

IN THE SUPREME COURT OF INDIA  
[S.C.R., Order XXII Rule 2(1)]  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2020  
(UNDER ARTICLE 136 OF CONSTITUTION OF INDIA)

(Arising from the order dated 22.05.2020 passed by the Hon'ble High Court of Judicature Bombay Writ Petition (L) No. 3/2020)

(With prayer for Interim Relief)

IN THE MATTER OF:-

AIR INDIA & ANR. ... PETITIONER  
VERSUS  
DEVEN Y. KANANI & ORS. ... RESPONDENTS

WITH  
I.A. No. OF 2020:- APPLICATION SEEKING PERMISSION  
TO FILE SPECIAL LEAVE PETITION  
WITH  
I.A. No. OF 2020:- APPLICATION FOR EXEMPTION FROM  
FILING THE CERTIFIED COPY OF THE  
COMMON IMPUGNED ORDER

[PAPER BOOK]  
[FOR INDEX: KINDLY SEE INSIDE]

ADVOCATE FOR THE PETITIONERS

*Tarind*  
: M.V. Kini &  
Associates



INDEX

S.No	PARTICULARS OF DOCUMENT	PAGE NO. OF PART TO WHICH IT BELONGS		REMARKS
		PART I (CONTENTS OF PAPER BOOK)	PART II (CONTENTS OF FILE ALONE)	
(i)	(ii)	(iii)	(iv)	(v)
	Court Fees			
1)	Office Report on Limitation	A		
2)	Listing Proforma	A1-A2		
3)	Cover Page of Paper Book			
4)	Index of Record of Proceedings			
5)	Limitation Report prepared by the Registry			
6)	Defect List			
7)	Note Sheet			
8)	Synopsis and List of Dates	B-R		
9)	Copy of order dated 22.05.2020 passed by the Hon'ble High Court of Judicature Bombay Writ Petition (L) No. 3/2020	1-6		
10)	Special Leave Petition with Affidavit	7-25-A		
11)	<b>Annexure P-1:</b> A copy of the Circular dated 23.03.2020 issued by DGCA for social distancing measures	26-27		

12)	<b><u>Annexure P-2:</u></b> A copy of the order bearing No.40-3/2020-DM-I(A) dated 05.02.2020, issued by Ministry of Home Affairs, Government of India	28-31		
13)	<b><u>Annexure P-3:</u></b> A copy of the Notification dated 06.05.2020 issued by Ministry of Civil Aviation	32-36		
14)	<b><u>Annexure P-4:</u></b> A copy of the Air India SOP for Evacuation Flights for Indian Nationals Abroad	37-40		
15)	<b><u>Annexure P-5:</u></b> A copy of the Writ Petition Civil (L) 3 of 2020 dated 19.05.2020	41-74		
16)	<b><u>Annexure P-6:</u></b> A copy of the MCA Order dated 21.05.2020 for recommencement of Domestic Air Travel of passengers w.e.f. 25.05.2020 alongwith detailed Guidelines for social distancing and precautionary measures	75-91		
17)	<b><u>Annexure P-7:</u></b>			

17)	<b>Annexure P-7:</b> A copy of the DGCA Circular dated 22.05.2020	92		
18)	<b>Annexure P - 8:</b> A copy of the Schedule of Air India, with regard to the flights from different places	93-106		
19)	<b>I.A. No...../2020</b> Application for exemption from Filing the certified copy of the interim impugned order	107-109		
20)	Filing Memo			
21)	Vakalatnama with memo of appearance	110		

A

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**IN THE MATTER OF:-**

**AIR INDIA & ANR.**

... **PETITIONER**

**VERSUS**

**DEVEN Y. KANANI & ORS.**

... **RESPONDENTS**

**OFFICE REPORT ON LIMITATION**

1. The petition is/are within time.
2. The petition is barred by time and there is delay of \_\_\_\_ days in filing the same against Order dated 22<sup>nd</sup> May, 2020 and petition for condonation of \_\_\_\_ days delay has been filed.
3. There is delay of \_\_\_\_ days in refiling the petition and petition for condonation of \_\_\_\_ days delay in refiling has been filed.

NEW DELHI

DATE: 24.05.2020

BRANCH OFFICER

# PROFORMA FOR FIRST LISTING

SECTION XI

A 1

The case pertains to:

Central Act: (Title)	Constitution of India
Section:	Article 226
Central Rule: (Title):	N.A.
Rule No(s):	NA
State Act: (Title):	N.A.
Section:	N.A.
State Rule: (Title):	NA
Rule No(s):	NA
Impugned Interim Order:(Date)	NA
Impugned Final Order/Decree: (Date)	22.05.2020
High Court: (Name):	High Court of Judicature at Bombay
Names of Judges:	Hon'ble Justice R.D. Dhanuka, J. & Abhay Ahuja, J.
Tribunal/Authority: (Name)	NA

1. Nature of Matter: **Criminal**

2.	(a) Petitioner No. 1 /appellant No.:	Union of India
	(b) e-mail ID:	NA
	© Mobile Phone Number:	NA
3.	(a) Respondent no.1:	Deven Y. Kanani
	(b) e-mail ID:	NA
	© Mobile Phone Number:	NA
4.	(a) Main Category classification:	
	(b) Sub Classification:	
5.	Not to be listed before:	NA
6.	Similar/Pending matter:	

7. Criminal Matters:

	a)Whether accused/convict has surrendered:	
	(b)FIR No. /ECIR/ RC No.	
	©Police Station:	
	(d)Sentence Awarded:	

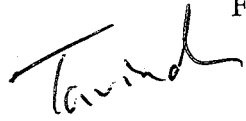
A 2

(e) Sentence Undergone:	
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8. Land Acquisition Matters:

	(a) Date of Section 4 Notification:	NA
	(b) Date of Section 6 Notification:	NA
	(c) Date of Section 17 Notification:	NA
9.	Tax Matters: State the tax effect:	NA
10.	Special Category (First petitioner/ appellant only)	Senior citizen > 65 years - NO SC/ST Women/Child Disabled Legal Aid Case In custody
11.	Vehicle Number (in case of Motor Accident Claim matters):	NA
12.	Decided cases with Citation:	NA

FILED BY



**M.V. KINI & ASSOCIATES  
ADVOCATE FOR THE PETITIONER**

FILED ON 24.05.2020



## SYNOPSIS

13

The Petitioner is constrained to file the present urgent Special Leave Petitioner challenging the interim Order of the Hon'ble High Court of Judicature at Bombay [hereinafter referred to as the "**Hon'ble High Court**"] dated 22<sup>nd</sup> May, 2020 in Writ Petition (L) No. 3 of 2020 [hereinafter referred to as the "**Impugned Order**"]. The Hon'ble High Court, by way of the Impugned Order, has mandated the keeping of one seat empty between two seats in all rescue/relief flights across the world have been started by the Petitioner after due consultation and after issuing adequate safety measure. It is submitted that the aforesaid requirement of keeping of one seat empty between two seats in all rescue/relief flights [non-scheduled flights] across the world is a huge cascading effect as the entire schedule is affected leaving thousands of passengers who were to board the flights in a state of confusion It is submitted that the impugned order also reasonably requires the Petitioner [along with the relevant authorities] to drop 1/3<sup>rd</sup> of the already selected persons stranded across the world to be dropped. It is submitted that there are numerous flights everyday carrying thousands of passengers and the dropping of such passengers would create massive logistical, international and visa related issues. It may be noted that the said practice of leaving one seat empty has not been practiced in any of the airlines that have started functioning.

It is submitted that the Air India has consistently taken proactive and pre-emptive steps in order to deal with an unprecedented

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global crises which is declared to be a “pandemic” by World Health Organisation which has engulfed a substantial geographical part of the world. It is respectfully submitted that the Central Government initiated timely actions and geared up all its Ministries much before WHO declared COVID-19 to be a “Public Health Emergency of International Concern”. It is submitted that the Impugned Order, ignores the gradual strategy of the Executive in dealing with the issue at hand. It is submitted that, at present, after due deliberations, and considering the human problem faced by persons of Indian origin across the world, started the rescue and the relief flights [non-scheduled flights] to bring the persons willing and in need to come back to India under the *Vande Bharat* Mission. It is submitted that adequate care is being taken by way of a Standard Operating Procedure issued by the Ministry of Home Affairs dated 05.05.2020 and the subsequent Standard Operating Procedure issued by the airlines – Air India. The Standard Operating Procedure issued by the Ministry of Home Affairs dated 05.05.2020 divides the procedure in two categories – persons coming in to India and persons going out of India. For the persons coming in to India, the SOP is as under :

- i. Such persons will register themselves with the Indian Missions in the country where they are stranded, along with necessary details as prescribed by MEA.*
- ii. They will travel to India by non scheduled commercial flights to be arranged by Ministry of Civil Aviation (MOCA); and, naval ships to be arranged by Department of Military Affairs (DMA). Only those crew and staff, who are tested COVID-19 negative, will be allowed to operate these flights/ ships.*

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- iii.** Priority will be given to compelling cases in distress, including migrant workers/ labourers who have been laid off, short term visa holders faced with expiry of visas, persons with medical emergency/ pregnant women/ elderly, those required to return to India due to death of family member, and students.
- iv.** The cost of travel, as specified by MoCA/ DMA will be borne by such travellers.
- v.** Based on the registrations received, MEA will prepare flight/ ship wise database of all such travellers, including details such as name, age, gender, mobile phone number, place of residence, place of final destination; and information on RT-PCR test taken and its result. This data base will be shared by MEA with the respective State/ UT in advance.
- vi.** MEA will designate State/ UT wise nodal officers, who will co-ordinate with the nodal officers designated for this purpose by the respective States/ UTs.
- vii.** MEA will display with at least two days notice, the schedule (day, place and time of arrival) of the incoming flight/ ship, on their online digital platform.
- viii.** Before boarding, all travellers shall give an undertaking that they would undergo mandatory institutional quarantine for a minimum period of 14 days on arrival in India, at their own cost.
- ix.** All travellers will also be required to give an undertaking that they are making the journey at their own risk.
- x.** At the time of boarding the flight/ ship, MEA will facilitate thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight/ ship.
- xi.** Passengers arriving through the land borders will also have to undergo the same protocol as above, and only those who are asymptomatic will be enabled to cross the border into India.
- xii.** Self-declaration form (with health and personal details) in duplicate will be filled in advance by all passengers coming from any point of entry, i.e., land, sea or airports, and a copy of the same will be given to Health and Immigration officials present at the airport/ seaport/ landport.
- xiii.** While on board the flight/ ship, the health protocol of MoCA/ DMA will be strictly followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline/ ship staff, crew and all passengers.

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- xiv. On arrival, thermal screening, as per health protocol, would be carried out in respect of all the passengers by the Health officials present at the airport/ seaport/ landport.*
  - xv. All passengers shall be asked to download ArogyaSetu app on their mobile devices.*
  - xvi. The passengers found to be symptomatic during screening shall be immediately taken to medical facility as per health protocol.*
  - xvii. The remaining passengers shall be taken to suitable institutional quarantine facilities, to be arranged by the respective State/ UT Governments. These facilities may be as far as possible, in the district headquarters, of the district to which the arriving passengers belongs.*
  - xviii. These passengers shall be kept under institutional quarantine for a minimum period of 14 days.*
  - xix. If they test negative after 14 days, they will be allowed to go home and will undertake self-monitoring of their health for 14 more days as per protocol. The remaining persons will be shifted to the medical facility by the State/ UT Government.*

With regard to the person going out of India, the SOP of the Ministry of Home Affairs dated 05.05.2020 states as under :

- i. Such persons will apply to Ministry of Civil Aviation (MoCA) or to any agency designated by MoCA for this purpose, along with necessary details, including the places of departure and arrival, as prescribed by MoCA.*
- ii. Only those persons shall be allowed to travel to the destination countries, who are citizens of that country; who hold visa of at least one year duration of that country; and green card or OCI card holder. In cases of medical emergency or death in the family, Indian Nationals holding six month visa can also be allowed.*
- iii. Before the tickets of such persons are confirmed, MoCA will ensure that the destination country allows entry of such persons in that country. The conditions, if any, imposed by the destination country, will have to be fulfilled by the person intending to travel.*
- iv. The travel from India shall be by on the non scheduled commercial flights that are being arranged by MoCA for bringing back stranded Indian Nationals from abroad.*

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- v. *The cost of travel, as specified by MoCA, will be borne by such travellers.*
  - vi. *At the time of boarding the flight, MoCA will ensure that all travellers undergo thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight.*
  - vii. *While on board the flight, health protocol as issued by MoCA will be strictly*
  - viii. *followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline staff, crew and all passengers.*

In furtherance of the above, the airlines i.e. Air India, being the relevant authority for the carrying out of the rescue/relief evacuation through non-scheduled flights, has issued the following Standard Operating Procedure. The important aspects of the same are mentioned as under :

1. **General**

- a. *Air India shall carry passengers cleared by the respective Indian High Commission / Indian Embassy (mission) in that country on flat fare basis.*
- b. *Before The mission shall*
  - *satisfy itself about the health status of the passengers seeking to travel back to India. It may take a signed declaration from them in respect of the same including complete contact details, travel record of last 28 days etc. as per the format provided by Ministry of Health and Family Welfare.*
  - *A signed declaration would also be required for commitment to undergo quarantine for fourteen days or more after arrival in India and to pay for the type of quarantine arrangement a passenger would opt for.*

2. **Crew Protocol**

- a. *Cabin crew serving the passengers to wear Personal Protection Equipment (PPE) which include medical protective masks, medical rubber gloves, goggles / face shield, disposable medical caps, disposable protective clothing.*

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- b. *Flight crew member to use surgical masks and goggles. Disposable protective clothing can also be worn if so required by a specific task.*
  - c. *PPE wearing/taking-off procedure:*
    - **Donning**: *clean and disinfect hands - wear cap - wear facial mask - wear gloves - wear protective clothing - wear goggles / face shield - wear shoes cover - clean and disinfect hands.*
    - **Doffing**: *clean and disinfect hands - take off goggles / face shield - clean and disinfect hands - take off protective clothing including shoe cover - clean and disinfect hands - take off facial mask - clean and disinfect hands - take off cap - take off gloves - clean and disinfect hands.*
  - d. *The mask should be close to the face, covering the nose and mouth completely. When the mask is on or being removed, the crew must not touch the outer layer of the mask with hands to avoid hands contamination. Once dampened by secretions or contaminated by other contaminants, facial masks must be replaced immediately with new ones, and hands should be cleaned with sanitizer both before and after the replacement.*
  - e. *Flight crew members should wear masks while in the cockpit and crew rest area. All Crew members should change their masks at regular intervals in case of long and ultra-long-haul flights.*
  - f. *All disposable protective equipment, after their use, should be placed in yellow medical waste bags. After the flight, they should be sprayed or sprinkled with disinfectant before cleaning, and packed in a tightly knotted plastic bag for centralized disposal as medical wastes.*
  - g. *The crew can use alcohol-based disinfection wipes or non-alcohol rinse free hand sanitizer to clean and disinfect hands. When crew members are not sure whether their hands are clean, they should avoid touching their noses, mouths and eyes with their hands. When sneezing or coughing, one should try to lower the head or turn away from passengers and crew members nearby, and cover the mouth and nose with tissue or flexed elbow. After touching or disposing wastes, hands should be cleaned with soap or hand sanitizer under running water followed by hand cleaning and disinfection.*

- h. Goggles should be promptly sanitised and dried every time after use*
- i. Crew members should reduce their entry/exit of the cockpit and use intercom system for communication whenever they can to avoid close contact. They should avoid two of them dining at the same time and pre-packaged food to the greatest extent possible. They should use rinse free hand sanitizer to clean and disinfect hands before meals. Also, they should use an exclusive lavatory and reduce their visit to the lavatory.*
- j. Cabin crew should be assigned to provide service in their designated areas, avoid close contact with passengers and only provide necessary in-flight service. Cabin crew also to be designated to provide basic service for flight crew members when needed.*
- k. Cabin crew to provide pre-packaged food and bottled water before or during passenger boarding. Except for special needs, catering service should not be provided onboard.*
- l. Lavatory should be sanitised once every hour (or after being used 5 times) during flight, and after disinfection, hands should be timely cleaned and disinfected.*
- m. Efforts should be made to arrange passengers to sit separately. The last three rows of seats on the right side aisle (in case of twin aisle aircraft, right side of the right aisle) of the aircraft should be reserved as a quarantine area for handling possible in-flight emergencies.*
- n. While staying abroad, crew members should have themselves well protected except when being indoors alone. They should avoid going to places with poor ventilation for physical exercise. Also, they should wear masks and goggles while taking elevators (no direct contact with elevator buttons) or having contact with others.*
- o. All the crew members while staying abroad must avoid crowded places and maintain the norms of social distancing and sanitisation to protect themselves. They should inform Commander / CIC in case of illness or unease.*
- p. As far as possible, the same set of cabin and cockpit crew are utilised for a flight as it will help in preventing cross contamination.*
- q. Cockpit crew to enter the cockpit for undertaking the flight before passenger boarding and they should complete their pre-flight check before*

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that. The cockpit crew may disembark after completion of flight before passenger disembarkation, if a qualified Engineering personnel in complete PPE monitors the cockpit in the absence of cockpit crew.

### **3. Passenger Boarding Protocol**

- a. Each passenger at the time boarding would be handed over a safety kit containing at least 2 three-layer surgical masks and pouches / small bottles of hand sanitizer.
- b. Cabin crew / boarding staff to ensure that each passenger at the time of boarding has his hands sanitised and wears a fresh mask before entering the aircraft.
- c. The passengers would be seated in the aircraft sequentially from rear to front, with passengers on windows being seated first so as to prevent any crowding or crossing over in the aisles.
- d. Passengers would be sensitised by way of poster display at the time of boarding and by way of repeated announcements, during boarding as well as during flight about various precautions w.r.t. prevention of spread of COVID-19. The precautions include use of hand sanitizer, continuous wearing of mask, minimum use of lavatories with all precautions of sanitisation, no or restricted movement during the flight and sanitising hands before taking meals and after use of lavatories.
- e. No newspapers / magazines or other non-essential loose items to be carried on board. In-flight entertainment to be switched off to minimise touch on aircraft surfaces.

### **4. Catering / Meals Protocol**

- a. No or minimum catering (pre packed cold meals / snacks - depending on the duration of flight). No tea coffee service shall be available.
- b. Water bottles and prepacked food (wherever required) would be placed on passenger seats before passenger boarding to minimise passenger interaction with the cabin crew. Additional water bottles would be available in galley area on self-service basis. The same to be also informed to the passengers during boarding and in-flight announcements.

### **5. Medical Emergency Protocols**



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- a. *In case of ill passenger or a passenger showing COVID-19 symptoms like fatigue or cough, high fever etc., the passenger should be isolated from the other passengers and a dedicated crew in complete protective gear be assigned to handle the case.*
  - b. *The last three rows of seats on the right side aisle (in case of twin aisle aircraft, right side of the right aisle) of the aircraft should be reserved as a quarantine area for handling possible in-flight emergencies. Special protections like PPE and sanitizers to be used by crew for handling such cases. Adequate quantity of PPE to be available for a possibility of more than one such case.*

#### **6. Disembarkation / Arrival Protocol**

- a. *After arrival in India, the disembarkation would be staggered and sequential to ensure the social distancing.*
- b. *As far as possible, entry of ground staff and cabin crew to the cockpit should be restricted to minimum possible*
- c. *All the crew immediately on arrival will be subjected to RT-PCR test. Thereafter, the crew will be accommodated in airline designated hotel till the test result is available. If the test is negative, the crew can proceed to their residence. The second RT-PCR test will be conducted on the 5th day at the residence of the crew. If the test is negative and the crew does not display any COVID-19 symptoms, they can be utilized for the next duty cycle.*
- d. *If either of the test comes positive, the medical department of the airline will ensure treatment of the concerned crew as per the laid down guidelines*
- e. *In case of any COVID-19 positive case is found in flight, the guidelines laid down by Ministry of Health and Family Welfare for such cases would apply.*

#### **7. Disinfection of aircraft by Maintenance**

- a. *The disinfection of aircraft especially with respect to COVID-19 shall take place as per existing laid down Maintenance norms.”*

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In light of the above, it is submitted that considering the abovementioned facts and circumstances, the Impugned Order of the Hon'ble High Court deserves to be stayed in the interim and further, after issuance of notice, be set aside. It is submitted the Air India along with the Union Of India, in consultation with relevant stakeholders, after giving due importance to the medical condition and safety of the travelling passengers and the safety of the persons at their destination place, have issued above-mentioned standard procedure. It is submitted that it is critical to note it is necessary for every traveller has to institutionally quarantine himself after the journey.

It is submitted that the by mandating believing of one seat between two seats by placing reliance on the circular issued by the Director General Of Civil Aviation dated 23<sup>rd</sup> of March 2020, has committed a grave error. In this regard it is specifically pointed the said circular dated 23<sup>rd</sup> March 22 other declaration of the time it was to apply to scheduled flights. It is submitted that it is a settled principle of law that a specific provision overrides a general provision. Considering the fact that the Union of India along with the relevant authorities has issued detailed standard operating procedures and guidelines which are mandatory in nature to be adopted by the relevant stakeholders with regard to the relief and rescue flights (nonscheduled flights), it is clear that the said standard operating procedures and guidelines are specific in nature and would naturally apply to the present circumstances.

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It is further important to point out that the reasons of the extreme urgency requiring moving of SLP today itself is the devastating consequence of the impugned order on thousands of stranded people within the country and people stranded in various other countries who are being shifted to and from India through Air India. The High Court has, vide impugned order, prevented Air India from flying any flight [whether going from or coming to India] without keeping the middle seat vacant. This SLP pertains to non-scheduled international flights which commenced its operation on 7th May, 2020 for the limited purpose of having the stranded Indians back to India and other stranded people stuck in India to be sent to their respective countries. These flights have become operational since 7th May, 2020 and, therefore, obviously, all outgoing and incoming Air India flights [for stranded people] are booked till 14th June, 2020. The inevitable impact of the impugned order [which requires middle seat to remain vacant] is to disembark one-third of the passengers.

It is impossible for any authority to decide which one-third of the passengers are to be disembarked. The passengers for incoming flights as well as outgoing flights come from various part of the respective countries at the Airport as they have prior bookings. It is impossible to require one-third to be disembarked. As the impugned order was received today at 10 AM, the Union of India along with Air India was left with no other option but to offload the one-third passengers on ad hoc basis. The result of this decision created mayhem by one-third passengers which were offloaded. All of them have come from various

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parts of the country to New Delhi to board and are stranded in Delhi now.

It is submitted that the next outgoing and incoming flights are in the today's evening, today's night and tomorrow morning. It is submitted that even for incoming flights, coming from other countries to India, Union of India and Air India would be bound by the impugned order requiring either to cancel the flight or to resort to offloading of one-third passengers leaving them stranded in the city where airports are situated though they have come from various parts of the foreign countries to the city from where Air India flight is to take off.

It is impossible to convince airport authorities of other foreign countries to permit offloading of one-third passengers because of an interim order passed by the Hon'ble Bombay High Court. It is submitted that the non-scheduled flights have its own protocol which takes care of health security concerns. In view of the aforesaid unprecedented situation which has emerged, it is inevitable that this Hon'ble Court is requested to take the SLP today itself as thousands of passengers have already gathered at various airports of the world even at the time when this SLP is being filed.

Hence, the present Special Leave Petition.

## LIST OF DATES AND EVENTS

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### DATES

### EVENTS

23.03.2020

Circular issued by DGCA for social distancing measures by Airlines and Airport Operators to cope with the outbreak of COVID-19. The said Circular only applied to "All Scheduled Domestic Airlines Operating in India". A copy of the Circular dated 23.03.2020 issued by DGCA for social distancing measures is annexed herewith and marked as ANNEXURE -P 1 [Page No. 26 to 27]

24.03.2020

Since, World Health Organisation (WHO) declared COVID-19 as a pandemic, the National Disaster Management Authority (NDMA) as effective measures to prevent spread across the country, issued a Circular bearing No.1/229/2020-PP (Pt.II) dated 24.03.2020 in exercise of powers under Section 6(2)(i) of the Disaster Management Act.

