operator counter/ office. Airport operator shall provide dedicated reserved parking space, toilets with independent entrance with proper signage and barrier free access to all areas in the terminal building.*

(b) *Once a passenger has bought a ticket for travel, it is obligatory on part of the airline that he reaches the aircraft from the departure lounge, and at the end of the journey from the aircraft to the arrival lounge exit, without incurring any further expenditure."*

4. And, therefore, the Chief Commissioner for Persons with Disabilities has directed the undersigned to serve the notice upon the respondents to submit their versions of the case explaining as to why such an incident has occurred despite the above mentioned specific provisions in the CAR and as to what measures the respondents propose to take to prevent recurrence of such incidents in future and to compensate Miss Jeeja Ghosh within 30 days of receipt of this Notice.

(T.D. Dhariyal)
Dy. Chief Commissioner

Copy to: Miss Jeeja Ghosh, email – jeeja.ankur@gmail.com