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GOVERNMENT OF INDIA

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION  
TECHNICAL CENTRE, OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI – 11 0 003

CIVIL AVIATION REQUIREMENTS  
SECTION 3 – AIR TRANSPORT  
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Subject: Handling of unruly passengers.

## 1. INTRODUCTION

- 1.1 Unlawful/disruptive behaviour on board the aircraft may interfere with the performance of duties of the crew members or hamper the ability of the crew members to perform those duties or jeopardize the safety of the aircraft/persons/property on board/good order & discipline on board, cause discomfort to other passengers & crew members and may invite penal action in accordance with applicable regulations. In such a situation, passengers are expected to abide by law of the land and utilise the means and resources for grievance redressal as specified by the Government.
- 1.2 Even if the passenger feels that the redressal system has limitations, unlawful/disruptive action is certainly not a solution.
- 1.3 Unruly behaviour on-board aircraft has been declared as an offence and is a punishable act. Although unruly passengers represent only a miniscule proportion of passengers as a whole, even one unruly passenger can jeopardise safety on board. Unruly passengers affect all personnel involved in the process connected with a flight operation, ultimately affecting the operation of the flight itself.
- 1.4 This CAR is issued under the provisions of Rule 22, Rule 23 and Rule 29 of the Aircraft Rules, 1937 and with the approval of Ministry of Civil Aviation for information, guidance and compliance of all concerned.

## **2. APPLICABILITY**

- 2.1 The provisions contained in this CAR shall be applicable to the following:
- a) All Indian operators engaged in scheduled and non-scheduled air transport services, both domestic and international, for carriage of passengers.
  - b) All airport operators within Indian Territory.
  - c) All passengers during the period of air travel in or over India.
- 2.2 All foreign carriers would follow this CAR subject to compliance of Tokyo Convention 1963.

## **3. DEFINITIONS**

- 3.1 *Unruly passenger* - A passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft.
- 3.2 *Disembarkation* means leaving an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight.
- 3.3 *Embarkation* means boarding an aircraft for the purpose of commencing a flight, except by such crew or passengers as have embarked on a previous stage of the same through-flight.

## **4. REQUIREMENTS FOR DEALING WITH UNRULY PASSENGERS**

- 4.1 Every reasonable effort to protect passengers and personnel against any offence by unruly passengers shall be made.
- 4.2 Conditions of carriage shall include statutory warning specifying acts which have been declared unlawful/disruptive under the provisions of the Aircraft Rules, 1937.
- 4.3 Airline shall establish Standard Operating Procedure (SOP) including the role of ground staff, flight crew, airline airport manager and airline central operational control to deal with unruly passengers while at airport or on-board the aircraft. The SOP shall be communicated throughout the organization and especially to all employees who are in direct contact with passengers, both on the ground and on the aircraft.
- 4.4 Passengers who are likely to be unruly must be carefully monitored, and if deemed to pose a threat to the safety and security of the flight, fellow passengers or staff while on board aircraft, should be refused embarkation or off-loaded.
- 4.5 All airlines shall establish mechanism to detect and report unruly passenger behaviour at check-in, in the lounges, at the boarding gate or any other place in

the terminal building in order to prevent such passengers from boarding. In case of occurrence of an act of unruly behaviour while the aircraft is on ground, such cases shall be reported immediately in writing and First Information Report (FIR) may be lodged with security agency at the aerodrome.

- 4.6 Unruly behaviour could be the result of an event of unsatisfactory service/condition or effect of a series of such events that build up. Airline staff should observe early signs of potential unruly behaviour. Airlines shall focus and act on these early signs, rather than dealing exclusively with escalated events. At no stage, the airline staff/crew member shall show discourteous behaviour during redressal of genuine passenger rights.
- 4.7 During the flight, crew members must attempt to defuse a critical situation until it becomes clear that there is no way to resolve it through verbal communication and written notice to passenger. Applying restraining devices should be used when all conciliatory approaches have been exhausted.
- 4.8 Passengers shall be made aware through display of “Conditions of Carriage” at prominent locations in the airport terminal building that any act, which is considered offence on the ground and invites penal action as per law, is also an offence if committed on-board aircraft.
- 4.9 The passenger shall also be made aware that in case his/her behaviour falls into one of the following categories, he/she is likely to be breaking the law and could be arrested on arrival at destination, or at any other airport where the aircraft commander may choose to land. However, these clauses are indicative and not exhaustive:
- a) Consuming alcoholic beverages or drugs resulting in unruly behaviour.
  - b) Smoking in an aircraft
  - c) Failure to obey the instructions of the pilot-in-command
  - d) Acting in an unruly manner by:
    - i) use of any threatening or abusive language towards a member of the crew or other passengers;
    - ii) behaving in a physically threatening, abusive and disorderly manner towards a member of the crew or other passengers;
    - iii) intentionally interfering with the performance of the duties of a crew member.
  - e) Endangering the safety of an aircraft and persons therein
- 4.10 Airlines shall categorize all such cases of unruly behaviour on-board the aircraft as indicated in Para 4.9 to this CAR into following categories:
- a) Level 1: Unruly behaviour (physical gestures, verbal harassment, unruly inebriation etc.)

- b) Level 2: Physically abusive behaviour (pushing, kicking, hitting, grabbing or inappropriate touching or sexual harassment etc.)
  - c) Level 3: Life-threatening behaviour (damage to aircraft operating systems, physical violence such as choking, eye gouging, murderous assault, attempted or actual breach of the flight crew compartment etc.)
- 4.11 Pilot-in-command shall quickly assess if the cabin crew can control the unruly passenger and accordingly relay this information to the airline's central control on the ground.
- 4.12 If a seriousness of the situation so warrants, airline's central control shall, in consultation with pilot-in-command, identify the alternate aerodrome for landing of aircraft as quickly as possible. Security agencies, duty manager at alternate aerodrome and ground staff shall be informed for appropriate action at landing.
- 4.13 Upon landing of the aircraft, airline representative shall lodge FIR with the concerned security agency at aerodrome, to whom, the unruly passenger shall be handed over.