Under the directions of the aforesaid Order of the NDMA That in furtherance of the said Circular, Ministry of Home Affairs issued an Order in exercise of powers conferred under Section 10(2)(I) of Disaster Management Act (DMA) and issued guidelines to Ministries, State Governments and

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Union Territories with directions for strict implementation for 21 days w.e.f. 25.03.2020. As per the guidelines, all transport services including Air Travel was suspended, till further orders with certain exceptions to transportation of essential goods and "Emergency Services".

05.05.2020

Ministry of Home Affairs issued a Standard Operating Protocols (SOPs) for "Movement of Indian Nationals stranded outside the country and of specified persons to travel abroad", Para 2(ii) of which specified that such travel to India will be through Non Scheduled commercial flights to be arranged by the Ministry of Civil Aviation. Further, Sub Clause (7) specifies that MEA will display a two prior notice of the schedule of the incoming flights on their digital platform. A copy of the order bearing No.40-3/2020-DM-I(A) dated 05.02020, issued by Ministry of Home Affairs, Government of India is annexed herewith and marked as **ANNEXURE -P2**  
[Page No. 28 to 31]

06.05.2020

The Ministry of Civil Aviation issued a Notification, in furtherance to the order of MHA dated 05.05.2020 on SOPs for movement of Indian Nationals Stranded outside the country and of

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specified persons to travel abroad, declaring that the Petitioner is designated at NODAL Agency to facilitate the said process and an institutional mechanism may be put in place for allowing the eligible persons to travel on the non-scheduled commercial flights. A copy of the Notification dated 06.05.2020 issued by Ministry of Civil Aviation is annexed herewith and marked as **ANNEXURE -P 3** [Page No. 32 to 36 ]

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In pursuance to MCA's Notification dated 06.05.2020, Air India issued an SOP for Evacuation Flights for Indian Nationals Abroad in view of COVID-19. A copy of the Air India SOP for Evacuation Flights for Indian Nationals Abroad is annexed herewith and marked as **ANNEXURE -P 4** [Page No. 37 to 40 ]

19.05.2020

One Shri Deven Yogesh Kanani filed a writ petition in the Hon'ble High Court of Judicature at Bombay seeking the requirement of leaving of one middle seat empty for the rescue flights amongst other reliefs.

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A copy of the Writ Petition Civil (L) 3 of 2020 dated 19.05.2020 is attached herewith and marked as ANNEXURE P - 5 [Page No. 49 to 74]

21.05.2020

MCA issued an order for recommencement of Domestic Air Travel of passengers w.e.f. 25.05.2020 alongwith detailed Guidelines for social distancing and precautionary measures, which specified general instructions in terms of safety measures to be taken by the Airlines, Airports, Cabin Crew, Passengers etc. The said flights are scheduled flights and non-rescue/relief flights. A copy of the MCA Order dated 21.05.2020 for recommencement of Domestic Air Travel of passengers w.e.f. 25.05.2020 alongwith detailed Guidelines for social distancing and precautionary measures is attached herewith and marked as ANNEXURE P - 6 [Page No. 75 to 91]

22.05.2020

The DGCA specified vide another Circular that in view of the Guidelines issued by MCA dated 21.05.2020, the guidelines issued vide DGCA Circular dated 23.03.2020 shall stand superseded with immediate effect.



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A copy of the DGCA Circular dated 22.05.2020 is attached herewith and marked as ANNEXURE P - 7

[Page No. 92 to \_\_\_\_\_]

22.05.2020 The Impugned Order is passed.

22.05.2020 The Schedule of Air India, the relevant airlines for the process of evacuation/relief/rescue of stranded Indian citizens abroad is elaborated with numerous flights daily and also requires thousands of person to travel daily.

A copy of the Schedule of Air India, with regard to the flights from different places, is attached herewith and marked as ANNEXURE P - 8 [Page No. 93 to 106]

2.05.2020 Hence, the present SLP.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION (L) NO.3 OF 2020

Deven Y. Kanani .. Petitioner.  
v/s.  
D.G.C.A. .. Respondent.

Mr. Abhilash Panickar ib/b. Entrust Legal Service LLP for the Petitioner.  
Dr. Abhinav Chandrachud with Ms. Kavita Anchan, Mr. Arsh Misra i/b. M.  
V. Kini & Co., for Respondent Nos.2 and 3.

CORAM: R.D.DHANUKA &  
ABHAY AHUJA, JJ.  
DATE : 22<sup>nd</sup> MAY, 2020.  
(THROUGH VIDEO CONFERENCE)

PC:-

Heard learned Counsel for the parties.

2 The grievance of the Petitioner who is a pilot working with Air India Limited in the Writ Petition is that, Air India Limited is not following Circular No.4/1/2020 IR dated 23<sup>rd</sup> March, 2020 issued by the Government of India and more particularly, the condition set out at Serial Nos.7 which provides that seat allocation at the time of checking is to be done in a manner to ensure that the seat between two passengers is kept empty. Learned Counsel invited our attention to the photographs of the passengers in Executive Class and Y class in one of the Air India flight operated between Sanfransisco and Mumbai. He submits that, the whole purpose of the Circular dated 23<sup>rd</sup> March, 2020 which is issued by the Government of India to prevent spread of Covid-19 and take preventive measures is grossly violated.

Smita  
R.  
Joshi

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3 Dr. Chandrachud, learned Counsel for the Air India Limited on the other hand submits that the Circular dated 23<sup>rd</sup> March, 2020 issued by the Government of India does not apply to non-scheduled commercial flight but would only apply to schedule domestic flights. He submits that all precautions required to be taken so as to prevent spread of Covid-19 are taken while lifting the passengers from abroad and to bring these stranded passengers in India.

4 The learned Counsel for the Air India Limited submitted that even in the subsequent guidelines issued by the Government of India, there is no such condition prescribed for keeping one seat vacant between two passengers. He submits that even if one seat is kept vacant between two seats, even then criteria of social distancing prescribed by the Government of India would not be satisfied.

5 The learned Counsel for the Petitioner, Mr.Panickar in rejoinder submits that if the argument of Air India Limited are accepted, there would be no preventive measures required to be taken to prevent spread of Covid-19. He submits that there are almost eight measures prescribed by the Government of India to prevent spread of Covid-19, including the condition that seat allocation at the time of checking to be done in the manner to ensure that seat between two passengers to be kept empty. He submits that, said Circular provides guidelines prosecuting preventive measures including social distancing to be taken not only by Air lines but also by the Airport Authority at the Airports.

6 A perusal of the photographs annexed to the Petition which are not disputed by the learned Counsel for Air India Limited, indicates that each and every seat of the Air Craft whether in Executive Class or Y

Class are fully occupied. Not a single seat is kept empty. On perusal of the Circular dated 23<sup>rd</sup> March, 2020 and the subsequent notices brought to our notice by the learned Counsel for the Petitioner and Air India Limited, *prima facie*, does not indicate that said Circular dated 23<sup>rd</sup> March, 2020 does not apply to non-schedule flights operated by Air India Limited for lifting Indian stranded passengers abroad.

7 *Prima facie*, we are unable to accept the submission of the learned Counsel for the Air India that social distancing measures which are provided by the said Circular so as to prevent spread of Covid-19 would apply only to Scheduled Flight and not to non-scheduled commercial flights or only to domestic operation and not to International. If these arguments are accepted, the whole purpose of preventing spread of Covid-19 by prescribed measures would be defeated.

8 *Prima facie* it appears that the object behind the Circular dated 23<sup>rd</sup> March 2020 issued by the Government of India is for the safety of the passengers and for protection of their health in this emergency situation created by the Covid-19 Pandemic. In these circumstances, the Circular can not be interpreted to apply differently to the passengers who are travelling from abroad and the domestic passengers. Paramount consideration is the health and safety of these passengers and to achieve the object that they are not infected by Corona virus when they undertake any such travel. There would certainly be a reasonable caution and care of "safe and healthy travel" is what the measures of social distancing mentioned in the Circular intend without any differentiation of the category of passengers. This would be required to be recognized as

legitimate expectation and concomitant to right to life guaranteed to the citizens who are undertaking such travel.

9 Prima facie, we are in agreement with the submission made by the learned Counsel for the Petitioner that those passengers who are being lifted mainly from U.S.A and U.K. may be Covid-19 infected passengers. In our prima facie view, Air India has violated Circular dated 23<sup>rd</sup> March, 2020 by not keeping one seat between two seats empty while allocation of the seat at the time of check-in.

10 Respondent no.2 and 3 are directed to file affidavit in reply, stating the number of seats occupied by the passengers in each of the non-scheduled flights, for bringing these stranded passengers from abroad to India after the date of issuance of the Circular dated 23<sup>rd</sup> March, 2020 and also the seating capacity of the Air Crafts. The affidavit shall also indicate whether preventive measures prescribed in condition Nos.1 to 8 in the said Circular are being followed by the Air India Limited or not. Such affidavit in reply shall be filed within a period of two weeks from today. Copy of the said reply to be served upon the learned Counsel for the Petitioner. We make it clear that affidavit in reply shall disclose the details set out at prayer clause (b) of the Writ Petition.

11 We make it clear that till further orders Respondent nos.2 and 3 are directed to comply with the Circular No.4/1/2020-IR dated 23<sup>rd</sup> March, 2020 and while lifting their passengers from abroad to India also in respect of non-scheduled commercial flights,

12 Place the matter on board on 2<sup>nd</sup> June, 2020.

13 This order will be digitally signed by the Private Secretary of this Court. Sheristedar of this Court is permitted to forward the Petitioner copy of this order by e-mail. All concerned to act on digitally signed copy of this order.

Later on at 5.30 p.m.

14 Matter was mentioned at around 5.30 p.m. by the learned counsel for Respondent no.2 and 3.

15 After hearing the learned counsel we have passed the above interim order by directing the respondent nos.2 and 3 to implement the Circular dated 23.3.2020 issued by the Government of India till further orders. At this stage, Dr.Chandrachud learned counsel for respondents nos.2 and 3 states that the said Circular dated 23.3.2020 issued by the Government of India has been superceded by the Circular bearing No.4/1/2020-IR dated 22.5.2020 issued by Government of India with immediate effect. Electronic copy of the new Circular has been shown so as a on the VC screen. A cursory glance of the said Circular dated 22.5.2020 indicates that the said new Circular applies only to domestic operations and not to international operations.

16 It is submitted by Dr.Chanadrachud, learned counsel for Respondent nos.2 and 3 that his clients have decided to re-commence the operation of domestic flights w.e.f. 25.5.2020. He submits that comprehensive guidelines have been issued by the Ministry of Civil Aviation vide its order No.A/29017/5/2020 -DT dated 21.5.2020. The

6

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guidelines referred to in the said Circular are not before this Court today nor an electronic copy is placed before us.

17 In view of the above, we direct Respondent nos.2 and 3 to include this new Development in the affidavit directed to be filed. We further direct Respondent no.1 to file affidavit, in reply before the next date.

18 The Petitioners would also be at liberty to amend the Writ Petition and to impugn the new Circular dated 22.5.2020 along with the Guidelines referred to in the said Circular.

19 We have already indicated our *prima facie* observations about the applicability of Circular dated 23.3.2020. It is not the case of Respondent nos.2 and 3 that the new Circular dated 22.5.2020 applies to international operations or to non-scheduled flights. We therefore, make it clear that the earlier directions issued by this Court in para 11, would remain with a rider that the Circular dated 23.3.2020, shall be read with Circular dated 22.5.2020 to the extent that the Circular dated 23.3.2020 stands superceded in so far as domestic flights are concerned.

20 This order will be digitally signed by the Private Secretary of this Court. Sheristedar of this Court is permitted to forward the Petitioner copy of this order by e-mail.

All concerned to act on a digitally signed copy of this order.

(ABHAY AHUJA,J.)

(R.D.DHANUKA,J.)

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2020**  
**(UNDER ARTICLE 136 OF CONSTITUTION OF INDIA)**

(Arising from the order dated 22.05.2020 passed by the Hon'ble High Court of  
Judicature Bombay Writ Petition (L) No. 3/2020)

(WITH PRAYER FOR INTERIM RELIEF)

**BETWEEN:**

**Position of Parties**

		In the High Court	In this Court
1.	Air India Ltd. through Alhad Narasinh Kulkarni, S/o. Narasinh Baburao Kulkarni, aged about 54 years working as General Manager, Legal with Air India Ltd having its office at Airlines House, Gurudwara Rakabganj Road, New Delhi 110001.	Respondent No. 2	Petitioner No. 1
2.	Air India Charters Ltd. through Alhad Narasinh Kulkarni, S/o. Narasinh Baburao Kulkarni, aged about 54 years working as General Manager, Legal with Air India Ltd having its office at Airlines House, Gurudwara Rakabganj Road, New Delhi 110001	Respondent No. 3	Petitioner No. 2
<b>VERSUS</b>			
1.	Deven Yogesh Kanani, Aged 51 years, Plot No. 34, Amar Villa, Jai Hind CHSL, Vile Parle (West), Mumbai - 400049	Petitioner No. 1	Contesting Respondent No. 1
2.	Union of India, through Through Pranjali Chandra, Director, Ministry of Civil Aviation, Rajiv Gandhi	-	Respondent No. 2



	Bhawan, Aurobindo Marg, New Delhi 110003		
3.	Director General of Civil Aviation, through Dr Anand Kumar, S/o. Shri Lalit Prasad, aged about 46 years working as Assistant Director (Regulations and Informations) with DGCA having its office at Opp. Safdarjung Airport, Aurobindo Marg, New Delhi 110003	Respondent No. 1	Respondent No. 3

To

Hon'ble the Chief Justice of India

And His Companion Judges of the Supreme Court of India at New Delhi.

The humble petition of the  
Petitioner above-named

**MOST RESPECTFULLY SHEWETH:**

(1) The Petitioner is constrained to file the present urgent Special Leave Petitioner challenging the interim Order of the Hon'ble High Court of Judicature at Bombay [hereinafter referred to as the "**Hon'ble High Court**"] dated 22<sup>nd</sup> May, 2020 in Writ Petition (L) No. 3 of 2020 [hereinafter referred to as the "**Impugned Order**"]. The Hon'ble High Court, by way of the Impugned Order, has passed an interim order mandating the keeping of one seat empty between two seats in all rescue/relief flights across the world have been started by the Petitioner after due consultation and after issuing adequate safety measure. It is submitted that the aforesaid requirement of keeping of one seat empty

between two seats in all rescue/relief flights [non-scheduled flights] across the world is a huge cascading effect as the entire schedule is affected leaving thousands of passengers who were to board the flights in a state of confusion. It is submitted that the impugned order also reasonably requires the Petitioner [along with the relevant authorities] to drop 1/3<sup>rd</sup> of the already selected persons stranded across the world to be dropped. It is submitted that there are numerous flights everyday carrying thousands of passengers and the dropping of such passengers would create massive logistical, international and visa related issues.

The Petitioner has no other remedy.

**(2) QUESTIONS OF LAW**

- (A) Whether the Impugned Order ignores erroneously issues an order mandating indiscriminate dropping of 1/3<sup>rd</sup> persons from already scheduled flights in without taking note of the precautions already in place by the Petitioners?
- (B) Whether the Hon'ble High Court erred in holding that the circular dated 23.03.2020 does apply to non-scheduled rescue/relief flights for lifting Indian stranded passengers abroad?
- (C) Whether the Hon'ble High Court erroneously ignored that the COVID-19 pandemic and the migration of stranded persons is a national problem and no orders can be passed in absence of the Central Government being a party?

(D) Whether the High Court erroneously ignored the gradual process through which the rescue and relief of stranded Indians was allowed subject to requisite precautions?

(E) Whether the Hon'ble High Court erred in passing the Impugned Order without realizing the cascading impact of the Order?

**(3) DECLARATION IN TERMS OF RULE 2(2)**

The Petitioners state that no other petition seeking leave to appeal has been filed by the petitioners against the Impugned Order passed by the the Hon'ble High Court of Judicature at Bombay dated 22<sup>nd</sup> May, 2020 in Writ Petition (C)(L) No. 3 of 2020.

**(4) DECLARATION IN TERMS OF RULE 4**

The annexures P - 1 to P - 8 produced along with the Special Leave Petition are copies of the pleadings/documents which formed part of the records of the case in the Courts below against whose order the leave to appeal is sought for in this petition.

**(5) GROUND**

The Petitioners submit that the present special leave to appeal is being filed challenging a part of the Impugned Order on the following amongst other grounds each of which are in the alternative and without prejudice to each other : -

11

(A) **BECAUSE** the Impugned Order ignores erroneously issues an order mandating indiscriminate dropping of 1/3<sup>rd</sup> persons from already scheduled flights in without taking note of the precautions already in place by the Petitioners.

It is submitted that the Impugned Order, ignores the gradual strategy of the Executive in dealing with the issue at hand. It is submitted that, at present, after due deliberations, and considering the human problem faced by persons of Indian origin across the world, started the rescue and the relief flights [non-scheduled flights] to bring the persons willing and in need to come back to India under the *Vande Bharat* Mission. It is submitted that adequate care is being taken by way of a Standard Operating Procedure issued by the Ministry of Home Affairs dated 05.05.2020 and the subsequent Standard Operating Procedure issued by the airlines - Air India. The Standard Operating Procedure issued by the Ministry of Home Affairs dated 05.05.2020 divides the procedure in two categories - persons coming in to India and persons going out of India. For the persons coming in to India, the SOP is as under :

- i. Such persons will register themselves with the Indian Missions in the country where they are stranded, along with necessary details as prescribed by MEA.*
- ii. They will travel to India by non scheduled commercial flights to be arranged by Ministry of Civil Aviation (MOCA); and, naval ships to be arranged by Department of Military Affairs (DMA). Only those crew and staff, who are tested COVID-19 negative, will be allowed to operate these flights/ships.*
- iii. Priority will be given to compelling cases in distress, including*

migrant workers/ labourers who have been laid off, short term visa holders faced with expiry of visas, persons with medical emergency/ pregnant women/ elderly, those required to return to India due to death of family member, and students.

- iv. The cost of travel, as specified by MoCA/ DMA will be borne by such travellers.
- v. Based on the registrations received, MEA will prepare flight/ ship wise database of all such travellers, including details such as name, age, gender, mobile phone number, place of residence, place of final destination; and information on RT-PCR test taken and its result. This data base will be shared by MEA with the respective State/ UT in advance.
- vi. MEA will designate State/ UT wise nodal officers, who will coordinate with the nodal officers designated for this purpose by the respective States/ UTs.
- vii. MEA will display with at least two days notice, the schedule (day, place and time of arrival) of the incoming flight/ ship, on their online digital platform.
- viii. Before boarding, all travellers shall give an undertaking that they would undergo mandatory institutional quarantine for a minimum period of 14 days on arrival in India, at their own cost.
- ix. All travellers will also be required to give an undertaking that they are making the journey at their own risk.
- x. At the time of boarding the flight/ ship, MEA will facilitate thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight/ ship.
- xi. Passengers arriving through the land borders will also have to undergo the same protocol as above, and only those who are asymptomatic will be enabled to cross the border into India.
- xii. Self-declaration form (with health and personal details) in duplicate will be filled in advance by all passengers coming from any point of entry, i.e., land, sea or airports, and a copy of the same will be given to Health and Immigration officials present at the airport/ seaport/ landport.
- xiii. While on board the flight/ ship, the health protocol of MoCA/ DMA will be strictly followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline/ ship staff, crew and all passengers.
- xiv. On arrival, thermal screening, as per health protocol, would be carried out in respect of all the passengers by the Health officials present at the airport/ seaport/ landport.

- xv. All passengers shall be asked to download ArogyaSetu app on their mobile devices.
- xvi. The passengers found to be symptomatic during screening shall be immediately taken to medical facility as per health protocol.
- xvii. The remaining passengers shall be taken to suitable institutional quarantine facilities, to be arranged by the respective State/ UT Governments. These facilities may be as far as possible, in the district headquarters, of the district to which the arriving passengers belongs.
- xviii. These passengers shall be kept under institutional quarantine for a minimum period of 14 days.
- xix. If they test negative after 14 days, they will be allowed to go home and will undertake self-monitoring of their health for 14 more days as per protocol. The remaining persons will be shifted to the medical facility by the State/ UT Government.

With regard to the person going out of India, the SOP of the Ministry of Home Affairs dated 05.05.2020 states as under :

- i. Such persons will apply to Ministry of Civil Aviation (MoCA) or to any agency designated by MoCA for this purpose, along with necessary details, including the places of departure and arrival, as prescribed by MoCA.
- ii. Only those persons shall be allowed to travel to the destination countries, who are citizens of that country; who hold visa of at least one year duration of that country; and green card or OCI card holder. In cases of medical emergency or death in the family, Indian Nationals holding six month visa can also be allowed.
- iii. Before the tickets of such persons are confirmed, MoCA will ensure that the destination country allows entry of such persons in that country. The conditions, if any, imposed by the destination country, will have to be fulfilled by the person intending to travel.
- iv. The travel from India shall be by on the non scheduled commercial flights that are being arranged by MoCA for bringing back stranded Indian Nationals from abroad.
- v. The cost of travel, as specified by MoCA, will be borne by such travellers.
- vi. At the time of boarding the flight, MoCA will ensure that all travellers undergo thermal screening as per health protocol. Only asymptomatic travellers would be

allowed to board the flight.

14

- vii. While on board the flight, health protocol as issued by MoCA will be strictly
- viii. followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline staff, crew and all passengers.

In furtherance of the above, the airlines i.e. Air India, being the relevant authority for the carrying out of the rescue/relief evacuation through non-scheduled flights, has issued the following Standard Operating Procedure. The important aspects of the same are mentioned as under :

1. **General**

- a. Air India shall carry passengers cleared by the respective Indian High Commission / Indian Embassy (mission) in that country on flat fare basis.
- b. Before The mission shall
  - satisfy itself about the health status of the passengers seeking to travel back to India. It may take a signed declaration from them in respect of the same including complete contact details, travel record of last 28 days etc. as per the format provided by Ministry of Health and Family Welfare.
  - A signed declaration would also be required for commitment to undergo quarantine for fourteen days or more after arrival in India and to pay for the type of quarantine arrangement a passenger would opt for.

2. **Crew Protocol**

- a. Cabin crew serving the passengers to wear Personal Protection Equipment (PPE) which include medical protective masks, medical rubber gloves, goggles / face shield, disposable medical caps, disposable protective clothing.
- b. Flight crew member to use surgical masks and goggles. Disposable protective clothing can also be worn if so required by a specific task.
- c. PPE wearing/taking-off procedure:
  - **Donning**: clean and disinfect hands - wear cap - wear facial mask - wear gloves - wear

15

protective clothing - wear goggles / face shield - wear shoes cover - clean and disinfect hands.

- **Doffing:** clean and disinfect hands - take off goggles / face shield - clean and disinfect hands - take off protective clothing including shoe cover - clean and disinfect hands - take off facial mask - clean and disinfect hands - take off cap - take off gloves - clean and disinfect hands.
- d. The mask should be close to the face, covering the nose and mouth completely. When the mask is on or being removed, the crew must not touch the outer layer of the mask with hands to avoid hands contamination. Once dampened by secretions or contaminated by other contaminants, facial masks must be replaced immediately with new ones, and hands should be cleaned with sanitizer both before and after the replacement.
- e. Flight crew members should wear masks while in the cockpit and crew rest area. All Crew members should change their masks at regular intervals in case of long and ultra-long-haul flights.
- f. All disposable protective equipment, after their use, should be placed in yellow medical waste bags. After the flight, they should be sprayed or sprinkled with disinfectant before cleaning, and packed in a tightly knotted plastic bag for centralized disposal as medical wastes.
- g. The crew can use alcohol-based disinfection wipes or non-alcohol rinse free hand sanitizer to clean and disinfect hands. When crew members are not sure whether their hands are clean, they should avoid touching their noses, mouths and eyes with their hands. When sneezing or coughing, one should try to lower the head or turn away from passengers and crew members nearby, and cover the mouth and nose with tissue or flexed elbow. After touching or disposing wastes, hands should be cleaned with soap or hand sanitizer under running water followed by hand cleaning and disinfection.
- h. Goggles should be promptly sanitised and dried every time after use
- i. Crew members should reduce their entry/exit of the cockpit and use intercom system for communication whenever they can to avoid close contact. They should avoid two of them dining at



the same time and pre-packaged food to the greatest extent possible. They should use rinse free hand sanitizer to clean and disinfect hands before meals. Also, they should use an exclusive lavatory and reduce their visit to the lavatory.

