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: 14569/1141/2023

In the matter of –

Mr. Prabal Malaker **...Complainant**

Versus

Nodal Officer,

Indigo Airlines,

New Delhi **...Respondent**

1. Gist of the Case:

1.1 Shri Prabal Malaker, filed a complaint dated 12.10.2023 in relation to IndiGo Flight 6E514 (PNR YPC1PF) on 30.08.2023 from Hyderabad to Chennai. He submitted that despite informing the airline more than 48 hours in advance about his requirement for wheelchair assistance (WCHC), the check-in staff refused to accept his personal collapsible wheelchair unless it was polythene-wrapped through a paid external vendor at a cost of ₹800. He alleged that this caused harassment and violated his dignity as a person with disability, in contravention of CAR Section 3 and the Rights of Persons with Disabilities Act, 2016 (hereinafter referred to as “the Act”).

1.2 The complainant further stated that he had lodged grievances on 03.09.2023 and 25.09.2023 seeking redressal, including a written apology and imposition of a penalty of ₹1,00,000, to be donated to the Multiple Sclerosis Society of India.

2. Notice issued to the Respondent:

2.1 A notice dated 18.10.2023 was issued under Sections 75 and 77 of the Act to the airline for its response to the allegations raised in the complaint. In its reply dated 17.11.2023, IndiGo submitted that wheelchair assistance had been duly provided and that the passenger had accepted its Conditions of Carriage. It was further stated that the suggestion for external wrapping was only made to prevent potential damage to the passenger's three-part foldable wheelchair, and that no refusal had taken place. The airline denied any violation and asserted compliance with the applicable DGCA CAR and the Act. In rejoinder dated 04.12.2023, the complainant reiterated that the wrapping requirement was imposed as a condition, denied any necessity for prior intimation under DGCA rules, and alleged that there had been delay in addressing his grievances.

2. Hearing (I):

2.1 A hearing was conducted in hybrid mode through video conferencing wherein the following parties were present on 05.06.2025:

Sl. No.	**Name of the Representative/parties present**	**On behalf of**
1.	Mr. Prabal Malaker	Complainant
2.	Mr. Pratik Arjun Sen – Nodal Officer / Grievance Redressal Officer (GRO)	Respondent

	representing IndiGo Airlines	
3.	Adv. Supriya Jain, Counsel	Respondent

3. Proceedings of the Hearing:

3.1 The Complainant booked an Indigo flight from Hyderabad to Chennai on 30.08.2023 and informed the airline over 48 hours in advance about his need for a wheelchair, which was confirmed on his ticket. However, during check-in, the airline refused to accept his personal collapsible wheelchair unless it was wrapped in plastic by an external vendor. He claimed that his wheelchair was of standard size and that other airlines, including Indigo in the past, had accepted it without such a requirement. The airline did not provide a wrapping bag either.

3.2 In response, Indigo apologized before fault was officially determined and stated that while they usually provide bags for wheelchairs, the Complainant's wheelchair was too large to fit. The staff only suggested plastic wrapping to avoid damage, but the Complainant misunderstood it as mandatory. Indigo later apologized and conducted sensitisation training for staff to improve support for passengers with special needs.

3.3 The Complainant emphasized that his goal was to improve the system, not just address a personal grievance, and highlighted the delay of 42 days in receiving an apology as indicative of insensitivity. The Court acknowledged both the airline's efforts to address the issue and the Complainant's initiative for systemic change.

3.4 The Court recommended the airline to submit an Action Taken Report within 15 days, including their Equal Opportunity Policy (EOP), details of the Grievance Redressal Officer (GRO), and steps taken to support passengers with disabilities. These details must be made public, and a copy should be

sent to the Complainant, who can respond within 7 days.

4. Action taken by the Respondent:

4.1 Respondent filed their action taken report dated 02.07.2025 and IndiGo acknowledged the inconvenience faced by a passenger with a disability whose standard-sized wheelchair could not be fitted into the airline's complimentary protective bag due to its dimensions. Staff suggested optional plastic wrapping by a third-party vendor for protection, which was misunderstood as mandatory.

4.2 The airline promptly apologized, clarified there was no denial of service, and took corrective measures including staff training, communication improvements, and policy reviews. IndiGo submitted its Equal Opportunity Policy, appointed a Grievance Redressal Officer, and enhanced accessibility initiatives across stations.

4.3 The incident led to systemic improvements, training upgrades, and strengthened feedback mechanisms, reinforcing IndiGo's commitment to accessible and inclusive air travel in line with the Rights of Persons with Disabilities Act, 2016.

