



सत्यमेव जयते
न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment
भारत सरकार/Government of India
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Case No: CCPD-OF-0002/1111/2026

In the Matter of

Complainant

Ms. Falguni Maheshwari

Versus

Respondent(s)

1. The Chief Executive Officer and Managing Director, Air India Limited
2. The Secretary, Ministry of Civil Aviation
3. The Chief Executive Officer, Delhi International Airport Limited

1. Hearing

1.1. A hearing was conducted on 27.07.2026 in hybrid mode, wherein the following parties/representatives were present:

Sl. No.	Name of the Parties / Representatives	On Behalf of
1.	Ms. Falguni Maheshwari	Complainant
2.	Adv. Amar Jain	Complainant
3.	Adv. Sarah	Complainant
4.	Ms. Amla Halder, Legal Counsel	Respondent 1
5.	Mr. B.K. Singh, AD, DGCA	Respondent 2
6.	Ms. Somya Yadava, Manager (Litigation)	Respondent 3

2. Record of Proceedings

2.1 During the proceedings, the Complainant, a person with 80% locomotor disability (spastic triplegia) and a wheelchair user, submitted that she had traveled on Air India from Frankfurt to Delhi on 26.05.2026 without any medical hindrance or objection. It was noted that after boarding her connecting Air India flight from Delhi to Bhuj and occupying her seat (22C), cabin crew questioned her fitness to travel independently, demanded a "Fit to Fly" certificate, and deboarded her without providing any written reasons or an evaluation by an airport doctor. The Complainant further submitted that her powered wheelchair was returned in a damaged condition and that she was forced to arrange alternative flights and onward travel at her own expense and under severe emotional distress. She argued that demanding medical clearance mid-boarding violated DGCA Civil Aviation Requirements (CAR) and sought full compensation, accountability, and systemic reforms.

2.2 In response, the Respondent (Air India Ltd.) submitted that the airline had acted out of care, concern, and flight safety standards rather than disability discrimination. It was stated that cabin crew observed onboard indicators, including severe fatigue, coughing, and inability to communicate verbally, which led the crew to perceive that her health might deteriorate during the flight. Relying upon DGCA CAR provisions (Sections 4.1.26 to 4.1.36), the Respondent contended that requesting a "Fit to Fly" certificate was a regulatory safety necessity. The Respondent further submitted that once the certificate was submitted, the Complainant was provided alternative travel to Ahmedabad free of cost and expressed full willingness to repair or compensate for her damaged wheelchair.

2.3 The Respondent (Delhi International Airport Limited / DIAL) submitted that it was not a necessary party to the present dispute. It was contended that airline operations, boarding, deboarding decisions, and medical clearance requirements fall strictly under the operational domain of the airline (Air India Ltd.), and DIAL had no involvement in offloading the Complainant or managing onboard requirements.

2.4 Upon considering the submission of the parties, the Court sought clarification regarding the procedural lapses committed by the Respondent (Air India Ltd.) during the incident. The Court questioned why no assessment or intervention was made to stop the Complainant prior to boarding or during her 3-to-4-hour layover at Delhi Airport if her health condition was truly a concern. The Court also highlighted that Air India failed to provide mandatory written reasons to the passenger at the time of deboarding, as required under applicable aviation

rules.

2.5 The Court further observed that Air India took no initiative to deploy an airport medical officer or provide on-site medical examination, treatment, or assistance to the Complainant during her layover or deboarding. It was noted that the requirement to produce a "Fit to Fly" certificate during the boarding process was arbitrary and impractical, as the certificate was ultimately obtained remotely from the complainant's family doctor in Bhuj merely to fulfil a procedural formality, making the requirement devoid of any practical purpose.

2.6 The Court observed that safety regulations must be applied with genuine medical justification and disability sensitivity, rather than creating arbitrary procedural barriers after a passenger has already boarded. The Court noted that the regulatory body (DGCA) confirmed that Air India ought to have consulted an airport doctor on-site if health concerns arose, and that the entire sequence of events reflected clear procedural fault and lack of compliance on the part of the airline.

2.7 Accordingly, the Court recommended the Directorate General of Civil Aviation (DGCA) to furnish its detailed regulatory comments and response within seven (7) days regarding the violations committed, the regulatory actions to be taken, and guidelines to prevent such recurrences in future operations. The Court further granted liberty to Delhi International Airport Limited (DIAL) to place its written submissions on record within the stipulated timeline.

(Ipsita Mitra)

Dy. Chief Commissioner