- j. Cabin crew should be assigned to provide service in their designated areas, avoid close contact with passengers and only provide necessary in-flight service. Cabin crew also to be designated to provide basic service for flight crew members when needed.
- k. Cabin crew to provide pre-packaged food and bottled water before or during passenger boarding. Except for special needs, catering service should not be provided onboard.
- l. Lavatory should be sanitised once every hour (or after being used 5 times) during flight, and after disinfection, hands should be timely cleaned and disinfected.
- m. Efforts should be made to arrange passengers to sit separately. The last three rows of seats on the right side aisle (in case of twin aisle aircraft, right side of the right aisle) of the aircraft should be reserved as a quarantine area for handling possible in-flight emergencies.
- n. While staying abroad, crew members should have themselves well protected except when being indoors alone. They should avoid going to places with poor ventilation for physical exercise. Also, they should wear masks and goggles while taking elevators (no direct contact with elevator buttons) or having contact with others.
- o. All the crew members while staying abroad must avoid crowded places and maintain the norms of social distancing and sanitisation to protect themselves. They should inform Commander / CIC in case of illness or unease.
- p. As far as possible, the same set of cabin and cockpit crew are utilised for a flight as it will help in preventing cross contamination.
- q. Cockpit crew to enter the cockpit for undertaking the flight before passenger boarding and they should complete their pre-flight check before that. The cockpit crew may disembark after completion of flight before passenger disembarkation, if a qualified Engineering personnel in complete PPE monitors the cockpit in the absence of cockpit crew.

**3. Passenger Boarding Protocol**

- a. Each passenger at the time boarding would be handed over a safety kit containing at least 2 three-layer surgical masks and pouches / small bottles of hand sanitizer.
- b. Cabin crew / boarding staff to ensure that each passenger at the time of boarding has his hands sanitised and wears a fresh mask before entering the aircraft.
- c. The passengers would be seated in the aircraft sequentially from rear to front, with passengers on windows being seated first so as to prevent any crowding or crossing over in the aisles.
- d. Passengers would be sensitised by way of poster display at the time of boarding and by way of repeated announcements, during boarding as well as during flight about various precautions w.r.t. prevention of spread of COVID-19. The precautions include use of hand sanitizer, continuous wearing of mask, minimum use of lavatories with all precautions of sanitisation, no or restricted movement during the flight and sanitising hands before taking meals and after use of lavatories.
- e. No newspapers / magazines or other non-essential loose items to be carried on board. In-flight entertainment to be switched off to minimise touch on aircraft surfaces.

**4. Catering / Meals Protocol**

- a. No or minimum catering (pre packed cold meals / snacks - depending on the duration of flight). No tea coffee service shall be available.
- b. Water bottles and prepacked food (wherever required) would be placed on passenger seats before passenger boarding to minimise passenger interaction with the cabin crew. Additional water bottles would be available in galley area on self-service basis. The same to be also informed to the passengers during boarding and in-flight announcements.

**5. Medical Emergency Protocols**

- a. In case of ill passenger or a passenger showing COVID-19 symptoms like fatigue or cough, high fever etc., the passenger should be isolated from the other passengers and a dedicated crew in

complete protective gear be assigned to handle the case.

- b. The last three rows of seats on the right side aisle (in case of twin aisle aircraft, right side of the right aisle) of the aircraft should be reserved as a quarantine area for handling possible in-flight emergencies. Special protections like PPE and sanitizers to be used by crew for handling such cases. Adequate quantity of PPE to be available for a possibility of more than one such case.

#### **6. Disembarkation / Arrival Protocol**

- a. After arrival in India, the disembarkation would be staggered and sequential to ensure the social distancing.
- b. As far as possible, entry of ground staff and cabin crew to the cockpit should be restricted to minimum possible
- c. All the crew immediately on arrival will be subjected to RT-PCR test. Thereafter, the crew will be accommodated in airline designated hotel till the test result is available. If the test is negative, the crew can proceed to their residence. The second RT-PCR test will be conducted on the 5th day at the residence of the crew. If the test is negative and the crew does not display any COVID-19 symptoms, they can be utilized for the next duty cycle.
- d. If either of the test comes positive, the medical department of the airline will ensure treatment of the concerned crew as per the laid down guidelines
- e. In case of any COVID-19 positive case is found in flight, the guidelines laid down by Ministry of Health and Family Welfare for such cases would apply.

#### **7. Disinfection of aircraft by Maintenance**

- a. The disinfection of aircraft especially with respect to COVID-19 shall take place as per existing laid down Maintenance norms.”

In light of the above, it is submitted that considering the abovementioned facts and circumstances, the Impugned Order of the

Hon'ble High Court deserves to be stayed in the interim and further, after issuance of notice, be set aside. It is submitted the union of India, in consultation with relevant stakeholders, after giving due importance to the medical condition and safety of the travelling passengers and the safety of the persons at their destination place, have issued above-mentioned standard procedure. It is submitted that it is critical to note it is necessary for every traveller has to institutionally quarantine himself after the journey.

**(B) BECAUSE** the Hon'ble High Court erred in holding that the circular dated 23.03.2020 does apply to non-scheduled rescue/relief flights for lifting Indian stranded passengers abroad. It is submitted that the by mandating believing of one seat between two seats by placing reliance on the circular issued by the Director General Of Civil Aviation dated 23<sup>rd</sup> of March 2020, has committed a grave error. In this regard it is specifically pointed the said circular dated 23<sup>rd</sup> March 22 other declaration of the time it was to apply to scheduled flights. It is submitted that it is a settled principle of law that a specific provision overrides a general provision. Considering the fact that the Union of India along with the relevant authorities has issued detailed standard operating procedures and guidelines which are mandatory in nature to be adopted by the relevant stakeholders with regard to the relief and rescue flights (nonscheduled flights), it is clear that the said standard operating procedures and guidelines are specific in nature and would naturally apply to the present circumstances.

(C) **BECAUSE** the Hon'ble High Court erroneously ignored that the COVID-19 pandemic and the migration of stranded persons is a national problem and no orders can be passed in absence of the Central Government being a party.

(D) **BECAUSE** the High Court erroneously ignored the gradual process through which the rescue and relief of stranded Indians was allowed subject to requisite precautions. It is submitted that the aforesaid requirement of keeping of one seat empty between two seats in all rescue/relief flights [non-scheduled flights] across the world is a huge cascading effect as the entire schedule is affected leaving thousands of passengers who were to board the flights in a state of confusion. It is submitted that the impugned order also reasonably requires the Petitioner [along with the relevant authorities] to drop 1/3<sup>rd</sup> of the already selected persons stranded across the world to be dropped. It is submitted that there are numerous flights everyday carrying thousands of passengers and the dropping of such passengers would create massive logistical, international and visa related issues. It is submitted that the Central Government has consistently taken pro-active and pre-emptive steps in order to deal with an unprecedented global crises which is declared to be a "pandemic" by World Health Organisation which has engulfed a substantial geographical part of the world. It is respectfully submitted that the Central Government initiated timely actions and geared up all its Ministries much before WHO declared COVID-19 to be a "Public Health Emergency of International Concern".

It is submitted that the Impugned Order, ignores the gradual strategy of the Executive in dealing with the issue at hand. It is submitted that, at present, after due deliberations, and considering the human problem faced by persons of Indian origin across the world, started the rescue and the relief flights [non-scheduled flights] to bring the persons willing and in need to come back to India under the *Vande Bharat* Mission.

**(E) BECAUSE** the Hon'ble High Court erred in passing the Impugned Order without realizing the cascading impact of the Order. It is further important to point out that the reasons of the extreme urgency requiring moving of SLP today itself is the devastating consequence of the impugned order on thousands of stranded people within the country and people stranded in various other countries who are being shifted to and from India through Air India. The High Court has, vide impugned order, prevented Air India from flying any flight [whether going from or coming to India] without keeping the middle seat vacant. This SLP pertains to non-scheduled international flights which commenced its operation on 7th May, 2020 for the limited purpose of having the stranded Indians back to India and other stranded people stuck in India to be sent to their respective countries. These flights have become operational since 7th May, 2020 and, therefore, obviously, all outgoing and incoming Air India flights [for stranded people] are booked till 14th June, 2020. The inevitable impact of the impugned order [which requires middle seat to remain vacant] is to disembark one-third of the

passengers. It is impossible for any authority to decide which one-third of the passengers are to be disembarked. The passengers for incoming flights as well as outgoing flights come from various part of the respective countries at the Airport as they have prior bookings. It is impossible to require one-third to be disembarked. As the impugned order was received today at 10 AM, the Union of India along with Air India was left with no other option but to offload the one-third passengers on ad hoc basis. The result of this decision created mayhem by one-third passengers which were offloaded. All of them have come from various parts of the country to New Delhi to board and are stranded in Delhi now. It is submitted that the next outgoing and incoming flights are in the today's evening, today's night and tomorrow morning. It is submitted that even for incoming flights, coming from other countries to India, Union of India and Air India would be bound by the impugned order requiring either to cancel the flight or to resort to offloading of one-third passengers leaving them stranded in the city where airports are situated though they have come from various parts of the foreign countries to the city from where Air India flight is to take off. It is impossible to convince airport authorities of other foreign countries to permit offloading of one-third passengers because of an interim order passed by the Hon'ble Bombay High Court. It is submitted that the non-scheduled flights have its own protocol which takes care of health security concerns. In view of the aforesaid unprecedented situation which has emerged, it is inevitable that this Hon'ble Court is

requested to take the SLP today itself as thousands of passengers have already gathered at various airports of the world even at the time when this SLP is being filed.

**(6) GROUNDS FOR INTERIM RELIEF**

The Impugned Order dated 22.05.2020 is erroneous in fact and in law and the Petitioners have a prima facie case in its favour and has every likelihood of succeeding before this Hon'ble Court. It is submitted that the Impugned Order sets a dangerous precedent having far reaching repercussions. The Impugned Order is thus prejudicial, to a vast population of the country and the Petitioner and therefore, ought to be stayed.

**(7) MAIN PRAYER**

It is, therefore, respectfully prayed that this Hon'ble Court be pleased to:

- a.** Grant special leave to appeal against the impugned order dated 22<sup>nd</sup> May, 2020 in Writ Petition (C)(L) No. 3 of 2020; and
- b.** Pass such other or further orders as this Hon'ble Court may deem fit and proper.

**(8) PRAYER FOR INTERIM RELIEF**

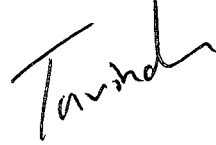
It is, therefore, respectfully prayed that this Hon'ble Court be pleased to pending hearing and final disposal of the present Petition:



24

- a. Stay the operation, implementation and effect of the impugned order dated 22<sup>nd</sup> May, 2020 in Writ Petition (C)(L) No. 3 of 2020;
- b. Pass such other or further orders as this Hon'ble Court may deem fit and proper.

DRAWN BY :



**M.V. KINI & ASSOCIATES  
ADVOCATE FOR THE PETITIONERS**

Drawn on: .05.2020

Filed on: .05.2020

25

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2020  
(UNDER ARTICLE 136 OF CONSTITUTION OF INDIA)**

(Arising from the order dated 22.05.2020 passed by the Hon'ble High Court of Judicature Bombay Writ Petition (L) No. 3/2020)

**IN THE MATTER OF:-**

**AIR INDIA & ANR.**

... **PETITIONER**

**VERSUS**

**DEVEN Y. KANANI & ORS.**

... **RESPONDENTS**

**AFFIDAVIT**

I, Alhad Narasinh Kulkarni, S/o. Narasinh Baburao Kulkarni, aged about 54 years working as General Manager, Legal with Air India Ltd having its office at Airlines House, Gurudwara Rakabganj Road, New Delhi 110001. do hereby state on solemn affirmation as under:-

1. That I am the Petitioner No. 1 & 2 in the matter and am fully conversant with the facts of the case and competent to sign and swear this affidavit.
2. That the facts stated in the List of Dates, Special Leave Petition, and Annexures are true to my knowledge and derived from record maintained in ordinary course of business and the rest are the humble submissions before this Hon'ble Court.
3. That I have gone through the contents of the accompanying Synopsis & List of Dates at pages \_\_ to \_\_, Special Leave Petition at pages \_\_ to \_\_ and accompanying Applications which has been drafted by my Counsel as per my instructions. I have read and understood the contents of the same, which are true and correct to my knowledge and belief.
4. That the annexures appended to the present Special Leave Petition are true copies of their respective originals.
5. That the facts stated in this affidavit are true and correct to best of my knowledge.

**VERIFICATION:**

Verified at Delhi on this 24<sup>th</sup> day of May, 2020 that the contents of the above affidavit are true and correct to my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

  
**DEPONENT**

आलहाद न. कुलकर्णी / ALHAD N. KULKARNI  
नया प्रबन्धक (कानून) / General Manager (Legal)  
एयर इंडिया लिमिटेड मुख्यालय / Air India Limited HQ  
एयरलाइंस हाउस / Airlines House  
नया दिल्ली-110 001 / New Delhi-110 001

  
**DEPONENT**

आलहाद न. कुलकर्णी / ALHAD N. KULKARNI  
नया प्रबन्धक (कानून) / General Manager (Legal)  
एयर इंडिया लिमिटेड मुख्यालय / Air India Limited HQ  
एयरलाइंस हाउस / Airlines House  
नया दिल्ली-110 001 / New Delhi-110 001

25-A  
100

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2020  
(UNDER ARTICLE 136 OF CONSTITUTION OF INDIA)

(Arising from the order dated 22.05.2020 passed by the Hon'ble High Court of Judicature Bombay Writ Petition (L) No. 3/2020)

IN THE MATTER OF:-

AIR INDIA & ANR.

... PETITIONER

VERSUS

DEVEN Y. KANANI & ORS.

... RESPONDENTS

CERTIFICATE

Certified that the Special Leave Petition is confined only to the pleadings before the Court whose Judgment is challenged and the other documents relied upon in those proceedings. No additional facts, documents or grounds have been taken therein or relied upon in the Special Leave Petition. It is further certified that the copies of the documents/annexure attached to the Special Leave Petition are necessary to answer the questions of law raised in the petition or to make out grounds urged in the Special Leave Petition for consideration of this Hon'ble Court. This Certificate is given on the basis of the instructions given by the petitioner/person authorized by the petitioner whose Affidavit is filed in support of the S.L.P.

New Delhi

Filed By

Date: 24-05-20



**M.V. KINI & ASSOCIATES  
ADVOCATE FOR THE PETITIONERS**

Annexure P1

26

GOVERNMENT OF INDIA  
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION  
OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI-110003

No. 4/1/2020-IR  
Dated: 23-03-2020

**CIRCULAR**

**Subject: Social distancing measures by Airlines and Airport Operators.**

In order to prevent spread of COVID-19, the following measures should be taken by Airlines and Airport operators:

**Airlines:**

1. Ensure adequate spacing at Check-in counters between passengers (minimum One meter) and also between each individual counters.
2. Ensure availability of adequate staff for guiding the passengers at Check-in counters and during Security Checks.
3. Passengers to be advised to sit at adequate distance in waiting area, keeping one seat vacant.
4. Ensure that boarding is done in a manner to avoid bunching of passengers at any time and also ensure adequate spacing between passengers in boarding lines.
5. Provide sanitizers for staff and passengers at the entry of the aircraft.
6. Cabin Crew to maintain adequate distance while serving the passengers.
7. Seat allocation at the time of Check-in to be done to in a manner to ensure that the seat between two passengers is kept empty.
8. Any other action as deemed appropriate to ensure social distancing is maintained.

**Airports:**

1. Ensure adequate Check-in counters and Security Check counters to avoid congestion of passengers.
2. Ensure adequate number of staff at Check-in and Security areas to guide passengers in order to avoid any bunching.

27

3. Provide sanitizers at all prominent locations and carry out repeated public address announcements to sensitize passengers and airport staff.
4. Passengers to be advised to sit at an adequate distance while waiting, keeping one seat vacant.
5. Any other action as deemed appropriate to ensure social distancing is maintained.



(Sunil Kumar)  
Deputy Director General

To

1. All Scheduled Domestic Airlines operating in India;
2. The Chairman, Airport Authority of India;
3. All Airport Operators in India.

Annexure P2

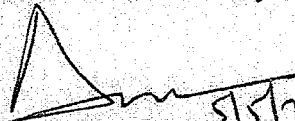
No.40-3/2020-DM-I (A)  
Government of India  
Ministry of Home Affairs

28

North Block, New Delhi-110001  
Dated 5<sup>th</sup> May, 2020

**ORDER**

In continuation of Ministry of Home Affairs' Orders No.40-3/2020-DM-I(A) dated 1<sup>st</sup> May 2020 and in exercise of the powers, conferred under Section 10(2)(I) of the Disaster Management Act, the undersigned, in his capacity as Chairperson, National Executive Committee, hereby issues Standard Operating Protocols (SOPs), for **movement of Indian Nationals stranded outside the country and of specified persons to travel abroad, as Annexed** herewith, to Ministries/Departments of Government of India, State/Union Territory Governments and State /Union Territory Authorities with the directions for its strict implementation.

  
Home Secretary 5/5/2020

To: (As per list attached)

1. The Secretaries of Ministries /Departments of Government of India.
2. The Chief Secretaries/Administrators of States/Union Territories.

Copy to:

- i) All Members of the National Executive Committee.
- ii) Member Secretary, National Disaster Management Authority.

29

**Annexure to Ministry of Home Affairs' (MHA) Order No.40-3/2020-DM-I (A)  
dated 5<sup>th</sup> May, 2020**

**A. Standard Operating Protocol (SOP) for movement of Indian Nationals stranded outside the country**

In order to contain the spread of COVID-19 pandemic, international travel of passengers has been prohibited under MHA's Orders related to lockdown measures. As per information available, many Indian Nationals who had travelled to different countries before the lockdown, on various purposes such as employment, studies/ internships, tourism, business, etc., are stranded abroad. Due to their prolonged stay abroad, they are facing distress and are desirous of returning to India urgently. Apart from the above cases, there are other Indian Nationals who need to visit India in medical emergencies or death of a family member.

2. In order to facilitate the movement of such Indian Nationals, the following SoP is hereby laid down:
- i. Such persons will register themselves with the Indian Missions in the country where they are stranded, along with necessary details as prescribed by MEA.
  - ii. They will travel to India by non scheduled commercial flights to be arranged by Ministry of Civil Aviation (MOCA); and, naval ships to be arranged by Department of Military Affairs (DMA). Only those crew and staff, who are tested COVID-19 negative, will be allowed to operate these flights/ ships.
  - iii. Priority will be given to compelling cases in distress, including migrant workers/ labourers who have been laid off, short term visa holders faced with expiry of visas, persons with medical emergency/ pregnant women/ elderly, those required to return to India due to death of family member, and students.
  - iv. The cost of travel, as specified by MoCA/ DMA will be borne by such travellers.
  - v. Based on the registrations received, MEA will prepare flight/ ship wise database of all such travellers, including details such as name, age, gender, mobile phone number, place of residence, place of final destination; and information on RT-PCR test taken and its result. This data base will be shared by MEA with the respective State/ UT in advance.
  - vi. MEA will designate State/ UT wise nodal officers, who will co-ordinate with the nodal officers designated for this purpose by the respective States/ UTs.
  - vii. MEA will display with at least two days notice, the schedule (day, place and time of arrival) of the incoming flight/ ship, on their online digital platform.

- viii.** Before boarding, all travellers shall give an undertaking that they would undergo mandatory institutional quarantine for a minimum period of 14 days on arrival in India, at their own cost.
- ix.** All travellers will also be required to give an undertaking that they are making the journey at their own risk.
- x.** At the time of boarding the flight/ ship, MEA will facilitate thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight/ ship.
- xi.** Passengers arriving through the land borders will also have to undergo the same protocol as above, and only those who are asymptomatic will be enabled to cross the border into India.
- xii.** Self-declaration form (with health and personal details) in duplicate will be filled in advance by all passengers coming from any point of entry, i.e., land, sea or airports, and a copy of the same will be given to Health and Immigration officials present at the airport/ seaport/ landport.
- xiii.** While on board the flight/ ship, the health protocol of MoCA/ DMA will be strictly followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline/ ship staff, crew and all passengers.
- xiv.** On arrival, thermal screening, as per health protocol, would be carried out in respect of all the passengers by the Health officials present at the airport/ seaport/ landport.
- xv.** All passengers shall be asked to download *ArogyaSetu* app on their mobile devices.
- xvi.** The passengers found to be symptomatic during screening shall be immediately taken to medical facility as per health protocol.
- xvii.** The remaining passengers shall be taken to suitable institutional quarantine facilities, to be arranged by the respective State/ UT Governments. These facilities may be as far as possible, in the district headquarters, of the district to which the arriving passengers belongs.
- xviii.** These passengers shall be kept under institutional quarantine for a minimum period of 14 days.
- xix.** If they test negative after 14 days, they will be allowed to go home and will undertake self-monitoring of their health for 14 more days as per protocol. The remaining persons will be shifted to the medical facility by the State/ UT Government.

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31

**B. Standard Operating Protocol (SOP) for movement of persons stranded in India who are desirous to travel abroad**

In order to contain the spread of COVID-19 pandemic, international travel of passengers has been prohibited under MHA's Orders related to lockdown measures. As per information available, many persons are stranded in India who desirous to travel abroad urgently for various purposes.

2. In order to facilitate the movement of such persons, the following SoP is hereby laid down:

- i. Such persons will apply to Ministry of Civil Aviation (MoCA) or to any agency designated by MoCA for this purpose, along with necessary details, including the places of departure and arrival, as prescribed by MoCA.
- ii. Only those persons shall be allowed to travel to the destination countries, who are citizens of that country; who hold visa of at least one year duration of that country; and green card or OCI card holder. In cases of medical emergency or death in the family, Indian Nationals holding six month visa can also be allowed.
- iii. Before the tickets of such persons are confirmed, MoCA will ensure that the destination country allows entry of such persons in that country. The conditions, if any, imposed by the destination country, will have to be fulfilled by the person intending to travel.
- iv. The travel from India shall be by on the non scheduled commercial flights that are being arranged by MoCA for bringing back stranded Indian Nationals from abroad.
- v. The cost of travel, as specified by MoCA, will be borne by such travellers.
- vi. At the time of boarding the flight, MoCA will ensure that all travellers undergo thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight.
- vii. While on board the flight, health protocol as issued by MoCA will be strictly followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline staff, crew and all passengers.

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प्रदीप सिंह खरोला  
Pradeep Singh Kharola



Annexure P3

सचिव  
भारत सरकार  
नागर विमानन मंत्रालय  
नई दिल्ली-110 003

SECRETARY  
GOVERNMENT OF INDIA  
MINISTRY OF CIVIL AVIATION  
NEW DELHI-110 003  
May 06, 2020

D.O. No. Secy(CA)/01/Misc- Air India

Dear Rajivji

Please refer the order of MHA dtd 5<sup>th</sup> May, 2020 on Standard Operating Protocols (SoPs) for movement of Indian Nationals Stranded outside the country and of specified persons to travel abroad (Copy enclosed for ready reference).

2. As per the order of MHA, persons stranded in India who wish to travel abroad need to apply with details to MoCA or to any agency designated by MoCA. For this purpose, it has been decided to designate Air India as nodal agency to facilitate the process. An institutional Mechanism may be put in place for allowing the eligible persons to travel on the non-scheduled commercial flights that are being arranged by MoCA for bringing back stranded Indian Nationals from abroad, according to the guidelines issued by MHA.
3. Early action in this regard would be appreciated.

Yours sincerely,

With regards

  
( Pradeep Singh Kharola )

Encl. As Above.

Shri Rajiv Bansal  
CMD, Air India  
Airlines House  
Gurudwara Rakab Ganj Road  
New Delhi.

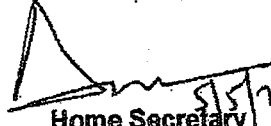
No.40-3/2020-DM-I (A)  
Government of India  
Ministry of Home Affairs

33

North Block, New Delhi-110001  
Dated 5<sup>th</sup> May, 2020

**ORDER**

In continuation of Ministry of Home Affairs' Orders No.40-3/2020-DM-I(A) dated 1<sup>st</sup> May 2020 and in exercise of the powers, conferred under Section 10(2)(l) of the Disaster Management Act, the undersigned, in his capacity as Chairperson, National Executive Committee, hereby issues Standard Operating Protocols (SOPs), **for movement of Indian Nationals stranded outside the country and of specified persons to travel abroad, as Annexed** herewith, to Ministries/Departments of Government of India, State/Union Territory Governments and State /Union Territory Authorities with the directions for its strict implementation.