5. Response from the Complainant:

5.1 Complainant filed his response dated 07.11.2025 against the Compliance report dated 02.07.2025 filed by Respondent and submitted that Indigo failed to acknowledge staff lapses and tried to obscure the issue despite having 42 days to resolve it. After the complaint was escalated to this Court on 12.10.23, Indigo promptly responded, with senior officials calling and apologizing, asking for the complaint's withdrawal.

6. Hearing (II):

6.1 A hearing was conducted on 11.11.2025 in hybrid mode. Wherein

following parties/representatives were present:

Sl.No.	Name of the parties /Representatives	Parties	Mode
1.	Mr. Prabal Malaker	Complainant	Online
2.	Adv. Supriya Jain, Counsel for Respondent	Respondent	Online
3.	Mr. Arjun Sen, Nodal Officer, Indigo Airlines	Respondent	Online

7. Proceedings of the hearing:

7.1 At the outset, the Complainant submitted that Indigo forced him to wrap his wheelchair, which he relies on for mobility, and challenged respondent's claim that it did not fit in the provided bag, noting no bag was available at the time. He also raised concerns about a 42-day delay in Indigo's responses and inconsistencies in their communication, arguing that their action report included unnecessary details and failed to address the core issue promptly.

7.2 The Respondents responded that wheelchair wrapping is only recommended, not mandatory, and confirmed that covers were available without any third-party involvement. They provided records of communications, staff training, and customer feedback to show due diligence, acknowledged a staff behaviour issue which was corrected, and maintained that the incident resulted from miscommunication rather than any violation of policy.

8. Observations and Recommendations:

8.1 After hearing both parties and perusing the records, the Court observed that the grievance centrally relates to the alleged insistence on wrapping the wheelchair and the resulting expenditure of ₹800/-. The Respondent maintains

that wrapping was only a recommendation and not mandatory.

8.2 It is undisputed that the wheelchair travelled with the Complainant and the Complainant incurred ₹800/- towards wrapping.

8.3 This Court finds that:

(a) There was no conclusive material establishing that the Respondent had a policy of mandatorily requiring wheelchair wrapping.

(b) However, lack of clear communication and absence of assured protective handling led to the Complainant incurring avoidable expenditure.

(c) The Respondent has undertaken corrective measures, including sensitization and staff briefing.

8.6 The Complainant has graciously stated during hearing that he does not insist on reimbursement of ₹800/- and prioritizes corrective action over monetary relief.

8.7 In view of the mandate contained under Sections 3, 40, 41 and 44 of the Rights of Persons with Disabilities Act, 2016, read with the Civil Aviation Requirements (CAR) issued by the DGCA concerning carriage of persons with disabilities and assistive devices, the following recommendations are issued to IndiGo Airlines :

(i) ensure that the policy expressly stipulates that wrapping of wheelchairs, mobility aids, or assistive devices is not mandatory. Refusal by a passenger to wrap such assistive device shall not constitute a ground for denial of carriage, refusal of assistance, or limitation of liability.

(ii) In cases where protective covers or wrapping facilities are unavailable, unsuitable, or declined by the passenger, IndiGo Airlines ensure safe, secure,

and non-discriminatory handling of the assistive device without imposing any additional charge, condition, or adverse consequence upon the passenger. Staff handling such devices shall provide appropriate assistance and assurance regarding safe carriage.

(iii) IndiGo Airlines shall within a 60 days, circulate and implement a written Standard Operating Procedure (SOP) across all airports and operational units reiterating strict compliance with:

a. the Rights of Persons with Disabilities Act, 2016;
b. the Civil Aviation Requirements (CAR) issued by DGCA relating to carriage of persons with disabilities and persons with reduced mobility; and
c. accessibility and non-discrimination obligations concerning assistive devices and mobility aids.

(iv) IndiGo Airlines may conduct periodic training, sensitisation, and capacity-building programmes for all frontline personnel, including check-in staff, boarding staff, baggage handling staff, and customer service officials dealing with passengers with disabilities. Such training shall specifically emphasise respectful and dignified communication; compliance with statutory accessibility obligations; safe handling of wheelchairs and assistive devices; and avoidance of any language, conduct, or practice that may imply compulsion, coercion, or discriminatory treatment toward passengers with disabilities.

9.2 The aforesaid measures may be implemented in furtherance of the statutory obligations cast upon service providers under the Act, particularly the duty to provide reasonable accommodation, accessibility, and non-discriminatory access to transport services for persons with disabilities.

9.3 In terms of Section 76 of the Act, the Respondent is recommended to

submit the Action Taken Report on this Order within 90 days from the date of this Order. In case of non-compliance deemed appropriate action will be taken u/s 93 of the RPWD Act, 2016.

10. Accordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 04-11-2026
14:30:20

(S. Govindaraj)

Commissioner for Persons with Disabilities