## **5. TRAINING**

- 5.1 Flight crew, cabin crew and ground staff should be properly trained and be in knowledge of procedures to deal with unruly passengers.
- 5.2 The training should provide knowledge on how to detect, defuse and prevent critical situations, about the causes of various types of disruptive behaviour and ways to handle critical situations along with reporting thereto.
- 5.3 The training modules so designed must include duties of such operating personnel, ground staff, cabin crew and flight crew dealing with conflict and its aftermath, ways/means to mitigate the situations that occur due to long waiting lines, flight being overbooked, delays & diversion/cancellation and lack of information.
- 5.4 In an endeavour to defuse a volatile situation, airline shall establish a mechanism to continuously observe and analyse incidents of disruptive behaviour in order to impart relevant training to frontline staff to help them manage rude and aggressive passengers and prevent such occurrences.

## **6. REPORTING AND HANDLING OF UNRULY PASSENGERS ON BOARD THE AIRCRAFT**

- 6.1 Whenever an airline receives a complaint of unruly behaviour from the pilot-in-command, the incident may be referred by the airlines to an Internal Committee. This Internal Committee shall be constituted by the airline and consists of the following:

- a) Retired District & Session Judge as Chairman.
  - b) A representative from a different scheduled Airline as Member.
  - c) Representative from a passengers association or consumer association or retired officer of Consumer Dispute Redressal Forum as Member.
- 6.2 The Internal Committee shall decide the matter within a period of 30 days along with category level of the unruly passenger as indicated in Para 4.10 of this CAR. The Internal Committee shall also decide the duration for which the unruly passenger will be banned from flying in accordance with provisions of Para 8.1 of this CAR.
- 6.3 Pending decision of the Internal Committee, the concerned airline may ban such unruly passenger from flying, but such period may not exceed a period of 30 days.
- 6.4 The Internal Committee shall give the final decision in 30 days by giving the reasons in writing. The decision of the Internal Committee shall be binding on the airline concerned. In case the Internal Committee fails to take a decision in 30 days, the passenger will be free to fly.
- 6.5 The airlines shall maintain a database of all unruly passengers (after decision by the Internal Committee) and inform the same to DGCA/other airlines. This shall form a No-Fly List which will be maintained by DGCA and contain the following information:
- a) Full name of the Passenger
  - b) Contact details viz. phone number, email address, postal address etc. (as indicated at the time of booking the ticket)
  - c) Details of identification document, viz., Aadhar card, passport etc.
  - d) Date of occurrence and details of the incident
  - e) Sector
  - f) Flight Number
  - g) Seat number
  - h) Category Level (as per para 4.10 of this CAR)
  - i) Date from which the ban is imposed
  - j) Period of imposition of ban
- Note: Information given at Para 6.5 (b), (c), (d), (f) and (g) may be shared with the airlines. However, it shall not be made public).
- 6.6 Reporting to DGCA shall be made in accordance with the provisions of Cabin Safety Circular 02 of 2010.
- 6.7 Instances of passengers posing a threat to flight safety or the security of fellow passengers or operating crew shall be reported to:
- a) Airline security official
  - b) SHO of airport police station

- c) CISF
- d) BCAS
- e) Airport operator.

## 7. NATIONAL SECURITY

The Ministry of Home Affairs may provide to DGCA and to the airlines, a list of individuals identified as national security threats for inclusion in the No-Fly List under Para 6.5 of this CAR. Such cases will not be covered by appeal provisions as provided under Para 8.4 of this CAR. Further, National Security threats list provided by Ministry of Home Affairs shall be shared with the airlines. However, this list will not be a part of published No Fly List. Separately, law enforcement agencies may take action in accordance with applicable law under their jurisdiction.

## 8. GENERAL

8.1 For any person, who is placed in the No-Fly List, other airlines shall have the option to ban him from taking flights to/from/within India for a duration as indicated below:

- |    |                              |   |
|----|------------------------------|---|
| a) | Level 1                      | upto three months   |
| b) | Level 2                      | upto six months   |
| c) | Level 3                      | for a minimum period of 2 years or more without limit   |
| d) | Persons covered under Para 7 | Barred till such time that the person is perceived to be national security risk by the Ministry of Home Affairs |

8.2 Sale of tickets inadvertently to such person(s) shall not confer a right upon them to fly. This shall be in addition to any action that may be taken against them under the appropriate law.

8.3 For every subsequent offence, the person will be banned for twice the period of previous ban as indicated in the Para 8.1 of this CAR.

8.4 The person so included in the No-Fly List shall be communicated by the airline concerned about his inclusion in the list along with the reason thereof and the duration of the ban.

8.5 Aggrieved persons (other than those covered under para 7 of this CAR), on receipt of communication of ban from the airline, may appeal within sixty days from the date of issue of the order, to an Appellate Committee constituted by the Ministry of Civil Aviation, consisting of the following:

- a) Retired Judge of a High Court as Chairman.

- b) Representative from a passengers association or consumer association or retired officer of Consumer Dispute Redressal Forum as Member.
  - c) Representative of the airlines of the rank not below the rank of Vice-President or equivalent as Member.
- 8.6 The decision of the Appellate Committee shall be final. Any further appeal shall lie in a High Court.



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