  
5/5/2020  
Home Secretary

To: (As per list attached)

1. The Secretaries of Ministries /Departments of Government of India.
2. The Chief Secretaries/Administrators of States/Union Territories.

Copy to:

- i) All Members of the National Executive Committee.
- ii) Member Secretary, National Disaster Management Authority.

34

**Annexure to Ministry of Home Affairs' (MHA) Order No.40-3/2020-DM-I (A)  
dated 5<sup>th</sup> May, 2020**

**A. Standard Operating Protocol (SOP) for movement of Indian Nationals stranded outside the country**

In order to contain the spread of COVID-19 pandemic, international travel of passengers has been prohibited under MHA's Orders related to lockdown measures. As per information available, many Indian Nationals who had travelled to different countries before the lockdown, on various purposes such as employment, studies/ internships, tourism, business, etc., are stranded abroad. Due to their prolonged stay abroad, they are facing distress and are desirous of returning to India urgently. Apart from the above cases, there are other Indian Nationals who need to visit India in medical emergencies or death of a family member.

2. In order to facilitate the movement of such Indian Nationals, the following SoP is hereby laid down:
- i. Such persons will register themselves with the Indian Missions in the country where they are stranded, along with necessary details as prescribed by MEA.
  - ii. They will travel to India by non scheduled commercial flights to be arranged by Ministry of Civil Aviation (MOCA); and, naval ships to be arranged by Department of Military Affairs (DMA). Only those crew and staff, who are tested COVID-19 negative, will be allowed to operate these flights/ ships.
  - iii. Priority will be given to compelling cases in distress, including migrant workers/ labourers who have been laid off, short term visa holders faced with expiry of visas, persons with medical emergency/ pregnant women/ elderly, those required to return to India due to death of family member, and students.
  - iv. The cost of travel, as specified by MoCA/ DMA will be borne by such travellers.
  - v. Based on the registrations received, MEA will prepare flight/ ship wise database of all such travellers, including details such as name, age, gender, mobile phone number, place of residence, place of final destination, and information on RT-PCR test taken and its result. This data base will be shared by MEA with the respective State/ UT in advance.
  - vi. MEA will designate State/ UT wise nodal officers, who will co-ordinate with the nodal officers designated for this purpose by the respective States/ UTs.
  - vii. MEA will display with at least two days notice, the schedule (day, place and time of arrival) of the incoming flight/ ship, on their online digital platform.

35

**B. Standard Operating Protocol (SOP) for movement of persons stranded in India who are desirous to travel abroad**

In order to contain the spread of COVID-19 pandemic, international travel of passengers has been prohibited under MHA's Orders related to lockdown measures. As per information available, many persons are stranded in India who desirous to travel abroad urgently for various purposes.

2. In order to facilitate the movement of such persons, the following SoP is hereby laid down:

- i. Such persons will apply to Ministry of Civil Aviation (MoCA) or to any agency designated by MoCA for this purpose, along with necessary details, including the places of departure and arrival, as prescribed by MoCA.
- ii. Only those persons shall be allowed to travel to the destination countries, who are citizens of that country; who hold visa of at least one year duration of that country; and green card or OCI card holder. In cases of medical emergency or death in the family, Indian Nationals holding six month visa can also be allowed.
- iii. Before the tickets of such persons are confirmed, MoCA will ensure that the destination country allows entry of such persons in that country. The conditions, if any, imposed by the destination country, will have to be fulfilled by the person intending to travel.
- iv. The travel from India shall be by on the non scheduled commercial flights that are being arranged by MoCA for bringing back stranded Indian Nationals from abroad.
- v. The cost of travel, as specified by MoCA, will be borne by such travellers.
- vi. At the time of boarding the flight, MoCA will ensure that all travellers undergo thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight.
- vii. While on board the flight, health protocol as issued by MoCA will be strictly followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline staff, crew and all passengers.

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36

- viii. Before boarding, all travellers shall give an undertaking that they would undergo mandatory institutional quarantine for a minimum period of 14 days on arrival in India, at their own cost.
- ix. All travellers will also be required to give an undertaking that they are making the journey at their own risk.
- x. At the time of boarding the flight/ ship, MEA will facilitate thermal screening as per health protocol. Only asymptomatic travellers would be allowed to board the flight/ ship.
- xi. Passengers arriving through the land borders will also have to undergo the same protocol as above, and only those who are asymptomatic will be enabled to cross the border into India.
- xii. Self-declaration form (with health and personal details) in duplicate will be filled in advance by all passengers coming from any point of entry, i.e., land, sea or airports, and a copy of the same will be given to Health and Immigration officials present at the airport/ seaport/ landport.
- xiii. While on board the flight/ ship, the health protocol of MoCA/ DMA will be strictly followed. This would include wearing of masks, environmental hygiene, respiratory hygiene, hand hygiene etc. to be observed by airline/ ship staff, crew and all passengers.
- xiv. On arrival, thermal screening, as per health protocol, would be carried out in respect of all the passengers by the Health officials present at the airport/ seaport/ landport.
- xv. All passengers shall be asked to download *ArogyaSetu* app on their mobile devices.
- xvi. The passengers found to be symptomatic during screening shall be immediately taken to medical facility as per health protocol.
- xvii. The remaining passengers shall be taken to suitable institutional quarantine facilities, to be arranged by the respective State/ UT Governments. These facilities may be as far as possible, in the district headquarters, of the district to which the arriving passengers belongs.
- xviii. These passengers shall be kept under institutional quarantine for a minimum period of 14 days.
- xix. If they test negative after 14 days, they will be allowed to go home and will undertake self-monitoring of their health for 14 more days as per protocol. The remaining persons will be shifted to the medical facility by the State/ UT Government.

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Annexure P4

37

**SOP for Air India Evacuation Flights for India Nationals Abroad**  
**in View of COVID-19 Pandemic**

**1. Objective**

- a. In order to contain the spread of COVID-19 pandemic international travel of passengers has been prohibited under Ministry of Home Affairs' orders related to lockdown measures. Many Indian nationals who had travelled to different countries before the lockdown on various purposes such as employment, studies / internship, tourism, business etc. are stranded abroad. Due to their prolonged stay abroad, they are facing distress and are desirous of returning to India urgently. Apart from the above cases, there are Indian nationals who need to visit India in medical emergencies or death of a family member.
- b. In pursuance with Ministry of Home Affairs' order no. 40-3/2020 – DM – I(A) dated 5th May 2020, the Government has asked Air India and Air India Express to operate flights to various International destinations to bring back such distressed Indian nationals.

**2. General**

- a. Air India shall carry passengers cleared by the respective Indian High Commission / Indian Embassy (mission) in that country on flat fare basis.
- b. Before The mission shall
  - satisfy itself about the health status of the passengers seeking to travel back to India. It may take a signed declaration from them in respect of the same including complete contact details, travel record of last 28 days etc. as per the format provided by Ministry of Health and Family Welfare.
  - A signed declaration would also be required for commitment to undergo quarantine for fourteen days or more after arrival in India and to pay for the type of quarantine arrangement a passenger would opt for.
- c. The airline office of the country shall issue the required ticket and boarding pass after receiving the prescribed payment to the passenger. The passenger would be permitted to carry maximum of only one hand bag not weighing more than 7 Kg and checked in bag as per his entitlement.
- d. On arrival at the airport, the passenger would be subjected to temperature screening before baggage drop off / check in and before boarding. In case, a passenger is found unfit to travel due higher temperature or COVID-19 symptoms, he would be permitted to have the date of his travel changed on his ticket, without penalty.

**3. Crew Protocol**

- a. Cabin crew serving the passengers to wear Personal Protection Equipment (PPE) which include medical protective masks, medical rubber gloves, goggles / face shield, disposable medical caps, disposable protective clothing.
- b. Flight crew member to use surgical masks and goggles. Disposable protective clothing can also be worn if so required by a specific task.
- c. PPE wearing/taking-off procedure:

38

- **Donning**: clean and disinfect hands - wear cap - wear facial mask - wear gloves - wear protective clothing - wear goggles / face shield - wear shoes cover - clean and disinfect hands.
  - **Doffing**: clean and disinfect hands - take off goggles / face shield - clean and disinfect hands - take off protective clothing including shoe cover - clean and disinfect hands - take off facial mask - clean and disinfect hands - take off cap - take off gloves - clean and disinfect hands.
- d. The mask should be close to the face, covering the nose and mouth completely. When the mask is on or being removed, the crew must not touch the outer layer of the mask with hands to avoid hands contamination. Once dampened by secretions or contaminated by other contaminants, facial masks must be replaced immediately with new ones, and hands should be cleaned with sanitizer both before and after the replacement.
  - e. Flight crew members should wear masks while in the cockpit and crew rest area. All Crew members should change their masks at regular intervals in case of long and ultra-long-haul flights.
  - f. All disposable protective equipment, after their use, should be placed in yellow medical waste bags. After the flight, they should be sprayed or sprinkled with disinfectant before cleaning, and packed in a tightly knotted plastic bag for centralized disposal as medical wastes.
  - g. The crew can use alcohol-based disinfection wipes or non-alcohol rinse free hand sanitizer to clean and disinfect hands. When crew members are not sure whether their hands are clean, they should avoid touching their noses, mouths and eyes with their hands. When sneezing or coughing, one should try to lower the head or turn away from passengers and crew members nearby, and cover the mouth and nose with tissue or flexed elbow. After touching or disposing wastes, hands should be cleaned with soap or hand sanitizer under running water followed by hand cleaning and disinfection.
  - h. Goggles should be promptly sanitised and dried every time after use
  - i. Crew members should reduce their entry/exit of the cockpit and use intercom system for communication whenever they can to avoid close contact. They should avoid two of them dining at the same time and pre-packaged food to the greatest extent possible. They should use rinse free hand sanitizer to clean and disinfect hands before meals. Also, they should use an exclusive lavatory and reduce their visit to the lavatory.
  - j. Cabin crew should be assigned to provide service in their designated areas, avoid close contact with passengers and only provide necessary in-flight service. Cabin crew also to be designated to provide basic service for flight crew members when needed.
  - k. Cabin crew to provide pre-packaged food and bottled water before or during passenger boarding. Except for special needs, catering service should not be provided onboard.
  - l. Lavatory should be sanitised once every hour (or after being used 5 times) during flight, and after disinfection, hands should be timely cleaned and disinfected.
  - m. Efforts should be made to arrange passengers to sit separately. The last three rows of seats on the right side aisle (in case of twin aisle aircraft, right side of



the right aisle) of the aircraft should be reserved as a quarantine area for handling possible in-flight emergencies.

- n. While staying abroad, crew members should have themselves well protected except when being indoors alone. They should avoid going to places with poor ventilation for physical exercise. Also, they should wear masks and goggles while taking elevators (no direct contact with elevator buttons) or having contact with others.
- o. All the crew members while staying abroad must avoid crowded places and maintain the norms of social distancing and sanitisation to protect themselves. They should inform Commander / CIC in case of illness or unease.
- p. As far as possible, the same set of cabin and cockpit crew are utilised for a flight as it will help in preventing cross contamination.
- q. Cockpit crew to enter the cockpit for undertaking the flight before passenger boarding and they should complete their pre-flight check before that. The cockpit crew may disembark after completion of flight before passenger disembarkation, if a qualified Engineering personnel in complete PPE monitors the cockpit in the absence of cockpit crew.

#### 4. Passenger Boarding Protocol

- a. Each passenger at the time boarding would be handed over a safety kit containing at least 2 three-layer surgical masks and pouches / small bottles of hand sanitizer.
- b. Cabin crew / boarding staff to ensure that each passenger at the time of boarding has his hands sanitised and wears a fresh mask before entering the aircraft.
- c. The passengers would be seated in the aircraft sequentially from rear to front, with passengers on windows being seated first so as to prevent any crowding or crossing over in the aisles.
- d. Passengers would be sensitised by way of poster display at the time of boarding and by way of repeated announcements, during boarding as well as during flight about various precautions w.r.t. prevention of spread of COVID-19. The precautions include use of hand sanitizer, continuous wearing of mask, minimum use of lavatories with all precautions of sanitisation, no or restricted movement during the flight and sanitising hands before taking meals and after use of lavatories.
- e. No newspapers / magazines or other non-essential loose items to be carried on board. In-flight entertainment to be switched off to minimise touch on aircraft surfaces.

#### 5. Catering / Meals Protocol

- a. No or minimum catering (pre packed cold meals / snacks – depending on the duration of flight). No tea coffee service shall be available.
- b. Water bottles and prepacked food (wherever required) would be placed on passenger seats before passenger boarding to minimise passenger interaction with the cabin crew. Additional water bottles would be available in galley area on self-service basis. The same to be also informed to the passengers during boarding and in-flight announcements.

60

**6. Medical Emergency Protocols**

- a. In case of ill passenger or a passenger showing COVID-19 symptoms like fatigue or cough, high fever etc., the passenger should be isolated from the other passengers and a dedicated crew in complete protective gear be assigned to handle the case.
- b. The last three rows of seats on the right side aisle (in case of twin aisle aircraft, right side of the right aisle) of the aircraft should be reserved as a quarantine area for handling possible in-flight emergencies. Special protections like PPE and sanitizers to be used by crew for handling such cases. Adequate quantity of PPE to be available for a possibility of more than one such case.

**7. Disembarkation / Arrival Protocol**

- a. After arrival in India, the disembarkation would be staggered and sequential to ensure the social distancing.
- b. As far as possible, entry of ground staff and cabin crew to the cockpit should be restricted to minimum possible
- c. All the crew immediately on arrival will be subjected to RT-PCR test. Thereafter, the crew will be accommodated in airline designated hotel till the test result is available. If the test is negative, the crew can proceed to their residence. The second RT-PCR test will be conducted on the 5th day at the residence of the crew. If the test is negative and the crew does not display any COVID-19 symptoms, they can be utilized for the next duty cycle.
- d. If either of the test comes positive, the medical department of the airline will ensure treatment of the concerned crew as per the laid down guidelines
- e. In case of any COVID-19 positive case is found in flight, the guidelines laid down by Ministry of Health and Family Welfare for such cases would apply.

**8. Disinfection of aircraft by Maintenance**

- a. The disinfection of aircraft especially with respect to COVID-19 shall take place as per existing laid down Maintenance norms.

Answer P5

41

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION No. \_\_\_\_\_ of 2020

District Mumbai

Deven Yogesh Kanani ] .....Petitioner

v/s

DGCA & 2 Ors ] .....Respondents

INDEX

Sr. #	Description	Date	Ex	Pgs
1.	Synopsis			A - B
2.	Memo of WRIT Petition			1 - 11
3.	Affidavit in support of petition			12
4.	List of Documents			13
5.	Memorandum of Address			14
6.	Copy of circular no. 4/1/2020-IR regarding social distancing and the prescription to maintain vacant seat between two passengers.	23-Mar-2020	A	15 -16
7.	Copy of photos taken on flight showing all seats occupied including the middle seat violating social distancing norms.	08-May to 14-May-2020	B	17
8.	Copy of communication with Air India (Scheduling) over WhatsApp.	06-May & 13-May-2020	C colly	18 - 19
9.	Copy of communication to Air India (CMD), Executive Director - Operations & DGCA.	17-May-2020	D colly	20 -23
10.	Copy of the Standard Operating procedure issued by Airport Authority of India (Director Operations).	06-May-2020	E	24 - 26
11.	Copy of Executive Director Operations communication urging staff to follow	17-May-2020	F	27

42

<i>the laid down government regulations in letter &amp; spirit.</i>			
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Petitioner

(43)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**WRIT PETITION No. \_\_\_\_\_ of 2020**

**District Mumbai**

**Deven Yogesh Kanani**

.....Petitioners

**V/s**

**DGCA & 2 Ors**

.....Respondents

**SYNOPSIS**

<b>Sr. #.</b>	<b>Description</b>	<b>Date</b>
1.	<i>Covid-19 outbreak declared a global pandemic by WHO.</i>	12-Mar-2020
2.	<i>Govt. of India declares "Junta Curfew" to check the spread of Corona Virus.</i>	22-Mar-2020
3.	<i>Subsequently, Govt. of India subsequently a 21 day Lockdown along with social distancing for curbing the outbreak and spread of Covid-19. Social distancing rules appear to be only effective solution for curbing the spread of Corona Virus throughout the world.</i>	24-Mar-2020
4.	<i>Respondent No. 1 (DGCA) issues circular no. 4/1/2020-IR dated 23-Mar-2020 regarding social distancing measures by airlines and airport operators, specifically point 7 - "<u>Seat allocation at the time of Check-in to be done in a manner to ensure seat between two passengers is kept empty</u>".</i>	23-Mar-2020
5.	<i>Respondent No. 2 (Air India) operates several non-scheduled commercial flights 'Vande Bharat' mission Phase-1 to bring back stranded Indians from foreign countries without complying with (DGCA) circular no. 4/1/2020-IR dated 23-Mar-2020 regarding social distancing measures by airlines and airport</i>	07-May-2020 to 15-May-2020

	<i>operators, specifically point 7 - "Seat allocation at the time of Check-in to be done in a manner to ensure seat between two passengers is kept empty".</i>	
6.	<i>Petitioner comes across several photos and information showing passengers occupying all seats without leaving any seat in between.</i>	<i>08-May to 17-May-2020</i>
7.	<i>Petitioner communicates to Respondent No. 2 (Air India-Scheduling Dept) informing that he is willing to help the nation and airline to bring back stranded Indians from foreign countries and also comply by all rules and regulations laid down for the same. He also requests the airline to comply with all rules and regulation for the safety of the passenger and the crew and prevent the spread of COVID-19 during flight.</i>	<i>06-May &amp; 13-May-2020</i>
8.	<i>Since there is no reply from AirIndia - Scheduling Dept, Petitioner brings this social distancing violation to the attention of AirIndia (CMD), Director Executive - Operations &amp; the DGCA via email.</i>	<i>17-May-2020</i>
9.	<i>Meanwhile, simultaneously or in may be reaction to petitioners email, on Sunday, Executive Director Operations, Air India, issues a circular/ communication urging all employees to follow the government regulations in letter and spirit,</i>	<i>17-May-2020</i>
10.	<i>Respondent No. 2 is scheduled to operate several flights, (approx 149) in phase-2 of non-scheduled commercial flights 'Vande Bharat' mission.</i>	<i>16-May-2020 to 03-Jun-2020.</i>

**Acts, authorities to be relied upon**

1. Constitution of India
2. Circulars issued by the Ministry of Civil Aviation (DGCA)
3. Indian Penal Code

**Points to be urged;**

- 1) Whether the circular issued by DGCA circular no. 4/1/2020-IR dated 23-Mar-2020 regarding social distancing is binding on Air India?

2) Whether Air India has compromised the safety of passengers by not maintaining a vacant seat between two passengers?

3) Whether Air India can continue to operate non-scheduled commercial flights called commercial flights without complying with the DGCA circular specifically regarding maintaining social distancing by maintaining a vacant seat between two passengers?

4) Whether "social distancing" and lockdown which is the only solution known so far to curb the spread of Corona Virus and followed throughout the world, even against economic loss, can be violated for economic gain, thereby defeating the very purpose of it ?

5) Whether Air India can be continue to operate by violating the social distancing rules and not maintain a vacant seat between two passengers thereby endanger the lives of passengers and crew for economic reasons, when the Govt. has been registering FIR's u/s 269, 270, 271 IPC.



Petitioner

45

2

46

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**WRIT PETITION NO. \_\_\_\_\_ OF 2020**

**District: Mumbai**

1) Deven Yogesh Kanani ]  
Age: 51 years, Occ - Pilot ]  
Plot No. 34, Amar Villa, JaiHind CHSL, ]  
North-South Road No. 11, JVPD Scheme, ]  
Vile Parle (West), Mumbai - 400 049. ]  
email: [devenyk@yahoo.com](mailto:devenyk@yahoo.com), ]  
mobile: 9821028538. ]

**..... Petitioner**

vs

1) Directorate General of Civil Aviation ]  
Thro' Dy. Director General, Sudipta Dutta, DDG, ]  
Address: Dy. Director General (WR) ]  
Integrated Operational Office Complex, ]  
New Airport Colony, Opp. Parsiwada, ]  
Sahar Road, Vile Parle (East), ]  
Mumbai - 400099. ]  
email: [sdutta.dgca@nic.in](mailto:sdutta.dgca@nic.in) ]  
mobile: 8826583970 (DDG) ]

2) Air India Ltd ]

3) Air India Charters Ltd (known as ]  
Air India Express subsidiary of Air India, ]  
a fully owned subsidiary of Air India Ltd. ]

(Respondents No. 2 & 3 through their ]



Chairman and Managing Director) ]  
Air India limited , Airline house, ]  
113 Gurudwara Rakabganj Road, . ]  
New Delhi -110001. ]  
email: cmd@airindia.in , edops@airindia.in ]  
Tel: 011- 23422000 ]

...Respondents

IN THE MATTER OF ARTICLE 226  
OF CONSTITUTION OF INDIA;

AND

VIOLATION OF THE DGCA  
CIRCULAR ON SOCIAL  
DISTANCING REQUIRING THE  
MIDDLE SEATS KEPT VACANT;

AND

CAUSING DANGER TO THE LIVES  
OF PASSENGERS AND CREW OF  
AIR INDIA DUE TO NON-  
COMPLIANCE OF THE CIRCULAR  
REQUIRING MAINTAINING SOCIAL  
DISTANCE BY KEEPING A VACANT  
SEAT BETWEEN TWO  
PASSENGERS.

**TO THE HON'BLE CHIEF JUSTICE OF BOMBAY HIGH COURT  
& THE PUISINE JUDGES OF THE BOMBAY HIGH COURT.**

1. The Petitioner, Shri. Deven Yogesh Kanani, is an adult Indian inhabitant residing at the address mentioned in the cause title and working as a Pilot (Commander) with Respondent No. 2, Air India.
2. The Respondent No. 1 is (Directorate General of Civil Aviation, hereafter referred to as 'DGCA') is the regulatory body in the field of Civil Aviation primarily dealing with safety issues. It is responsible for regulation of air transport services to/from/within India and for enforcement of civil air regulations, air safety and airworthiness standards. It also co-ordinates all regulatory functions with International Civil Aviation Organisation.1963, by the Government of India with a view to investigate serious crimes related to corruption in high places, serious fraud, cheating and embezzlement and social crime etc having all-India and inter-state ramifications.

2  
47

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3. The Respondent No. 2 is a public corporation of which is the national air carrier of India and Respondent No. 3 is its fully owned subsidiary.

4. The petitioner states that he was flying as Commander (Pilot) when the Covid-19 was declared as a pandemic by WHO and subsequently the Govt. of India pronounced a 'Junta Curfew on 22-Mar-2020 and subsequently a lockdown on 24-March-2019 with social distancing rules.

5. The petitioner states that lockdown and social distancing are the only known solution for curbing the spread of Corona Virus and being followed throughout the world pending the discovery of vaccine. Even if the vaccine was invented, it still cannot be a reason to endanger the lives of passengers and crew by bringing infected persons in contact with healthy people.

6. The petitioner states that simultaneously, on 23-Mar-2020, the Respondent No. 1, Directorate General of Civil Aviation (DGCA), issued communication with subject "***Social distancing measures by Airlines and Airport Operators***" in order to prevent the spread of Covid-19 vide circular no. 4/1/2020-IR dated 23-Mar-2020.

*A copy of circular no. 4/1/2020-IR dated 23-Mar-2020 is listed in the list of documents as **Exhibit - 'A'**.*

7. The petitioner states that the said circular lists 8 measures to be followed by Airlines and 5 measure to be followed by Airports. Under the eight measures to be followed by Airlines, specifically point 7, deals with the seat allocation to ensure that seat between any two passengers is kept empty at the time of check-in. Point 7 is reproduced below for convenience;

*"7. Seat allocation at the time of Check-in to be done in a manner to ensure that the seat between two passengers is kept empty".*

8. The petitioner states that the Govt. of India on 07-May-2020 announced a Noble Mission named 'Vande Bharat' in phases to bring

back stranded Indian nationals, on a payment basis, from foreign countries to ensure their health and safety. The 'Vande Bharat' mission also permitted foreign nationals and valid visa holder to book seats on these outbound flights.

