

**GOVERNMENT OF INDIA
CIVIL AVIATION
LOK SABHA**

UNSTARRED QUESTION NO:1317

ANSWERED ON:08.03.2007

COMPENSATION FOR LOSS DAMAGE TO AIR PASSENGERS

Bishnoi Shri Kuldeep;Masood Shri Rasheed;Owaisi Shri Asaduddin;Rao Shri Kavuru Samba Siva

Will the Minister of CIVIL AVIATION be pleased to state:

- (a) the compensation fixed by the Government in case of death and loss/damage of baggage in the international flights;
- (b) the existing mechanism regarding payment of compensation to the air passengers in such cases;
- (c) whether the Government is considering to align domestic laws to passenger friendly international treaty by raising the compensation limit for all air passengers for the loss of life and loss/damage of baggage;
- (d) if so, the details thereof; and
- (e) the action taken/being taken by the Government in this regard?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF CIVIL AVIATION (SHRI PRAFUL PATEL)

(a) and (b): At present under the Carriage by Air Act, 1972, the compensation levels are as under:-

(i) For loss of life - the liability is limited to Special Drawing Rights (SDR) 100,000 per passenger, or equivalent (1SDR=1.40 USD approx.)

(ii) For loss of baggage - the liability is on weight loss basis @ USD 20/- per kg.

(iii) For damaged bags, they are either repaired or replaced by the Company.

(c),(d) and (e): The Government has approved accession to the Montreal Convention, 1999 for unification of certain Rules for international carriage. This new Convention inter-alia aims to facilitate higher compensation. Pursuant to this decision of the Government, a Bill to amend Carriage By Air Act, 1972 is under finalization.