9. The petitioner states that Phase-1 of 'Vande Bharat' mission operated around 64 flights to bring back 14,800 Indian nationals from 12 countries between 07-May-2020 → 15-May-2020.

10. The petitioner states that, in phase-2, the Respondent No. 2 (Air India) along with Respondent No. 3 (Air India Express) will operate around 149 flights to bring back around 30,000 stranded Indian nationals from 40 countries between 16-May-2020 → 03-Jun-2020,

11. The entire purpose of the lockdown and of 'Vande Bharat' is to ensure health and safety of Indians, even at the cost of economic losses which was succinctly remarked by the Prime Minister during first lockdown as "जान है तो जहान है" and thereafter "जान भी जहान भी" clearly underlining economic gains cannot be at the cost of health and safety.

12. The petitioner states that the entire purpose of Lock-Down and Social-Distancing was to curb the exponential spread of Corona virus and 'Flatten-the-Curve' thereby ensuring that infections don't explode and paralyse the country's medical capacity.

13. The petitioner states that he was most honoured to operate flights to China (Shanghai) and bring back important medical supplies and equipment on 29-Apr-2020 & 10-May-2020.

14. The petitioner states that Air India, while operating these 'Vande Bharat' non-scheduled commercial flights, Respondent Nos. 2 (Air India) & 3 (Air India Express) have negligently and malignantly allocated seats during check-in without keeping a vacant seat between two passengers against the DGCA circular dated 23-Mar-2020, specifically the point 7.

49

15. The petitioner states that photos also emerged in social media and the internet showing passengers wearing masks but occupying all available seats without any vacant seats between passengers as prescribed by the DGCA circular.

16. The petitioner, being a Commander, also came across photos shared by airport and airline personnel, proudly bringing back stranded Indians sitting next to each other without any vacant seat between them. Little did they realize the dangers subjected to by the violation of DGCA circular.

*Copy of photos taken on flight to showing all seats occupied including the middle seat violating social distancing norms is listed in the list of documents as **Exhibit - 'B colly'**.*

17. The petitioner states that he communicated to AirIndia-B777 Scheduling Department Mr. Jagdish Raipure (mobile no. 9821851235) regarding his willingness to operate passenger flights provided health rules are followed.

*Copy of communication with Air India (Scheduling) over WhatsApp is listed in the list of documents as **Exhibit - 'C colly'**.*

18. The petitioner states that since there was no revert from Air India -Scheduling Dept. on whether the circular issued by DGCA would be honoured, he escalated the matter to the AirIndia senior management (CMD & Executive Director - Operations) & also to the DGCA.

*Copy of communication to Air India (CMD), Executive Director - Operations & DGCA is listed in the list of documents as **Exhibit - 'D'**.*

19. The petitioner states that the Airports authority of India had also issued guidelines for social distancing. At serial # 16 is the guideline to mark vacant seats. sr.# 16 reads as follows:

*16. Passenger seating arrangement shall be done in such a manner so as to maintain social distancing among passengers using the*

*chairs by blocking those seats that are not to be used, with proper markers/tapes."*

5

*Copy of the Standard Operating procedure issued by Airport Authority of India (Directorate of Operations) is marked as Exhibit - E in the list of documents.*

20. The petitioner states that, simultaneously or may be in reaction to petitioners email, the Executive Director Operations of Respondent No. 2, Capt. R.S. Sandhu, vide its communication/circular dated 17-May-2020 urges staff to follow the laid down government regulations in letter and spirit.

*Copy of Executive Director Operations urging staff to follow the laid down government regulations in letter and spirit is marked in the list of documents as Exhibit - F*

## GROUND

21. India has announced one of the strictest and prolonged lockdowns in the world with only goal in mind -→ *to prevent the spread of Covid-19 and to preserve the health and safety of its citizens even by sacrificing economic interests.*

22. The non-compliance of DGCA circular for keeping a seat vacant between two passengers has defeated the purpose of social distancing and the ultimate goal of preventing the spread of Covid-19 and 'Flattening-the-Curve'.

23. The petitioner, being a pilot, as well as other cabin crew are likely to be subjected to further danger due to the non-compliance of the social distancing rules as prescribed by the DGCA circular dated 23-Mar-2020. It is an overall risk not only to the passengers but also the airline staff and crew and to the rest of the population that they will come into contact with.

24. The non compliance of social distancing guidelines of DGCA circular dated 23-Mar-2020, specifically point 7, is likely to spread infection of Corona Virus and endanger the lives of passengers and crew. This is also a crime punishable u/s 269, 270 and 271 of IPC.

25. When the police in various State governments have registered FIR's for violation of social distancing rules us 269, 270 & 271 of IPC then how can a national carrier violate such norms. Here, there is a repeated & chronic case of violation of social distancing prescription.

26. The Respondent No. 1 ought to have monitored, whether the circular dated 23-Mar-2020 was being applied in letter and spirit and taken necessary steps to enforce them and also take necessary action against those who have repeatedly violated the social distancing rules.

27. A coherent reading of the DGCA circular and the SOP issued by Airport Authority of India shows that the essential crux of all guidelines is "MAINTAINING SOCIAL DISTANCE". However, by not keeping the seat between two passengers vacant, all the exercise and diligence carried out by various authorities and at various stages in maintaining social distance all the way upto boarding of flight is BROUGHT TO NOUGHT inside the air-craft and which remains so throughout the duration of flight.

28. Masks and Gloves are only supplementary to social distancing and only use of PPE like masks and gloves is not a substitute for social distancing. For if it were so, everyone could have gone about the business as usual and the need for lock down would not be required at all.

29. The petitioner states that, Respondent No. 2 and Respondent No. 3, have a few senior officers who are known to operate corruptly in violation of law and many employees have filed FIRs for abuse and misuse of power. The petitioner too has been victim of such abuse and misuse of power. Upon the petitioner's complaint, the CVC found wrongdoings and the Ministry of Civil Aviation pressed hard for action

by Air India against delinquent officers. However, AirIndia looked the other way.

30. Hence, the petitioner was left with no option but to file Cri. WP/1457/2020 for registration of FIR, about malpractices. This petition was coming up for hearing on 20-Mar-2020 as per CMIS (website) but due to Covid-19 emergency, it was not listed and heard. The petitioner states that this cause of action is independent of the said pending proceedings.

31. The petitioner apprehends similar violations in operation 'Samudra Setu'.

#### **Technical**

32. No other petition/application with the same reliefs and subject matter i.e. violation of circular dated 23-Mar-2020 issued by DGCA on "*Social distancing measures by Airlines and Airport Operators*" in order to prevent the spread of Covid-19 as prayed herein has been filed in this court or any other court by the Petitioner.

33. The petitioners have paid the court fees on this writ petition as prescribed by the office of the courts.

34. There is no delay/laches and the petition is filed within limitation, if any, applicable.

35. That this Hon'ble Court has jurisdiction to entertain this petition.

36. That the relevant documents are annexed to the petition to support the events and the petitioner may be allowed to produce any other document material, with the permission of the court, in the interests of justice.

37. That, if required in the interests of justice, the petitioners crave leave to add, amend, the petition with the permission of this Hon'ble Court.

**PRAYERS**

934

The Petitioners therefore most respectfully pray as under:-

- A. That this Hon'ble Court be pleased to direct Respondent No. 1 (DGCA) to file a report on the violations of circular no. 4/1/2020 -IR dated 23-Mar-2020 and identify and take action against those guilty of endangering human lives.
- B. This Hon'ble Court be pleased to direct the Respondent No. 1 (DGCA), Respondent No.2 (Air India) & Respondent No. 3 (Air India Express) to disclose the following details of all flights operated subsequent to the issuance of circular no. 4/1/2020 - IR dated 23-Mar-2020;
  - a. Flight No;
  - b. Flight Origin and Destination (while carrying pax);
  - c. Flight Duration;
  - d. Flight Fleet Type;
  - e. Flight Capacity;
  - f. Total No. of Passengers travelled;
  - g. No. of passengers seated adjacent without vacant seat between them.
- C. That pending the disposal of this petition, this Hon'ble Court be pleased to direct the Respondent No. 1 to forthwith ensure compliance of its own circular no. 4/1/2020-IR dated 23-Mar-2020, specifically point 7 - "Seat allocation at the time of Check-in to be done in a manner to ensure seat between two passengers is kept empty".
- D. That pending the disposal of this petition, this Hon'ble Court be pleased to direct Respondent No. 2, (Air India) and Respondent No. 3, (Air India Express) to forthwith ensure actual/practical compliance with the direction issued by Respondent No. 1 (DGCA) vide its circular no. 4/1/2020-IR dated 23-Mar-2020 specifically with regard point no. 7 - "Seat allocation at the time of Check-in to be done in a manner to ensure seat between two passengers is kept empty".



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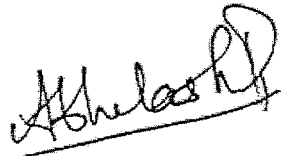
E. Such further reliefs and other orders and relief as this Hon'ble Court may deem fit and proper in the interest of justice be granted.

For this act of kindness the Petitioners shall ever pray and be duty bound.

Date: 19-May-2020  
Place: Mumbai



Petitioner  
Shri. Deven Kanani



Identified and Explained by Me  
Advocates for Petitioners

**VERIFICATION**

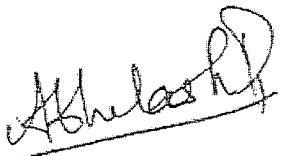
I, Shri. Deven Yogesh Kanani, age 51 years the petitioner herein, do hereby solemnly affirm and state that whatever is stated in the foregoing paras of this application are true and correct to the best of my knowledge and belief and I believe the same to be true.

Solemnly affirmed at Mumbai  
Date: 19-May-2020  
Place: Mumbai

] ] ]



Shri. Deven Yogesh Kanani  
Petitioner



Identified and Explained by Me  
Advocates for Petitioners

Before Me

11

56

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION No. \_\_\_\_\_ of 2020

District Mumbai

Deven Yogesh Kanani ] .....Petitioner  
v/s ]  
DGCA & 2 Ors ] ....Respondents

AFFIDAVIT IN SUPPORT OF  
PETITION

MAY IT PLEASE YOUR HONOUR

I, Shri. Deven Yogesh Kanani, adult Indian inhabitant aged 51 years the petitioner herein, do hereby solemnly affirm and state as follows;

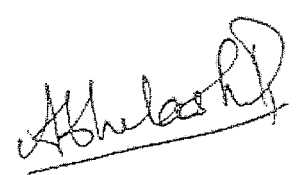
- 1) I state that I have preferred this petition for bringing out the chronic violation of procedure to maintain social distance as prescribed by the DGCA vide its circular dated 23-Mar-2020, especially with regard to keeping a seat between two passengers vacant, that are more specifically mentioned in the petition.
- 2) I state that the said violation is not only illegal but also a crime which is likely to spread the Corona virus disease dangerous to the lives of passenger, crew and other persons who may come in contact with them.
- 3) I state that whatever is stated in the foregoing paras of this application are true and correct to the best of my knowledge and belief and I believe the same to be true.

Solemnly affirmed at Mumbai ]  
Date: 19-May-2020 ]  
Place: Mumbai ]



Shri. Deven Yogesh Kanani  
Petitioner

12



Identified and Explained by Me  
Advocates for Petitioners

57

Before Me

18  
58

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**WRIT PETITION No. \_\_\_\_\_ of 2020**

**District Mumbai**


Deven Yogesh Kanani ] .....Petitioner  
v/s

DGCA & 2 Ors ] ...Respondents

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6.	<i>Copy of Executive Director Operations urging staff to follow the laid down government regulations in letter and spirit.</i>	17-May-2020	F	27

Petitioner



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

24  
59

**WRIT PETITION No. \_\_\_\_\_ of 2020**

**District Mumbai**

Deven Yogesh Kanani ]  
.....Petitioners  
v/s  
DGCA & 2 Ors ]  
.....Respondents

**MEMORANDUM OF ADDRESS**

Adv. Abhilash Panickar

Adv. Smt. Jyoti Panickar

Chambers: - 203, Padmavati -2, Lakadya Compound, Nr.

Ryan International School, Krishna Vatika Marg,

Goregaon East, Mumbai - 400063.

Mobile: - 9820720759, 9819922582

Email: entrustlegalservices@gmail.com

Pgs 1 -14

60

IN THE HIGH COURT OF  
JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL  
JURISDICTION  
**WRIT PETITION No.**

\_\_\_\_\_ of 2020

District Mumbai

Deven Yogesh Kanani

.....Petitioner

v/s

DGCA & 2 Ors

.....Respondents

---

**WRIT PETITION**

---

Date: 19-May- 2020

Mr. Abhilash Panickar (I-9127),  
Mrs. Jyoti Panickar (I-13569),  
Advocate(s) for Petitioner

203, Padmavati-2, Lakadya  
Compound, Nr. Ryan International  
School, Krishna Vatika Marg,  
Goregaon East, Mumbai - 400063.  
Mobile: 9820720759, 9819922582  
@: [advocate@entrustlegal.in](mailto:advocate@entrustlegal.in);  
[entrustlegalservices@gmail.com](mailto:entrustlegalservices@gmail.com)

61

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION No. \_\_\_\_\_ of 2020**

**District Mumbai**

Deven Yogesh Kanani - ]  
v/s ] ...Petitioner

DGCA & 2 Ors ] ... Respondents

**LIST OF DOCUMENTS**

Sr. #.	Description	Date	Ex	Pg #
1.	<i>Copy of circular no. 4/1/2020-IR regarding social distancing and the prescription to maintain vacant seat between two passengers.</i>	23-Mar-2020	A	<b>15-16</b>
2.	<i>Copy of photos taken on flight showing all seats occupied including the middle seat violating social distancing norms.</i>	08-May to 14-May-2020	B colly'	<b>17</b>
3.	<i>Copy of communication with Air India (Scheduling) over WhatsApp.</i>	06-May & 13-May-2020	C- colly	<b>18-19</b>
4.	<i>Copy of communicated to Air India (CMD), Executive Director - Operations &amp; DGCA.</i>	17-May-2020	D	<b>20-23</b>
5.	<i>Copy of the Standard Operating procedure issued by Airport Authority of India (Directorate of Operations).</i>	06-May-2020	E	<b>24-26</b>
6.	<i>Copy of Executive Director Operations urging staff to follow the laid down government regulations in letter and spirit.</i>	17-May-2020	F	<b>27</b>



Petitioner

Exhibit - A

15

62

GOVERNMENT OF INDIA  
OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION  
OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI-110003

No. 4/1/2020-IR  
Dated: 23-03-2020

CIRCULAR

**Subject: Social distancing measures by Airlines and Airport Operators.**

In order to prevent spread of COVID-19, the following measures should be taken by Airlines and Airport operators:

**Airlines:**

1. Ensure adequate spacing at Check-in counters between passengers (minimum One meter) and also between each individual counters.
2. Ensure availability of adequate staff for guiding the passengers at Check-in counters and during Security Checks.
3. Passengers to be advised to sit at adequate distance in waiting area, keeping one seat vacant.
4. Ensure that boarding is done in a manner to avoid bunching of passengers at any time and also ensure adequate spacing between passengers in boarding lines.
5. Provide sanitizers for staff and passengers at the entry of the aircraft.
6. Cabin Crew to maintain adequate distance while serving the passengers.
7. Seat allocation at the time of Check-in to be done to in a manner to ensure that the seat between two passengers is kept empty.
8. Any other action as deemed appropriate to ensure social distancing is maintained.

**Airports:**

1. Ensure adequate Check-in counters and Security Check counters to avoid congestion of passengers.
2. Ensure adequate number of staff at Check-in and Security areas to guide passengers in order to avoid any bunching.



16

63

3. Provide sanitizers at all prominent locations and carry out repeated public address announcements to sensitize passengers and airport staff.

4. Passengers to be advised to sit at an adequate distance while waiting, keeping one seat vacant.

5. Any other action as deemed appropriate to ensure social distancing is maintained.

  
(Sunil Kumar)

Deputy Director General

To

1. All Scheduled Domestic Airlines operating in India;
2. The Chairman, Airport Authority of India;
3. All Airport Operators in India.

Exhibit - B Colly

20

64



Flight from San Francisco 14-May-2020 - Business class cabin



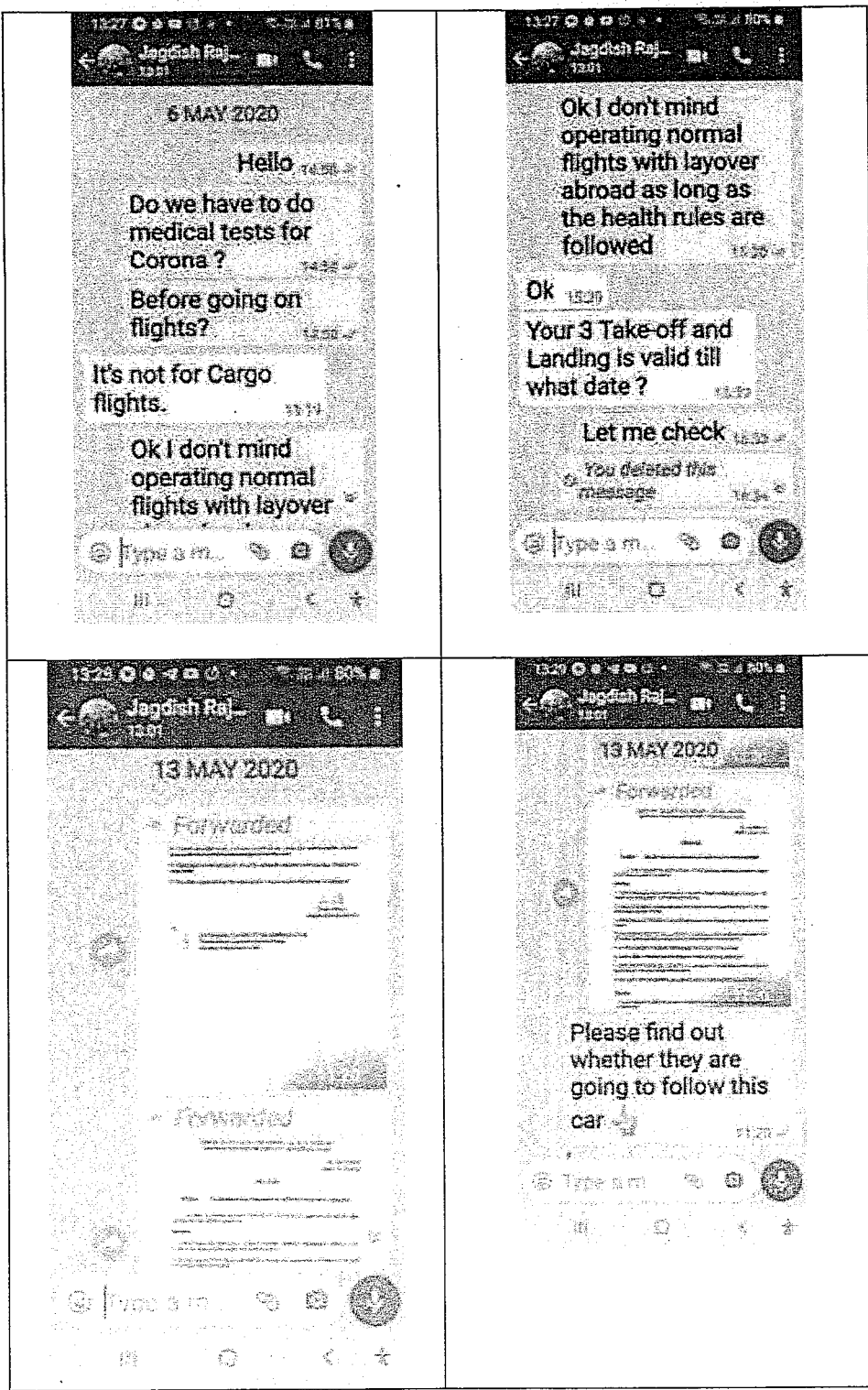
Flight from San Francisco 14-May-2020 - Economy class cabin

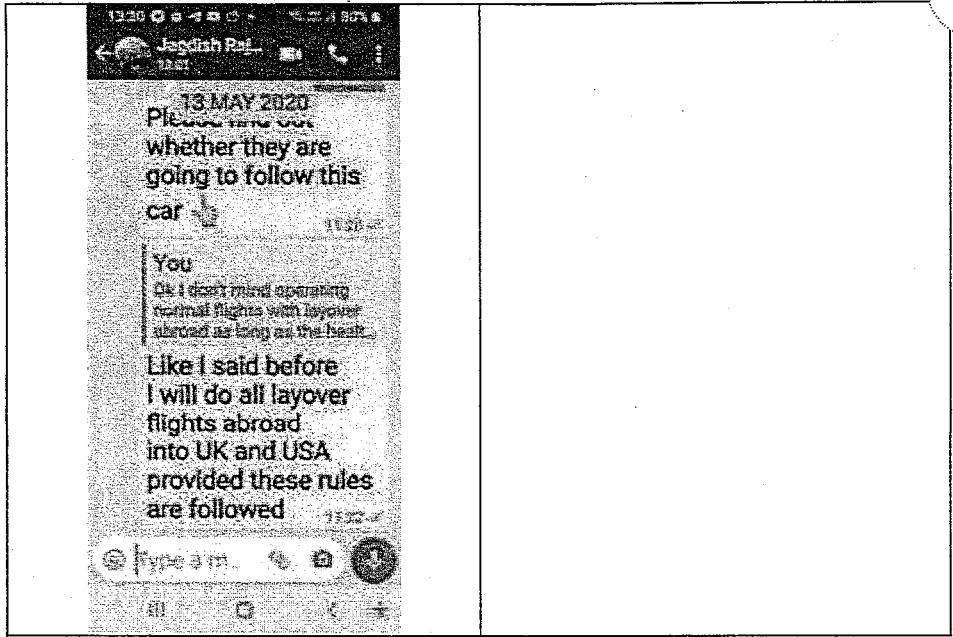


Flight from Singapore. Economy class cabin

48 65

Exhibit - C colly





10

66

**Exhibit - D Colly**

20

67

Email

deven.kanani@airindia.in

**operation of non scheduled commercial flights to India - II**

**From :** Deven Kanani <deven.kanani@airindia.in> Sun, May 17, 2020 02:26 PM  
**Subject :** operation of non scheduled commercial flights to India - II  
**To :** Directorate General of <dgoffice.dgca@nic.in>, CMD AI <cmd@airindia.in>

to  
the CMD  
Mr. Rajiv Bansal  
airline house,  
new delhi 110001.  
tel no 9910005062

to  
Director General  
office of the Director general of Civil aviation  
safdarjung airport  
new delhi 110003

sub: operation of non schedule commercial flights - II

dear sir,  
I am Capt. Deven Kanani, flying as a commander on B777 wide body aircraft refer to my previous message on 05-May-2020 with a reminder again on 13-May-2020 to the scheduling dept on whatsapp no 9821851235 Mr. Jagdish Raghure from B777 scheduling dept showing my willingness of flying the above mentioned flights having layovers in UK and USA provided all the health rules as issued as per the govt of india. office of director general of civil aviation through the circular no 4/1/2020-IR dtid 23-03-2020 are followed.

I have already flown to china and most honoured to bring back important medical supplies and equipment from shanghai on 29-Apr-2020 and 10-May-2020.

During this hour of crisis I will be most honoured to serve my country and the

21

68

airline whenever required to fly back passengers or cargo etc. and also comply by all the rules and regulations issued by the govt of India for ensuring social distancing and preventing the spread of COVID-19.

I hope the airline also will comply by all the rules and regulations issued by the govt of India for ensuring social distancing and preventing the spread of COVID-19.

Thanking you,

Regards

Capt. Deven Kanani  
staff no. 27461  
Commander  
Air India

22

69

Email

deven.kanani@airindia.in

sub: operation of non schedule commercial flights - II

From : Deven Kanani <deven.kanani@airindia.in> Sun, May 17, 2020 02:36 PM  
Subject : sub: operation of non schedule commercial flights - II  
To : Edops Edops <edops@airindia.in>,  
Directorate General of  
<dgooffice.dgca@nic.in>

to  
the executive director of operations  
Capt. R.S. Sandhu,  
operations dept, Main Booking office,  
Saldanjung Airport,  
new delhi 110003  
tel no. +91-11-24697390/ 24646921

to  
Director General  
office of the Director general of Civil aviation  
saldanjung airport  
new delhi 110003

sub: operation of non schedule commercial flights - II

Dear sir,  
I am Capt. Deven Kanani, flying as a commander on B777 wide body aircraft. refer to my previous message on 06-May-2020 with a reminder again on 13-May-2020 to the scheduling dept on whatsapp no.9821851235 Mr. Jagdish Rajpuro from B777 scheduling dept showing my willingness of flying the above mentioned flights having layovers in UK and USA provided all the health rules as issued as per the govt of india, office of director general of civil aviation through the circular no.4/1/2020-IR dtd 23-03-2020 are followed.

I have already flown to china and most honoured to bring back important medical supplies and equipment from shanghai on 29-Apr-2020 and 10-May-2020.

During this hour of crisis I will be most honoured to serve my country and the airline whenever required to fly back passengers or cargo etc. and also comply by all the rules

23

70

and regulations issued by the govt of India for ensuring social distancing and preventing the spread of COVID-19.

I hope the airline also will comply by all the rules and regulations issued by the govt of India for ensuring social distancing and preventing the spread of COVID-19

Thanking you,

regards

Capt. Devan Kanani  
staff no. 27461  
Commander  
Air India





भारतीय विमानपत्तन प्राधिकरण  
AIRPORTS AUTHORITY OF INDIA



DIRECTORATE OF OPERATIONS

**STANDARD OPERATING PROCEDURE (SOP) FOR  
HANDLING INTERNATIONAL PASSENGERS DEPARTING  
BY EVACUATION FLIGHTS THROUGH TERMINAL  
BUILDING**

1. International Passengers departing by the evacuation flights being operated by Airlines is in accordance with the MHA Order No: 40-3/2020-DM-II(A) dated 5<sup>th</sup> May 2020 attached as Annexure-1.
2. All the departing Passengers must compulsorily be registered with Arogya Setu App on their mobiles.
3. Passengers should reach airport well in advance, not less than 3 hrs before STD. All passengers should wear required PPE such as masks, gloves etc.
4. State Govts and local administration to ensure availability of proper Public transport and private taxis for providing vital connectivity to the Airport for passengers as well as Airport/ Airline staff.
5. Kerb Area/ City side traffic / Car parking area should be strictly monitored in coordination with traffic police/ CISF staff to prevent congestion and to maintain social distancing.
6. Social distancing markings/stickers at distance of 6ft shall be provided by airport operator at appropriate places at all touchpoints including entry Gates & Screening Zones to Terminal for passengers as well as airport staff. Also proper signages shall be placed for guiding passengers throughout the passage from Entry to Terminal upto Boarding Gates.
7. Airport Operator to provide sufficient number of sanitised Trolleys at scattered locations on city side so as to avoid crowding at one place.
8. Passengers and the baggage shall compulsorily walk through Screening Zone consisting of Thermal Screening and sanitation of luggage at a designated place in the city side before entry gate to the terminal building. For this purpose, required

72



- number of thermal screening & Sanitation Stations to be set up on the City side. Passengers not showing "Green" on Arongya Satu are not to be allowed.
9. The Airport Operators shall provide facilities in the departure Concourse, before Check-in Area, for establishing Primary Screening Stations by Health authorities.
  10. On entry into Terminal Building, the Passengers shall proceed to Check-in & Boarding after clearance through Primary Screening Stations where Health Authorities will validate Fit to Fly Certificate/authorisation letter, verification with Arongya Satu App and after checking details on Medical & travel History. Passengers are required to provide any additional details as needed by Health Authorities.
  11. At multiple touch points of interaction with the passengers viz. entry Gate to Departures, screening by APHO, Airline Check-in Counters, Immigration, Customs and Security check etc., the Airport Operator should try to provide counters mounted with a glass or Perspex/Plexiglass sheet with a corner magnifying area to check the Flight ticket/Boarding Card on mobile, Identification documents, as far as practicable to provide for additional protection. In case the same is not feasible, the concerned personnel should wear a transparent face shield behind a counter to provide physical barrier.
  12. CISF to depute sufficient staff to manage queue at entry points, frisking booths, boarding gates so as to ensure sufficient distance among passengers.
  13. Announcements will be made in the Terminal Building by Airlines for guiding passengers to maintain social distancing and wearing Masks, Gloves etc.
  14. Airport operator should depute sufficient staff near washrooms, X-Ray machines, Conveyor belts, F&B outlets etc. to guide passengers to maintain sufficient distance.
  15. Information regarding social distancing, personal protection, Do's and Don'ts should be displayed on Flight Information Display System (FIDS)/ other display boards apart from required number of standees and posters at frequent locations.
  16. Passenger seating arrangement shall be done in such a manner so as to maintain social distancing among passengers using the chairs by blocking those seats that are not to be used, with proper markers/tapes.
  17. Airlines to ensure that sufficient staff shall be deployed near Check-in counters and pre security area to guide passengers and to ensure sufficient distance is maintained between them.

28

73

18. Alternate Check-In counters may be used to avoid congestion near counters. Also, Check-In counters may be opened well in advance to stagger the crowd.
19. Immigration and Customs shall ensure maximum number of counters are manned for quickest clearance of passengers.
20. All airport staff handling the flight should be provided with sanitizers and all essential Personal Protective Equipment such as face masks, gloves as per guidelines on rational use of PPEs issued by MoHFW attached as Annexure-II
21. Cleanliness & sanitisation of every nook and corner of entire Terminal Building and public areas shall be ensured including washrooms, chairs, counters, trolleys, security trays, X-Ray machines, lifts, railings, doors etc on regular basis. Cleaning of waste containers such as trash cans shall be strengthened, and regular disinfection shall be performed.
22. Safe and Proper disposal of all categories of waste generated at the terminal building shall be ensured to limit spread of infection if any. Also, proper disposal facilities of biohazard material through a specialized agency to be ensured.
23. Hand sanitisers shall be made available by airport operator for passengers and airport staff at various locations.
24. Entire terminal disinfection should be performed using duly approved disinfectants through fogging/spraying machines or physical mopping.
25. Employees showing symptoms such as high fever, difficulty in breathing and cough may not be taken on duty & allowed entry into airport/office. Such cases should be reported to appropriate health Authorities.
26. Restrict the gathering of large number of labour/staff at one place near terminal building.
27. Airport operator to provide limited F&B facilities in Security hold area to passengers such as tea, coffee, snacks.
28. At boarding gates, passengers should be allowed to board in batches as per seating arrangements in the aircrafts to maintain social distancing.

The above are broad guidelines and Airport operators are encouraged to take any additional measures for ensuring hygiene, physical distancing and sanitization to facilitate safe operations through the Airports. Wherever possible the support of technology to be utilized for effective contactless processing of Passengers.

\*\*\*\*\*

29  
74  
**Exhibit - F**

**AI HEADQUARTERS, EDO'S OFFICE  
SAFDURJUNG AIRPORT: NEW DELHI**

Date: 17.05.2020

**CIRCULAR**

Dear colleagues,

Now that we have begun the second phase of the evacuation of Indians from abroad, we have managed to streamline most of the processes that have been developed to mitigate the risks associated with the COVID-19 pandemic.

The work done by the airline has been appreciated not only by the nation, but also globally.

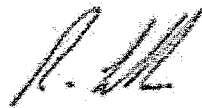
All possible health measures to keep the operating crew, as well as the ground staff safe have been taken in earnest.

We shall be required to fly a curtailed domestic schedule also in the near future. It is important for us to recognise the fact that the pandemic is here to stay, atleast in the foreseeable future. Social distancing, sterilisation, quarantines etc. are the new normal. It is therefore of utmost urgency that we start getting back to work while adapting to the new norms, with immediately effect.

Naturally, all of us will be required to follow the laid down government regulations in letter and spirit.

The Airline and all of us are committed to keep you safe and mitigate the risk of exposure as much as possible, any suggestions in this regard are always welcome.

I wish you and your loved ones good health.



**Capt RS Sandhu  
Executive Director(Ops)**

Annexure P6

75

No. AV.29017/5/2020-DT

Government of India

Ministry of Civil aviation

Rajiv Gandhi Bhawan,

New Delhi-110021

Dated 21<sup>st</sup> May, 2020

Order

The Government has decided for recommencement of domestic air travel of passengers with effect from 25th May 2020. In order to ensure safety of the passengers during prevailing circumstances due to COVID19 pandemic, precautionary measures need to be taken by various stakeholders. Accordingly, General Instructions; Guidelines to be followed by passengers; and Specific Operating Guidelines for major stakeholders (Airlines, Airport Operators, Ground Handling Agencies, etc.) are annexed for compliance of all concerned.

This is issued with the approval of Hon MOS (I/C), Civil Aviation.

*Usha Padhee*  
Joint Secretary 21/05/2020

Annexure I: General instructions for commencement of domestic air travel.

Annexure II: The detailed guidelines to be followed by air passengers.

Annexure III: Specific operating guidelines for major stakeholders.

To:

1. The Secretaries of Ministries/Departments of Government of India
2. The Chief Secretaries/Administrators of States/Union Territories

Copy to:

1. Secretary, Ministry of Civil Aviation

76

2. PS to Hon MOS (I/C), Civil Aviation
3. DG, DGCA
4. DG, BCAS
5. Other concerned officials and stakeholders (as per standard circulation)

Walter Paellae  
21/05/2020

77

**Annexure-I**

**General Instructions for commencement of domestic air travel**

Air travel of passengers, both domestic and international, has been prohibited since 25<sup>th</sup> March 2020. Now it has been decided by Government that domestic air travel of passengers shall resume with effect from 25<sup>th</sup> May, 2020 (order of MHA dated 20<sup>th</sup> May, 2020). Accordingly, Ministry of Civil Aviation has developed general instructions and detailed guidelines for air travel of passengers and major stakeholders (Airlines, Airports, Security Agencies, Ground Handling Agencies and Health Authorities, etc.) by incorporating necessary safeguards in consultation with Experts and Stakeholders.

**General Instructions:**

- a. On the day of commencement, limited operations (about 1/3<sup>rd</sup>) would be permitted.
- b. Further augmentation of flights will be done in a calibrated manner.
- c. Vulnerable persons, such as very elderly, pregnant ladies, passengers with health issues are advised to avoid air travel.
- d. No physical check-in at airport counters would be done. Only those passengers with confirmed web check-in shall be allowed to enter the airport.
- e. Airlines should adhere to the lower and upper limits of fares prescribed by the Ministry during the period of COVID-19 pandemic.
- f. A self-declaration/ *Aarogya Setu* App status (for compatible device) would also be obtained that the passenger is free of COVID-19 symptoms. Passengers with "Red" status in *Aarogya Setu* App would not be permitted to travel.
- g. Passengers will be required to wear the protective gear (Face mask).
- h. The airlines shall not provide meal services on board.
- i. The cabin crew are required to be in full protective suit.
- j. Only one check-in bag will be allowed.
- k. No newspaper or magazine shall be provided on board by the airlines.
- l. Use of baggage trolleys has to be minimised.
- m. Passengers should report at least two hours before the departure time.

*Mohd. Raza*  
21/05/2020

78

- n. Airline shall furnish the passengers manifest in the prescribed format to the State / UT Governments as per their requirement.
- o. The detailed guideline to be followed by passengers is at Annexure-II. For the sake of convenience of passengers, the guidelines have been divided into four parts.
  - 1. Origin to airport.
  - 2. At the airport.
  - 3. In the aircraft.
  - 4. From airport to destination.
- p. Specific operating guidelines are communicated for major stakeholders (Airlines, Airports, Ground Handling Agencies, etc.) is at Annexure-III.

*Shri Padhee*  
*21/05/2020*



79

Annexure-II

**The detailed guidelines to be followed by air passengers: Mentioning the movement of a passenger from the origin to the destination.**

**1. From Origin to Airport**

- a. Passengers should familiarize themselves about the new procedures at the airport. Especially, about the norms of social distancing, minimum touch, baggage limitations, COVID-19 declaration, registering on *Aarogya Setu* App, digital payments, use of authorized taxis. Expect slower processes and hence avoid last minute reaching the airport.
- b. Passenger to ensure that he/she has made a web check-in and obtained a boarding pass. He/she should also download the baggage tag /baggage identification number.
- c. In the initial stage passenger would be entitled to carry maximum of one hand baggage and one checked-in baggage as per the specifications by the airline of his travel.
- d. Passengers, before entering the terminal, to ensure wearing of protective gear, as per the prevailing requirement. He will continue to wear the mask throughout the journey.
- e. Passenger to report at the airport as per revised reporting time i.e. D - 2 hours.
- f. Passenger should travel in an authorized taxi/personal vehicle following the norms specified by MHA.
- g. During transit to airport, the passenger should take all precautions to prevent infection.
- h. The passenger shall not travel if he/she is staying in a containment zone. Also, they should not travel if they have been tested positive for COVID-19. The passengers are expected to certify the status of their health through the *Aarogya Setu* app or a self-declaration form.
- i. If a passenger who is not permitted to fly, undertakes an air journey he/she shall be liable for penal action.
- j. The passenger shall give a declaration to the following effect:
  - i. I/we am/are not residing in any containment zone.
  - ii. I/we am/are not suffering from any fever/cough/any respiratory distress.
  - iii. I/we am are not under quarantine.
  - iv. If I/we develop any of the above-mentioned symptoms I shall contact the concerned health authorities, immediately.
  - v. I/we have not tested COVID-19 positive in last two months.
  - vi. I/we am eligible to travel as per the extant norms.

*Write Poojika  
21/05/2020*

80

- vii. I/we make my mobile number / contact details available to the airlines whenever required by them.
  - viii. I/we understand that if I/we undertake the air journey without meeting the eligibility criteria, I/we would be liable to penal action.
  - ix. I/we undertake to adhere to the health protocol prescribed by the destination State / UT.
  - k. The airlines shall ensure that the boarding pass is issued only after the declaration given above has been made by the passenger. In case of a PNR having more than one passenger, the declaration would be deemed to be covering all the passengers mentioned in the PNR.
  - l. The passenger shall print the baggage tag and affix it on the bag at a prominent place. In case he/she is not able to print the baggage tag the PNR number and the name of the passenger (as mentioned in the ticket) should be boldly written on a piece of thick paper and affixed to the bag or tag it with the help of a strong string.
  - m. Passengers are advised to carry minimum baggage as use of trolleys would be permitted sparingly.
2. **At the Airport:**
- a. **Entering the terminal building.**
    - i. The passenger should get down from his/her vehicle with the face mask on and with the required documents/e-documents. He would continue to wear his mask throughout the journey.
    - ii. He/she walk in the forecourt area and arrive at the thermal screening facility near the entry gate.
    - iii. He should get himself/herself checked for temperature. This will be done by a designated staff of the Airport. The status of "Aarogya Setu" should be displayed to the staff.
    - iv. In case of non-availability of *Aarogya Setu*, the passenger should be facilitated to go a counter provided by the airport where *Aarogya Setu* can be downloaded. Children below fourteen years of age would be exempt from this requirement.
    - v. The passenger shall, then, move to the CISF counter at the entry check-point. He/she shall display/show his identity card, the boarding pass/-e-boarding pass to the CISF staff. The CISF staff on confirming the identity of the person shall allow him/her in.
    - vi. The passenger shall then proceed to the baggage drop counter.
    - vii. At the baggage drop counter the passenger shall display the PNR and his/her identification to the staff. The passenger shall also show/indicate the PNR number written/printed on his/her baggage to the staff. Upon confirmation, the staff shall print the baggage tag, attach it on the bag and accept the bag. Instead of issuing a printed receipt to

Vishal Paudyal  
21/05/2020

81

the passenger, an electronic receipt in the form of an SMS shall be sent to the passenger.

- viii. Passengers are mandated to adhere to the single baggage policy in the initial phase.
- ix. Passengers to adhere to the social distancing which would be specified at the airports through markings like circle, square or tensor barrier as specified at the airport to be used by the passenger.
- x. Passengers to complete the check-in procedure and baggage drop of at least 60 minutes before departure.

**b. Security**

- i. Arrangements have been made at airports to guide passengers to walk through the pre-embarkation security screening. Passengers should follow the directions as announced by the authorities.
- ii. Passengers should divest of all metal on their body to facilitate the security screening. Also, bring only one hand luggage as per specified size allowed by the airlines.
- iii. Security staff will practice 'minimum touch' concept to reduce physical contact with the passengers. Passengers to cooperate with security staff by following the instructions for their own safety and security.

**c. Security Hold Area including Lounge, Prayer Room, Kids play area etc.**

- i. Passengers to proceed to security hold area after security screening.
- ii. While waiting in the security hold area they should maintain social distancing and sanitization protocols. Chairs marked 'Not For Use' should not be occupied.
- iii. While going around F&B, retail outlets, etc., passengers maintain hygiene and should be aware of the social distancing and locations where sanitizer would be available.
- iv. Passengers should dispose of all the bio hazardous material like used masks, gloves, tissues etc. in the yellow colored disposable bins/bags placed at strategic locations at the airport.

**d. Boarding**

- i. Passenger should give attention to the various communication materials displayed at the airport about various health advisories relating to pre-boarding and during the flight precautions.
- ii. Passenger to collect the safety kit (three layered surgical masks, face shield and sanitizer) from the airlines near the boarding gate. They

*Volu Padhe  
21/05/2020*

82

should wear mask, face shield and sanitize their hands before proceeding to the boarding gate for scanning of the boarding pass.

- iii. Passenger should give attention to boarding announcements and reach the boarding queue by following distancing.
- iv. Check-in of the boarding pass would be done by the passenger by self-scanning of e-boarding pass.
- v. Passengers would be required to show their ID card to the airline staff at the boarding gate.
- vi. Passenger to board the aircraft in a sequential manner as per the announcement by the airlines.

### 3. In the Aircraft

- a. Throughout the flight, hygiene and sanitation to be maintained by the passengers. Face to face interaction to be minimized.
- b. Passenger are advised to minimize use of lavatory and to avoid any non-essential movement in the aisles.
- c. No queuing at the lavatory and only one companion for children and the elderly to be allowed.
- d. No meal services would be made available in the aircraft. Water bottle to be made available in the galley area or on the seats.
- e. Passengers would not be permitted to consume any eatables inside the aircraft during the flight.
- f. Passengers to note that No paper / magazine will be available in the aircraft.
- g. There would be no on-board sale of any item to minimize the physical contacts.
- h. If any passenger feels uncomfortable, fatigued or have cough, it should be brought to the notice of the crew for handling the passenger.

### 4. From Airport to Destination

- a. Arrival
  - i. The disembarkation from the airlines would be sequential and passengers are advised to follow the instructions and not to rush to the exit gate.
  - ii. Social distance / sanitation should be maintained at the arrival gate, aerobridges, coaches, jet ladders, ramps etc.
  - iii. Trolleys in the arrival area to be used sparingly.

*Usha Padhee*  
21/05/2020

83

b. **Baggage Collection**

- i. Passenger to wait at the baggage hold area till the baggage arrives in batches.
- ii. Transit passenger will not be allowed to come out of the transit area.

c. **Exit from Airport**

- i. Passenger should use the authorized taxi maintaining the prescribed hygiene protocols.
- ii. Only authorized taxis are allowed for taking the passenger from the airport.
- iii. Passengers are advised to follow the social distancing and hygiene while travelling in any mode of transportation.
- iv. On arrival at their destination, the travelling passengers will have to adhere to such health protocols as are prescribed by the destination State/ UT.

*Usha* *Paellie*  
21/05/2020

84

### Annexure III

#### Specific Operating Guidelines for Major Stakeholders (Airlines)

##### Measures to be Taken by the Airlines

1. The Airlines shall make all arrangements so as to ensure that the risk of transmission of COVID-19 virus is minimized. Precautionary measures need to be taken within the aircraft as well at the time of check-in, boarding and arrival at the destination. The airlines shall ensure coordination among the other service providers such as the airports, security agencies, ground handling agencies etc. without comprising on the generality of the above, the airlines shall take the following measures:
2. **Pre-Departure Requirements**
  - a. All airlines to disseminate the information regarding the precautionary measures to be taken by the passengers. This should be done through their web-sites, travel agents, call centres, display at airports, assistance booths at the airports. etc.
  - b. Airlines to train/ educate their staff and the staff of the ground handlers about the various measures that need to be taken.
  - c. Airlines to ensure that their aircraft are sanitized after every trip and at the end of the day, as per the protocol prescribed by the DGCA.
  - d. All airlines to take adequate steps to ensure that all tickets are sold electronically. They should build enough redundancy so as to ensure uninterrupted service to the passengers.
  - e. Educate the passenger about the web check-in process. They should provide alternatives if a passenger does not have a computer at home. Facilities of tele check-in should also be provided.
  - f. Inform all passengers that they will have to necessarily follow a web check-in/ tele check-in process.
  - g. Airlines should devise a system that web-check-in or tele check-in is possible only when the passenger certifies the status of their health through the *Aarogya Setu* App or a self-declaration form. The passenger shall give a declaration to the following effect:
    - i. *I/we am/are not residing in any containment zone.*
    - ii. *I/we am/are not suffering from any fever/cough/any respiratory distress.*
    - iii. *I/we am are not under quarantine.*
    - iv. *If I/we develop any of the above-mentioned symptoms I shall contact the concerned health authorities, immediately.*

*John Paulie*  
*21/05/2020*

85

- v. *I/we have not tested COVID-19 positive in last two months.*
- vi. *I/we am eligible to travel as per the extant norms.*
- vii. *I shall make my mobile number / contact details available to the airlines whenever required by them.*
- viii. *I understand that if I undertake the air journey without meeting the eligibility criteria, I would be liable to penal action.*
- h. The airlines shall ensure that the boarding pass is issued only after the declaration given above has been made by the passenger. In case of a PNR having more than one passenger, the declaration would be deemed to be covering all the passengers mentioned in the PNR.
- i. The airlines shall keep a record of the aforesaid declaration and make it available to any Central Government or State Government agency if required.
- j. The airlines shall inform the passenger that only one check-in baggage is allowed apart from the hand baggage. The hand baggage shall be governed by the normal norms of the airlines. The check-in baggage should not exceed 20 kg, beyond which the airlines can charge.
- k. The booking system of the airlines should provide for printing of baggage tag by the passenger himself/herself. An alternative simple mechanism should also be provided to the passengers.

**3. Arrival at the Airport**

- a. Inform the passenger that the reporting time at the airport is at least two hours before the scheduled time of departure.
- b. Provide adequate protective gear to all their staff.
- c. Ensure that all their staff is adequately trained about the various protective measures.
- d. Make adequate staff available at the entry to the airport to assist the passengers.
- e. The body temperature of each passenger to be taken. Symptomatic passengers should not be allowed to enter the airport. Passengers denied travel due high temperature or age to be permitted to change their date of travel without penalty. Airlines to keep all such records.
- f. For passengers with special needs like wheel chair, unaccompanied minor etc., the handling staff to be in full protection gear with pre-sanitized wheelchairs.

*Usha Pradhan  
21/05/2020*

86

**4. Baggage Drop Facilities**

- a. Airlines should provide enough number of counters to facilitate easy baggage drop by the passengers.
- b. At the baggage drop counter arrangement shall be made such that the passenger displays the PNR and his/her identification to the staff. The passenger shall also show/indicate the PNR number written/printed on his/her baggage to the staff. Upon confirmation, the staff shall print the baggage tag, attach it on the bag and accept the bag. Instead of issuing a printed receipt to the passenger, an electronic receipt in the form of an SMS shall be sent to the passenger.
- c. Frontline staff to wear mandatory Protective gear. Staff at counters and ensure safe distance while accepting baggage.
- d. Only one hand baggage and one piece of checked-in baggage (20 kg) to be permitted in initial phase.
- e. The baggage drop procedure to be completed at least 60 minutes before departure.
- f. The airline should prominently display the precautionary steps to be taken by the passenger.
- g. Any payment made on account of tickets / excess baggage etc. to be accepted through Digital Mode only.
- h. Airline to release passengers for security after check-in / baggage drop off in restricted numbers to ensure social distancing at the security gates.

**5. At the Boarding Gate**

- a. Airlines to make announcements at the waiting area and educate the passengers.
- b. Boarding to commence 60 minutes before departure and gate to close at D-20 minutes.
- c. Airlines to supply protection kit to each passenger (three layered surgical masks, face shield and sanitizer) near the boarding gate. They should wear mask and sanitize their hands before proceeding to the boarding gate for scanning of the boarding pass. Passengers to continue wearing the mask throughout the journey.
- d. The body temperature of each passenger to be taken at the boarding. Symptomatic passengers should not be permitted to board the aircraft.
- e. Staggered sequential boarding in batches of 10 to be practiced. If possible, self-scanning of paper / e-boarding pass. The passengers to display their ID before boarding.
- f. No passenger to be allowed to board without face mask.
- g. Check-in of the boarding pass would be done by the passenger by self-scanning of e-boarding pass. Passengers would be required to show their ID card to the airline staff at the boarding gate.

*Walter Pankaj*  
21/05/2020



87

- h. Ensure that the passengers board the aircraft in a sequential manner as per the announcement by the airlines.
- i. If a bus is being used for boarding, the airlines shall ensure that the bus is not crowded. Also, the bus should be sanitized continuously.
- j. Airlines should ensure that there is no crowding on the step ladder. The grab rails of the step ladder should be sanitized continuously

**6. Inside the Aircraft**

- a. Throughout the flight, hygiene and sanitation shall be maintained by the passengers. Face to face interaction to be minimized.
- b. Cabin Crew must wear PPE, which includes full body gown, shoe cover, mask, gloves etc. All PPE, its type and its material to conform to the standards and specifications laid down by international bodies like ICAO / WHO / ICMR etc.
- c. All passengers shall wear face mask while in the aircraft.
- d. Hand baggage to be restricted to bare minimum. Stowage bins to be closed as soon as full so as to avoid unwarranted touch. Offload over-sized / excess cabin baggage, if any, as early as possible and send to Cargo hold.
- e. Passenger to be advised to minimize use of lavatory and to avoid any non-essential movement in the aisles.
- f. Ensure that there is no queuing at the lavatory and only one companion for children and the elderly to be allowed.
- g. There shall be no meal services in the aircraft. Water bottle to be made available in the galley area or on the seats. Passengers would not be permitted to consume any eatables inside the aircraft during the flight (except on health grounds)
- h. No paper / magazine will be available in the aircraft.
- i. Repeated announcements to be made w.r.t. COVID-19 safety protocols. Also, passengers to be advised to minimize the use of lavatories, and to avoid any non-essential movement in the aisles.
- j. There would be no onboard sale of any item to minimize the physical contacts.
- k. On arrival at the destination, the passengers should be allowed to exit in a sequence so as to avoid any bunching.
- l. Airplane lavatories to be cleaned / sanitized after every one hour of flight. Sprayed with disinfecting solution from time to time.
- m. Clearance of seat pockets of all items except for safety card, which will be replaced or sanitized after every flight.
- n. All on-board sales to be suspended.

*Wala Palle*  
*21/05/2020*

88

**7. General**

- a. Airlines to do health check-up of all crew regularly.
- b. All flying crew to be given full protective suits.
- c. All crew to be sufficiently educated and trained about preventive measures.
- d. As far as practically possible, the same set of cabin and cockpit crew to be rostered together to prevent possibility of cross-contamination.
- e. The norms for cockpit crew entry in cockpit before the flight and exit post flight to be laid down so as to ensure minimum exposure and contact with the passengers.
- f. Strict norms to be put in place to ensure restricted entry of ground staff in the aircraft and particularly the cockpit.
- g. The entry of cabin crew in cockpit during flight to be restricted to minimum possible.
- h. If any crew or other staff comes in contact of COVID-19 patient or exposed to possible infection, the APHO at the airport to be contacted. Airport operators and Health officials to have well defined processes to handle COVID-19 positive cases or any other health emergency.
- i. Cleaning and disinfection of frequently /recently touched surfaces after every flight with alcohol-based cleaning agent. Galley and Lavatories also to be sanitized and disinfected. Approved procedures for disinfection using OEM / DGCA approved chemicals reagents to be used.
- j. DGCA would issue (if not already issued) the COVID-19 specific detailed guidelines, as required, in respect of technical issues, training of crew, and processes related to operations and maintenance including cleaning / sanitizing of aircraft etc. for strict compliance by all concerned.
- k. All aircraft to be sanitized after each trip as per the norms laid down by DGCA.
- l. At the end of the day each aircraft to be fully sanitized as per the norms of the DGCA.
- m. Airlines to have guidelines in place for disinfection during a transit flights having passengers for onward destination. Appropriate air-conditioning inside the aircraft be provided.
- n. In case of COVID-19 related medical emergency on board, aircraft disinfection to be carried with special attention to the affected seats.
- o. Airlines shall furnish the passengers manifest of each flight to the State / UT in the following format:

Seat Number (In Sequence)	Name of the Passenger	Contact Number	Destination Address	Pin code of the Destination Address

*Usha Padhee*  
21/05/2021

89

### Specific Operating Guidelines for Major Stakeholders (Airports)

#### Measures to be taken at the Airports

1. The Airport operators shall make all arrangements so as to ensure that the risk of transmission of COVID-19 virus is minimized. Social distancing measures shall be enforced for the passengers at the airports. The airport operators shall take adequate sanitization measures. The airports shall ensure coordination among the other service providers such as the airlines, security agencies, ground handling agencies etc. Without comprising on the generality of the above the airport operators shall take the following measures:
  2. **At Airport Entry**
    - a. Only passengers with departures in the next four hours or less to be allowed inside the airport.
    - b. Prominently display the precautionary measures that need to be taken by all staff and passengers.
    - c. Ensure that no passenger without wearing a mask is allowed entry in the airport.
    - d. Provide adequate disembarkation points for vehicles so as to avoid crowding.
    - e. Temperature screening of the passengers entering in the terminal area and at boarding point to be ensured. (At the boarding point the airlines shall discharge this function)
    - f. Passengers & staff showing any symptoms, *Aarogya Setu* App not showing "green" are not to be allowed to enter the terminal building. If *Aarogya Setu* App is not available then a declaration needs to be taken that the person is not infected with COVID-19. Vulnerable persons such very elderly with co-morbidities, pregnant ladies, passengers with ailments are advised to avoid air travel.
    - g. Mats / carpet soaked with bleach (Sodium Hypochlorite solution) to be placed at entrance for disinfecting shoes.
    - h. Use of trolleys to be discouraged in departure and arrival area. However, select few passengers, requiring the same due genuine reasons, to be provided on request basis only. All trolleys must be disinfected by suitable means like disinfecting spray etc.
    - i. Designate separate entry gates for different airlines to avoid crowding. (to the extent possible).

*Atul Pathak*  
21/05/2020

90

### 3. Inside the Terminal Building

- a. Ensure social distance markings and separated seating in the forecourt area.
- b. For passengers with special needs like wheel chair, unaccompanied minor etc., the handling staff to be in full protection gear with pre-sanitized wheelchairs.
- c. Prominently display the precautionary measures that need to be taken by all staff and passengers.
- d. Provide a clear transparent glass shield on a pedestal to act as a barrier between passenger / staff and CISF ASG personnel at the entry gates.
- e. Social distancing norms for all queues to be strictly adhered to at the entry gate.
- f. Airports to earmark areas for isolation and COVID -19 testing for suspected passengers.
- g. Airports to earmark separate areas for change of PPE gear by the staff using it.
- h. Airports to ensure easy Availability of hand sanitizer at all entry points and also to be available at various touch points.
- i. Disinfect all surfaces / touch points every 30 minutes like rails near the entry gate etc.
- j. Keep Hand Sanitizer/ dispensers and social distance markings near self-check-in kiosks / counters.
- k. All wash rooms to be sanitized continuously.
- l. Social distance markings like circle, square or tensor barriers which are easily visible to be ensured in the check-in (baggage drop) area, as and when, the check-in from the counters is permitted.
- m. Ensure sanitization of checked-in baggage.
- n. Check-in (Baggage Drop) counters to open 3 hours before the Scheduled Time of Departure (STD) and close 60 minutes before STD. Adequate allocation of counters for baggage drop to be made.
- o. Provide a clear transparent glass shield on a pedestal to act as a barrier between passenger / staff at the baggage drop counter.
- p. Social distance markings, tensor barriers (queue managers) and separated seating in area before Security to avoid crowding and queuing, to be provided by the airports. Ensure availability of hand sanitizer dispensers at the entry and exit of security check points.
- q. Ensure Availability of adequate number of Personal Protective Equipment (PPE) for Security personnel on duty to be ensured.
- r. Sanitization of trays at the security-check cabin baggage screening area to be done regularly.
- s. Special bins to be placed for disposal of used material like masks etc. All such waste to be handled and disposed as per the prescribed procedures.

*Urvi Padhee*  
21/05/2020

91

**4. Security Hold Area (After Security Check)**

- a. The entry to lounges, Prayer room, Kids play room, smoking room etc. to be highly regulated. No reading material / non-essential loose items to be kept.
- b. Prominently display the precautionary measures that need to be taken by all staff and passengers.
- c. Passengers to be informed about the precautionary measures through displays, announcements and if required assistance by trained persons.
- d. Social distance markings & continuous sanitization of all possible areas including F&B and retail outlets, boarding gate etc. to be done. Chairs to be marked "Not for Use" to ensure adequate separation. Sanitization of frequent touch point after every departure to be done.
- e. All wash rooms to be sanitized continuously.
- f. All F & B and Retail outlets to be opened with COVID-19 precautions. Take-away to be encouraged to prevent crowding.
- g. Promote digital payments, self-ordering booths at F & B and Retail Outlets.
- h. Safe distance markings to be made by the airport operator on Aerobridges as well as the boarding points.
- i. Provide a clear transparent glass shield on a pedestal to act as a barrier between passenger / staff at the boarding counter.
- j. Ensure sanitization of the buses used by passengers at regular intervals.
- k. Ensure that there is no crowding on the step ladder while boarding the aircraft.
- l. Ensure that the ground handling staff wears masks and other protective gear if the situation so demands.

**5. Upon Arrival at Destination**

- a. Sequential passenger disembarkation in batches to be carried out to ensure social distancing.
- b. Ensure social distance markings in arrival gates, aerobridges, coaches, step ladders, ramps. Availability of hand sanitizers at exit points of aerobridge before baggage collection area.
- c. Put social distance markings like circle, square around the baggage collection carousel.
- d. Take measures to avoid bunching of passengers on travellers.
- e. Ensure staggered placement of baggage on the arrival carousel.
- f. Provide additional separated seating in baggage collection area to avoid crowding.
- g. Transit passengers not to be allowed to come out of transit area.

*Jhla Padhe*  
21/05/2020

Annexure P7

Government of India  
Office of the Director General of Civil Aviation  
Opposite Safdarjung Airport, New Delhi – 110 003

92

No. 4/1/2020-IR  
Dated: 22.05.2020

**CIRCULAR**

**Subject: Recommencement of Domestic Schedule Operations.**

In order to prevent the spread of COVID-19 the Central Govt. issued various advisories, guidelines and directions and also imposed nationwide lockdown. In furtherance of these directions DGCA vide circular dated 23.03.2020 certain social distancing and precautionary measures were prescribed during operation of passenger flights. However, subsequently, on account of nationwide lockdown the operation of domestic flights were suspended. Thereafter, the situation has been continuously reviewed and Central Government in larger public interest has given certain relaxations from time to time.

2. Accordingly, it has now been decided to recommence the domestic schedule flights w.e.f. 25.05.2020 and comprehensive guidelines for compliance by all stakeholders including passengers, have been issued by MoCA vide its Order No. AV.29017/5/2020-DT dated 21.05.2020.

3. In view of these guidelines, the guidelines issued vide DGCA Circular No. 4/1/2020-IR dated 23.03.2020 shall stand superseded with immediate effect.

  
(Sunil Kumar)

Deputy Director General

To

1. All Scheduled Domestic Airlines operating in India;
2. The Chairman, Airports Authority of India;
3. All Airport Operators in India.

Annexure P8



## VANDE BHARAT MISSION

93

### PHASE-2

(17<sup>th</sup> May 20 – 17<sup>th</sup> Jun 20)

### Air India Evacuation schedule flights ex India (in local time)

(Please Visit [www.airindia.in](http://www.airindia.in) to book your flight)

**Note 1:** Please note that all Domestic Flights mentioned in schedule below are meant for International connecting passengers departing and arriving on the Air India Evacuation flights.

These flights are NOT meant for any Domestic passengers.

**Note 2:** Given the extraordinary situation due to the COVID-19 pandemic, the schedules are subject to change at short notice. Kindly bear with us and please do visit Air India website for latest updates.

Updated as on 24 May 20, 0100 Hrs

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	DEPARTURE TIME
17-May-20	AI 0111	DELHI	LONDON	14:00
18-May-20	AI 0173	DELHI	SAN FRANCISCO	3:30
18-May-20	AI 1230	KOLKATA	DHAKA	9:30
19-May-20	AI 1318	MUMBAI	MANILA	0:45
19-May-20	AI 1189	DELHI	VANCOUVER	3:30
19-May-20	AI 0101	DELHI	NEW YORK	5:10
19-May-20	AI 0131	MUMBAI	LONDON	6:30
19-May-20	AI 1306	DELHI	JAKARTA	6:30
19-May-20	AI 1201	DELHI	DHAKA	7:00
19-May-20	AI 1326	BANGALURU	KUALA LUMPUR	9:00
19-May-20	AI 1905	MUMBAI	RIYADH	9:00
19-May-20	AI 1907	CHENNAI	DAMMAM	9:00
19-May-20	AI 1901	HYDERABAD	ABU DHABI	11:30
19-May-20	AI 1903	DELHI	DUBAI	11:50
19-May-20	AI 0302	DELHI	SYDNEY	13:55
20-May-20	AI 0187	DELHI	TORONTO	1:00
20-May-20	AI 1320	MUMBAI	MANILA	4:00
20-May-20	AI 1308	DELHI	JAKARTA	6:30
20-May-20	AI 0334	DELHI	BANGKOK	7:30
20-May-20	AI 1911	MUMBAI	RIYADH	9:00
20-May-20	AI 1923	CHENNAI	DOHA	9:00
20-May-20	AI 1328	BANGALURU	KUALA LUMPUR	9:00



## VANDE BHARAT MISSION

94

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	DEPARTURE TIME
20-May-20	AI 1213	DELHI	KATHMANDU	9:25
20-May-20	AI 1909	HYDERABAD	DAMMAM	9:30
20-May-20	AI 1913	HYDERABAD	JEDDAH	9:30
20-May-20	AI 0308	DELHI	MELBOURNE	12:50
20-May-20	AI 0123	DELHI	ROME	14:15
21-May-20	AI 0187	DELHI	TORONTO	1:00
21-May-20	AI 1310	MUMBAI	JAKARTA	5:45
21-May-20	AI 1330	DELHI	KUALA LUMPUR	7:30
21-May-20	AI 0987	HYDERABAD	KUWAIT	10:30
21-May-20	AI 0346	CHENNAI	SINGAPORE	11:30
21-May-20	AI 0302	DELHI	SYDNEY	13:55
21-May-20	AI 0111	DELHI	LONDON	14:00
21-May-20	AI 1901	DELHI	AMMAN	14:15
22-May-20	AI 0173	DELHI	SAN FRANCISCO	3:30
22-May-20	AI 1312	MUMBAI	JAKARTA	5:45
22-May-20	AI 1332	DELHI	KUALA LUMPUR	7:30
22-May-20	AI 1995	DELHI	DUBAI	9:50
22-May-20	AI 1919	HYDERABAD	RIYADH	10:30
22-May-20	AI 0265	BANGALURU	MALE	11:30
22-May-20	AI 0308	DELHI	MELBOURNE	12:50
23-May-20	AI 1193	DELHI	VANCOUVER	3:30
23-May-20	AI 0101	DELHI	NEW YORK	5:10
23-May-20	AI 0131	MUMBAI	LONDON	6:30
23-May-20	AI 1263	DELHI	MALE	8:30
23-May-20	AI 1336	BANGALURU	SINGAPORE	9:00
23-May-20	AI 0302	DELHI	SYDNEY	13:55
23-May-20	AI 0382	DELHI	SINGAPORE	14:45
23-May-20	AI 0973	DELHI	MUSCAT	15:30
24-May-20	AI 0187	DELHI	TORONTO	1:00
24-May-20	AI 1322	MUMBAI	MANILA	5:45
24-May-20	AI 0308	DELHI	MELBOURNE	12:50
24-May-20	AI 0113	DELHI	BIRMINGHAM	13:05
24-May-20	AI 0971	DELHI	DOHA	15:15
25-May-20	AI 1949	DELHI	KARAGANDA	5:40
25-May-20	AI 1945	DELHI	MOSCOW	6:40
25-May-20	AI 1947	DELHI	KIEV	7:35
25-May-20	AI 1324	MUMBAI	CEBU	9:30
25-May-20	AI 0143	DELHI	PARIS	13:15
25-May-20	AI 1199	DELHI	DUBLIN	14:30





## VANDE BHARAT MISSION

95

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	DEPARTURE TIME
25-May-20	AI 0382	DELHI	SINGAPORE	14:45
25-May-20	AI 0139	DELHI	TEL AVIV	15:30
26-May-20	AI 1951	DELHI	BISHKEK	5:05
26-May-20	AI 1953	DELHI	MINSK	7:15
26-May-20	AI 1947	DELHI	KIEV	7:35
26-May-20	AI 0382	DELHI	SINGAPORE	14:45
27-May-20	AI 0103	DELHI	WASHINGTON	1:15
27-May-20	AI 1334	MUMBAI	NARITA	1:30
27-May-20	AI 0127	DELHI	CHICAGO	2:20
27-May-20	AI 1949	DELHI	KARAGANDA	5:40
27-May-20	AI 1955	DELHI	TBILISI	6:10
27-May-20	AI 1945	DELHI	MOSCOW	6:40
27-May-20	AI 1230	KOLKATA	DHAKA	9:30
27-May-20	AI 0308	DELHI	MELBOURNE	12:50
27-May-20	AI 0143	DELHI	PARIS	13:15
27-May-20	AI 0121	DELHI	FRANKFURT	13:35
27-May-20	AI 1983	DELHI	DUSHANBE	14:45
28-May-20	AI 0127	DELHI	CHICAGO	2:20
28-May-20	AI 1949	DELHI	KARAGANDA	5:40
28-May-20	AI 1945	DELHI	MOSCOW	6:40
28-May-20	AI 1947	DELHI	KIEV	7:35
28-May-20	AI 0121	DELHI	FRANKFURT	13:35
28-May-20	AI 1983	DELHI	DUSHANBE	14:45
29-May-20	AI 1957	DELHI	ALMATY	4:40
29-May-20	AI 1959	DELHI	YEREVAN	6:15
29-May-20	AI 0925	DELHI	RIYADH	7:00
29-May-20	AI 1969	DELHI	CAIRO	7:30
29-May-20	AI 1947	DELHI	KIEV	7:35
29-May-20	AI 0275	MUMBAI	COLOMBO	8:30
29-May-20	AI 0931	MUMBAI	JEDDAH	8:30
29-May-20	AI 1239	MUMBAI	YANGON	8:30
29-May-20	AI 0989	MUMBAI	KUWAIT	11:00
29-May-20	AI 0951	HYDERABAD	DUBAI	11:45
29-May-20	AI 0995	DELHI	DUBAI	13:15
29-May-20	AI 0945	MUMBAI	ABU DHABI	13:55
30-May-20	AI 1961	DELHI	ASTANA	5:30
30-May-20	AI 1316	DELHI	MANILA	6:30
30-May-20	AI 1945	DELHI	MOSCOW	6:40
30-May-20	AI 1947	DELHI	KIEV	7:35

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	DEPARTURE TIME
30-May-20	AI 1985	MUMBAI	JEDDAH	9:30
30-May-20	AI 0973	DELHI	MUSCAT	10:55
30-May-20	AI 0951	HYDERABAD	DUBAI	11:45
30-May-20	AI 0985	MUMBAI	MUSCAT	11:55
30-May-20	AI 0971	DELHI	DOHA	12:15
30-May-20	AI 0135	DELHI	MADRID	12:25
30-May-20	AI 0995	DELHI	DUBAI	13:15
30-May-20	AI 0969	MUMBAI	DOHA	14:30
30-May-20	AI 0306	DELHI	NARITA	23:15
31-May-20	AI 1971	DELHI	ASTANA	4:40
31-May-20	AI 1945	DELHI	MOSCOW	6:40
31-May-20	AI 0971	DELHI	DOHA	7:30
31-May-20	AI 1947	DELHI	KIEV	7:35
31-May-20	AI 0913	DELHI	DAMMAM	8:30
31-May-20	AI 1935	HYDERABAD	RIYADH	8:30
31-May-20	AI 0989	MUMBAI	KUWAIT	9:00
31-May-20	AI 0921	MUMBAI	RIYADH	9:30
31-May-20	AI 0911	MUMBAI	DUBAI	13:35
1-Jun-20	AI 1973	DELHI	ALMATY	4:40
1-Jun-20	AI 1951	DELHI	BISHKEK	5:20
1-Jun-20	AI 1921	DELHI	LAGOS	5:30
1-Jun-20	AI 0925	DELHI	RIYADH	8:00
1-Jun-20	AI 0995	DELHI	DUBAI	8:05
1-Jun-20	AI 1197	DELHI	DUBLIN	8:30
1-Jun-20	AI 0989	MUMBAI	KUWAIT	9:00
1-Jun-20	AI 1230	KOLKATA	DHAKA	9:30
1-Jun-20	AI 0913	DELHI	DAMMAM	12:30
1-Jun-20	AI 0983	MUMBAI	DUBAI	13:35
2-Jun-20	AI 1951	DELHI	BISHKEK	5:05
2-Jun-20	AI 1963	DELHI	BISHKEK	6:05
2-Jun-20	AI 1977	DELHI	MOSCOW	6:40
2-Jun-20	AI 0973	DELHI	MUSCAT	10:20
2-Jun-20	AI 0991	DELHI	JEDDAH	11:15
2-Jun-20	AI 0995	DELHI	DUBAI	13:15
2-Jun-20	AI 1953	DELHI	MOSCOW	21:35
3-Jun-20	AI 1975	DELHI	KIEV	7:35
3-Jun-20	AI 1981	DELHI	MAURITIUS	8:30
3-Jun-20	AI 0973	DELHI	MUSCAT	10:55
3-Jun-20	AI 1925	CHENNAI	DOHA	11:00

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	DEPARTURE TIME
3-Jun-20	AI 1917	BANGALURU	DUBAI	11:45
3-Jun-20	AI 0995	DELHI	DUBAI	13:15
3-Jun-20	AI 0123	DELHI	ROME	14:15
4-Jun-20	AI 0991	DELHI	JEDDAH	7:00
4-Jun-20	AI 0971	DELHI	DOHA	8:30
4-Jun-20	AI 1933	CHENNAI	RIYADH	8:30
4-Jun-20	AI 1979	MUMBAI	MAURITIUS	8:30
4-Jun-20	AI 1943	DELHI	KUWAIT	9:00
4-Jun-20	AI 913	DELHI	DAMMAM	12:45
4-Jun-20	AI 1306	DELHI	AUCKLAND	13:30
4-Jun-20	AI 0121	DELHI	FRANKFURT	13:35
5-Jun-20	AI 0127	DELHI	CHICAGO	2:20
5-Jun-20	AI 0961	MUMBAI	NAIROBI	6:25
5-Jun-20	AI 1983	MUMBAI	DJIBOUTI	7:30
5-Jun-20	AI 0340	MUMBAI	BANGKOK	10:30
5-Jun-20	AI 1937	CHENNAI	DAMMAM	10:30
5-Jun-20	AI 1943	DELHI	KUWAIT	13:10
5-Jun-20	AI 0167	DELHI	STOCKHOLM	14:50
6-Jun-20	AI 0312	DELHI	INCHEON	0:05
6-Jun-20	AI 0191	MUMBAI	NEWARK	1:30
6-Jun-20	AI 0101	DELHI	NEW YORK	5:10
6-Jun-20	AI 1943	DELHI	KUWAIT	9:00
6-Jun-20	AI 1344	MUMBAI	HO CHI MINH	10:30
6-Jun-20	AI 1941	CHENNAI	JEDDAH	10:30
6-Jun-20	AI 0121	DELHI	FRANKFURT	13:35
6-Jun-20	AI 0129	MUMBAI	LONDON	13:55
7-Jun-20	AI 0103	DELHI	WASHINGTON	1:15
7-Jun-20	AI 1943	DELHI	KUWAIT	9:00
7-Jun-20	AI 0907	CHENNAI	MUSCAT	10:50
7-Jun-20	AI 1169	DELHI	AMSTERDAM	13:30
8-Jun-20	AI 1965	DELHI	ISTANBUL	10:30
8-Jun-20	AI 0905	CHENNAI	DUBAI	11:30
9-Jun-20	AI 0127	DELHI	CHICAGO	2:20
9-Jun-20	AI 1181	DELHI	BRUSSELS	13:30
10-Jun-20	AI 0173	DELHI	SAN FRANCISCO	3:30
10-Jun-20	AI 0101	DELHI	NEW YORK	5:10
10-Jun-20	AI 1169	DELHI	AMSTERDAM	13:30
10-Jun-20	AI 0111	DELHI	LONDON	14:00
11-Jun-20	AI 1183	DELHI	HELSINKI	13:30



## VANDE BHARAT MISSION

98

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	DEPARTURE TIME
14-Jun-20	AI 0173	DELHI	SAN FRANCISCO	3:30

### Air India Evacuation schedule flights arrival into India ex foreign stations (in local time)

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
18-May-20	AI 0112	LONDON	DELHI	10:40
18-May-20	AI 1231	DHAKA	KOLKATA	12:30
18-May-20	AI 0112	DELHI	VARANASI	14:10
18-May-20	AI 0112	VARANASI	GAYA	16:30
19-May-20	AI 1202	DHAKA	SRINAGAR	13:45
19-May-20	AI 1826	SRINAGAR	DELHI	16:30
19-May-20	AI 1317	MANILA	MUMBAI	16:45
19-May-20	AI 1325	KUALA LUMPUR	BANGALURU	19:00
19-May-20	AI 1317	MUMBAI	VISAKHAPATNAM	20:30
19-May-20	AI 1906	RIYADH	KOZHIKODE	20:30
19-May-20	AI 1908	DAMMAM	KOCHI	20:30
19-May-20	AI 1902	ABU DHABI	VISAKHAPATNAM	20:45
19-May-20	AI 1904	DUBAI	BHUBANESWAR	21:15
19-May-20	AI 1404	KOCHI	CHENNAI	22:00
19-May-20	AI 1305	JAKARTA	DELHI	22:00
19-May-20	AI 1325	BANGALURU	AHMEDABAD	22:15
19-May-20	AI 1401	VISAKHAPATNAM	HYDERABAD	22:45
19-May-20	AI 1403	KOZHIKODE	MUMBAI	23:00
20-May-20	AI 1402	BHUBANESWAR	DELHI	0:00
20-May-20	AI 0130	LONDON	MUMBAI	2:45
20-May-20	AI 0130	MUMBAI	KOCHI	6:45
20-May-20	AI 1641	MUMBAI	VIJAYAWADA	6:45
20-May-20	AI 1642	VIJAYAWADA	MUMBAI	9:30
20-May-20	AI 1214	KATHMANDU	DELHI	13:15
20-May-20	AI 0335	BANGKOK	DELHI	17:00
20-May-20	AI 1327	KUALA LUMPUR	BHUBANESWAR	18:30
20-May-20	AI 1924	DOHA	VISAKHAPATNAM	19:15
20-May-20	AI 1910	DAMMAM	BANGALURU	19:45
20-May-20	AI 1319	MANILA	MUMBAI	20:00
20-May-20	AI 1912	RIYADH	KANNUR	20:30
20-May-20	AI 1458	VISAKHAPATNAM	CHENNAI	21:30

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
20-May-20	AI 1327	BHUBANESWAR	BANGALURU	21:30
20-May-20	AI 1910	BANGALURU	HYDERABAD	21:45
20-May-20	AI 1307	JAKARTA	DELHI	22:00
20-May-20	AI 1914	JEDDAH	VIJAYAWADA	22:15
20-May-20	AI 1406	KANNUR	MUMBAI	23:00
20-May-20	AI 1319	MUMBAI	KOCHI	23:45
21-May-20	AI 1914	VIJAYAWADA	HYDERABAD	0:15
21-May-20	AI 1307	DELHI	HYDERABAD	1:45
21-May-20	AI 0174	SAN FRANCISCO	DELHI	3:30
21-May-20	AI 0174	DELHI	BANGALURU	8:30
21-May-20	AI 0174	BANGALURU	HYDERABAD	11:00
21-May-20	AI 0301	SYDNEY	DELHI	18:35
21-May-20	AI 1329	KUALA LUMPUR	DELHI	19:45
21-May-20	AI 1309	JAKARTA	MUMBAI	20:15
21-May-20	AI 0988	KUWAIT	HYDERABAD	21:00
21-May-20	AI 1347	SINGAPORE	HYDERABAD	21:15
21-May-20	AI 1329	DELHI	LUCKNOW	21:45
21-May-20	AI 1461	HYDERABAD	CHENNAI	23:15
21-May-20	AI 1309	MUMBAI	AHMEDABAD	23:30
21-May-20	AI 1854	HYDERABAD	TIRUPATI	23:30
21-May-20	AI 1329	LUCKNOW	AMRITSAR	23:45
22-May-20	AI 1902	AMMAN	DELHI	3:15
22-May-20	AI 1190	VANCOUVER	DELHI	3:30
22-May-20	AI 1190	DELHI	AMRITSAR	7:00
22-May-20	AI 1902	DELHI	KOCHI	7:15
22-May-20	AI 0122	ROME	DELHI	7:40
22-May-20	AI 0102	NEW YORK	DELHI	10:30
22-May-20	AI 0112	LONDON	DELHI	10:40
22-May-20	AI 0122	DELHI	KOCHI	12:30
22-May-20	AI 0102	DELHI	CHANDIGARH	13:30
22-May-20	AI 0112	DELHI	JAIPUR	13:40
22-May-20	AI 1445	KOCHI	CHENNAI	15:00
22-May-20	AI 0309	MELBOURNE	DELHI	17:10
22-May-20	AI 1996	DUBAI	SRINAGAR	18:00
22-May-20	AI 0266	MALE	BANGALURU	18:50
22-May-20	AI 1331	KUALA LUMPUR	DELHI	19:30
22-May-20	AI 0309	DELHI	AMRITSAR	20:10
22-May-20	AI 1826	SRINAGAR	DELHI	20:10
22-May-20	AI 1311	JAKARTA	MUMBAI	20:15



## VANDE BHARAT MISSION

100

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
22-May-20	AI 1920	RIYADH	VIJAYAWADA	22:15
22-May-20	AI 0188	TORONTO	DELHI	22:45
22-May-20	AI 1331	DELHI	VISAKHAPATNAM	22:45
23-May-20	AI 1920	VIJAYAWADA	HYDERABAD	0:00
23-May-20	AI 1311	MUMBAI	BANGALURU	0:15
23-May-20	AI 0188	DELHI	AMRITSAR	1:45
23-May-20	AI 0309	MELBOURNE	DELHI	17:10
23-May-20	AI 1264	MALE	DELHI	17:30
23-May-20	AI 0301	SYDNEY	DELHI	18:35
23-May-20	AI 1337	SINGAPORE	BANGALURU	19:45
23-May-20	AI 0301	DELHI	AMRITSAR	21:45
23-May-20	AI 0309	DELHI	BANGALURU	21:55
23-May-20	AI 0188	TORONTO	DELHI	22:45
23-May-20	AI 0974	MUSCAT	DELHI	23:30
24-May-20	AI 0130	LONDON	MUMBAI	2:45
24-May-20	AI 0188	DELHI	BANGALURU	3:30
24-May-20	AI 0383	SINGAPORE	DELHI	3:30
24-May-20	AI 1440	MUMBAI	INDORE	5:45
24-May-20	AI 0188	BANGALURU	HYDERABAD	6:00
24-May-20	AI 0130	MUMBAI	AHMEDABAD	6:15
24-May-20	AI 0974	DELHI	GAYA	6:30
24-May-20	AI 1321	MANILA	MUMBAI	21:45
25-May-20	AI 0972	DOHA	DELHI	0:30
25-May-20	AI 1321	MUMBAI	BANGALURU	1:45
25-May-20	AI 0174	SAN FRANCISCO	DELHI	3:30
25-May-20	AI 0972	DELHI	GAYA	6:30
25-May-20	AI 0174	DELHI	KOCHI	8:30
25-May-20	AI 0174	KOCHI	AHMEDABAD	12:00
25-May-20	AI 1950	KARAGANDA	DELHI	15:35
25-May-20	AI 0309	MELBOURNE	DELHI	17:10
25-May-20	AI 1950	DELHI	JAIPUR	17:30
25-May-20	AI 0301	SYDNEY	DELHI	18:35
25-May-20	AI 1946	MOSCOW	DELHI	20:45
25-May-20	AI 0309	DELHI	KOCHI	21:55
25-May-20	AI 0301	DELHI	AHMEDABAD	22:00
25-May-20	AI 1948	KIEV	DELHI	22:05
26-May-20	AI 1948	DELHI	KOCHI	2:20
26-May-20	AI 1323	CEBU	MUMBAI	2:30
26-May-20	AI 0383	SINGAPORE	DELHI	3:30

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
26-May-20	AI 1194	VANCOUVER	DELHI	3:30
26-May-20	AI 1323	MUMBAI	AHMEDABAD	5:00
26-May-20	AI 0383	DELHI	AHMEDABAD	6:45
26-May-20	AI 0140	TEL AVIV	DELHI	8:00
26-May-20	AI 1194	DELHI	BANGALURU	8:30
26-May-20	AI 0114	BIRMINGHAM	DELHI	8:50
26-May-20	AI 0383	AHMEDABAD	LUCKNOW	9:15
26-May-20	AI 0102	NEW YORK	DELHI	10:30
26-May-20	AI 1194	BANGALURU	HYDERABAD	11:00
26-May-20	AI 0114	DELHI	AMRITSAR	11:50
26-May-20	AI 1952	BISHKEK	DELHI	13:05
26-May-20	AI 512	DELHI	KOCHI	14:00
26-May-20	AI 0102	DELHI	BANGALURU	15:05
26-May-20	AI 1952	DELHI	GAYA	15:40
26-May-20	AI 1954	MINSK	DELHI	22:00
26-May-20	AI 1948	KIEV	DELHI	22:05
26-May-20	AI 0188	TORONTO	DELHI	22:45
27-May-20	AI 1948	DELHI	LUCKNOW	0:15
27-May-20	AI 1954	DELHI	AHMEDABAD	0:30
27-May-20	AI 0188	DELHI	AHMEDABAD	2:15
27-May-20	AI 0383	SINGAPORE	DELHI	3:30
27-May-20	AI 0188	AHMEDABAD	JAIPUR	4:30
27-May-20	AI 0142	PARIS	DELHI	4:35
27-May-20	AI 0383	DELHI	AMRITSAR	6:25
27-May-20	AI 0142	DELHI	AHMEDABAD	7:30
27-May-20	AI 1200	DUBLIN	DELHI	7:30
27-May-20	AI 1200	DELHI	BANGALURU	12:15
27-May-20	AI 1231	DHAKA	KOLKATA	12:30
27-May-20	AI 1200	BANGALURU	KOCHI	14:45
27-May-20	AI 1950	KARAGANDA	DELHI	15:35
27-May-20	AI 1956	TBILISI	DELHI	16:30
27-May-20	AI 1950	DELHI	JAIPUR	17:15
27-May-20	AI 1956	DELHI	AHMEDABAD	18:35
27-May-20	AI 1956	AHMEDABAD	JAIPUR	19:45
27-May-20	AI 1946	MOSCOW	DELHI	20:45
27-May-20	AI 1984	DUSHANBE	DELHI	21:15
27-May-20	AI 1946	DELHI	AHMEDABAD	23:15
28-May-20	AI 1984	DELHI	KANNUR	1:15
28-May-20	AI 0142	PARIS	DELHI	9:35

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
28-May-20	AI 0142	DELHI	BANGALURU	14:10
28-May-20	AI 1950	KARAGANDA	DELHI	15:35
28-May-20	AI 0142	BANGALURU	KOCHI	16:40
28-May-20	AI 0309	MELBOURNE	DELHI	17:10
28-May-20	AI 1950	DELHI	JAIPUR	17:15
28-May-20	AI 1333	NARITA	MUMBAI	17:30
28-May-20	AI 1946	MOSCOW	DELHI	20:45
28-May-20	AI 0309	DELHI	HYDERABAD	21:10
28-May-20	AI 1984	DUSHANBE	DELHI	21:15
28-May-20	AI 1948	KIEV	DELHI	22:05
28-May-20	AI 1946	DELHI	LUCKNOW	22:55
28-May-20	AI 1984	DELHI	JAIPUR	23:15
29-May-20	AI 1948	DELHI	JAIPUR	0:15
29-May-20	AI 0120	FRANKFURT	DELHI	8:30
29-May-20	AI 1958	ALMATY	DELHI	13:20
29-May-20	AI 0276	COLOMBO	MUMBAI	13:45
29-May-20	AI 1240	YANGON	KOLKATA	15:15
29-May-20	AI 1958	DELHI	JAIPUR	15:20
29-May-20	AI 1960	YEREVAN	DELHI	16:55
29-May-20	AI 0276	MUMBAI	BHUBANESWAR	17:15
29-May-20	AI 1932	RIYADH	SRINAGAR	17:45
29-May-20	AI 1240	KOLKATA	MUMBAI	19:00
29-May-20	AI 0276	BHUBANESWAR	KOLKATA	19:15
29-May-20	AI 0952	DUBAI	HYDERABAD	19:50
29-May-20	AI 0990	KUWAIT	AHMEDABAD	20:00
29-May-20	AI 1826	SRINAGAR	DELHI	20:15
29-May-20	AI 0960	JEDDAH	KOZHICODE	21:00
29-May-20	AI 0996	DUBAI	DELHI	21:10
29-May-20	AI 1924	ABU DHABI	AHMEDABAD	21:30
29-May-20	AI 1960	DELHI	KOCHI	21:30
29-May-20	AI 1970	CAIRO	DELHI	22:00
29-May-20	AI 1948	KIEV	DELHI	22:05
29-May-20	AI 0104	WASHINGTON	DELHI	23:00
29-May-20	AI 1682	AHMEDABAD	MUMBAI	23:50
30-May-20	AI 0126	CHICAGO	DELHI	0:30
30-May-20	AI 1970	DELHI	LUCKNOW	0:30
30-May-20	AI 1842	KOZHICODE	MUMBAI	0:30
30-May-20	AI 1948	DELHI	AHMEDABAD	0:45
30-May-20	AI 0104	DELHI	BANGALURU	3:15



DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
30-May-20	AI 0126	DELHI	BHUBANESWAR	4:30
30-May-20	AI 0104	BANGALURU	AHMEDABAD	6:30
30-May-20	AI 0120	FRANKFURT	DELHI	8:30
30-May-20	AI 0120	DELHI	BANGALURU	13:15
30-May-20	AI 1962	ASTANA	DELHI	15:20
30-May-20	AI 1962	DELHI	JAIPUR	17:20
30-May-20	AI 1974	MUSCAT	JAIPUR	18:30
30-May-20	AI 1986	MUSCAT	AHMEDABAD	18:55
30-May-20	AI 0952	DUBAI	HYDERABAD	19:50
30-May-20	AI 1974	JAIPUR	DELHI	20:15
30-May-20	AI 1946	MOSCOW	DELHI	20:45
30-May-20	AI 0996	DUBAI	DELHI	21:10
30-May-20	AI 1684	AHMEDABAD	MUMBAI	21:15
30-May-20	AI 0972	DOHA	DELHI	21:30
30-May-20	AI 1315	MANILA	DELHI	21:30
30-May-20	AI 1948	KIEV	DELHI	22:05
30-May-20	AI 1960	JEDDAH	KOZHIKODE	22:05
30-May-20	AI 1946	DELHI	JAIPUR	22:45
30-May-20	AI 1928	DOHA	AHMEDABAD	23:05
31-May-20	AI 1948	DELHI	CHANDIGARH	0:15
31-May-20	AI 0126	CHICAGO	DELHI	0:30
31-May-20	AI 1315	DELHI	JAIPUR	0:30
31-May-20	AI 1686	AHMEDABAD	MUMBAI	1:25
31-May-20	AI 1564	KOZHIKODE	MUMBAI	1:35
31-May-20	AI 0126	DELHI	AHMEDABAD	4:00
31-May-20	AI 0126	AHMEDABAD	HYDERABAD	7:00
31-May-20	AI 1972	ASTANA	DELHI	14:30
31-May-20	AI 1972	DELHI	JAIPUR	16:30
31-May-20	AI 972	DOHA	DELHI	16:30
31-May-20	AI 1940	DAMMAM	SRINAGAR	17:30
31-May-20	AI 1990	KUWAIT	JAIPUR	18:30
31-May-20	AI 972	DELHI	SRINAGAR	18:40
31-May-20	AI 1828	SRINAGAR	DELHI	19:45
31-May-20	AI 1936	RIYADH	HYDERABAD	20:20
31-May-20	AI 972	SRINAGAR	AMRITSAR	20:25
31-May-20	AI 1946	MOSCOW	DELHI	20:45
31-May-20	AI 1912	DUBAI	AHMEDABAD	20:55
31-May-20	AI 0928	RIYADH	TRIVANDRUM	21:00
31-May-20	AI 1634	JAIPUR	MUMBAI	21:05

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
31-May-20	AI 1948	KIEV	DELHI	22:05
31-May-20	AI 1690	AHMEDABAD	MUMBAI	23:15
1-Jun-20	AI 0928	TRIVANDRUM	MUMBAI	0:30
1-Jun-20	AI 1946	DELHI	KANNUR	0:45
1-Jun-20	AI 1922	LAGOS	DELHI	4:00
1-Jun-20	AI 0136	MADRID	DELHI	8:25
1-Jun-20	AI 0136	DELHI	MUMBAI	11:40
1-Jun-20	AI 1231	DHAKA	KOLKATA	12:30
1-Jun-20	AI 1952	BISHKEK	DELHI	13:20
1-Jun-20	AI 1974	ALMATY	DELHI	13:20
1-Jun-20	AI 1952	DELHI	JAIPUR	15:35
1-Jun-20	AI 1974	DELHI	VIJAYAWADA	16:20
1-Jun-20	AI 0307	NARITA	DELHI	17:00
1-Jun-20	AI 1996	DUBAI	GAYA	17:00
1-Jun-20	AI 1974	VIJAYAWADA	HYDERABAD	18:20
1-Jun-20	AI 1990	KUWAIT	AHMEDABAD	18:20
1-Jun-20	AI 1433	GAYA	DELHI	19:15
1-Jun-20	AI 1948	RIYADH	LUCKNOW	20:00
1-Jun-20	AI 1634	AHMEDABAD	MUMBAI	20:25
1-Jun-20	AI 1913	DUBAI	GOA	21:25
1-Jun-20	AI 0914	DAMMAM	DELHI	21:30
1-Jun-20	AI 1436	LUCKNOW	DELHI	22:00
1-Jun-20	AI 1688	GOA	MUMBAI	23:45
2-Jun-20	AI 0914	DELHI	GAYA	6:45
2-Jun-20	AI 1952	BISHKEK	DELHI	13:05
2-Jun-20	AI 1964	BISHKEK	DELHI	14:05
2-Jun-20	AI 1952	DELHI	HYDERABAD	16:20
2-Jun-20	AI 1974	MUSCAT	SRINAGAR	18:05
2-Jun-20	AI 1830	SRINAGAR	DELHI	20:20
2-Jun-20	AI 1978	MOSCOW	DELHI	20:45
2-Jun-20	AI 1916	DUBAI	CHANDIGARH	21:10
2-Jun-20	AI 1992	JEDDAH	DELHI	22:55
2-Jun-20	AI 1816	CHANDIGARH	DELHI	23:00
3-Jun-20	AI 1978	DELHI	GUWAHATI	0:30
3-Jun-20	AI 1198	DUBLIN	DELHI	2:00
3-Jun-20	AI 1978	GUWAHATI	BHUBANESWAR	3:00
3-Jun-20	AI 1198	DELHI	MUMBAI	6:00
3-Jun-20	AI 1992	DELHI	GAYA	6:45
3-Jun-20	AI 1954	MOSCOW	DELHI	11:40



## VANDE BHARAT MISSION

105

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
3-Jun-20	AI 1954	DELHI	GAYA	14:10
3-Jun-20	AI 1974	MUSCAT	BHUBANESWAR	19:45
3-Jun-20	AI 1918	DUBAI	BANGALURU	20:15
3-Jun-20	AI 1926	DOHA	CHENNAI	20:45
3-Jun-20	AI 1976	KIEV	DELHI	22:05
3-Jun-20	AI 1874	BHUBANESWAR	DELHI	22:30
3-Jun-20	AI 0918	DUBAI	KOLKATA	22:35
4-Jun-20	AI 1844	KOLKATA	DELHI	1:15
4-Jun-20	AI 1982	MAURITIUS	DELHI	1:30
4-Jun-20	AI 1976	DELHI	GUWAHATI	2:00
4-Jun-20	AI 0122	ROME	DELHI	7:40
4-Jun-20	AI 1930	DOHA	LUCKNOW	17:50
4-Jun-20	AI 1944	KUWAIT	DELHI	18:20
4-Jun-20	AI 1992	JEDDAH	SRINAGAR	18:30
4-Jun-20	AI 1832	LUCKNOW	DELHI	19:45
4-Jun-20	AI 1934	RIYADH	CHENNAI	20:40
4-Jun-20	AI 1892	SRINAGAR	DELHI	20:45
4-Jun-20	AI 1980	MAURITIUS	MUMBAI	22:15
4-Jun-20	AI 1920	DAMMAM	KOLKATA	23:45
5-Jun-20	AI 1763	KOLKATA	DELHI	2:55
5-Jun-20	AI 1984	DJIBOUTI	KOCHI	18:45
5-Jun-20	AI 0341	BANGKOK	MUMBAI	19:45
5-Jun-20	AI 0962	NAIROBI	MUMBAI	20:00
5-Jun-20	AI 1938	DAMMAM	CHENNAI	21:45
5-Jun-20	AI 1984	KOCHI	MUMBAI	21:45
5-Jun-20	AI 1944	KUWAIT	DELHI	22:30
5-Jun-20	AI 0341	MUMBAI	BANGALURU	22:45
6-Jun-20	AI 1944	DELHI	GAYA	6:35
6-Jun-20	AI 0120	FRANKFURT	DELHI	8:30
6-Jun-20	AI 1944	KUWAIT	DELHI	18:20
6-Jun-20	AI 1944	DELHI	BHUBANESWAR	21:20
6-Jun-20	AI 1345	HO CHI MINH	MUMBAI	21:40
6-Jun-20	AI 1942	JEDDAH	CHENNAI	23:00
7-Jun-20	AI 1345	MUMBAI	KOCHI	0:40
7-Jun-20	AI 0168	STOCKHOLM	DELHI	7:20
7-Jun-20	AI 0168	DELHI	MUMBAI	11:25
7-Jun-20	AI 1307	AUCKLAND	DELHI	13:30
7-Jun-20	AI 0313	INCHEON	DELHI	14:00
7-Jun-20	AI 1944	KUWAIT	LUCKNOW	19:00



## VANDE BHARAT MISSION

106

DATE	FLIGHT	DEPARTURE STATION	ARRIVAL STATION	ARRIVAL TIME
7-Jun-20	AI 0908	MUSCAT	CHENNAI	19:35
7-Jun-20	AI 1834	LUCKNOW	DELHI	21:00
8-Jun-20	AI 0126	CHICAGO	DELHI	0:30
8-Jun-20	AI 0126	DELHI	BANGALURU	5:15
8-Jun-20	AI 0120	FRANKFURT	DELHI	8:30
8-Jun-20	AI 0128	LONDON	MUMBAI	11:20
8-Jun-20	AI 0128	MUMBAI	AHMEDABAD	14:10
8-Jun-20	AI 0906	DUBAI	CHENNAI	20:35
9-Jun-20	AI 1966	ISTANBUL	DELHI	0:00
9-Jun-20	AI 0144	NEWARK	MUMBAI	0:15
9-Jun-20	AI 0144	MUMBAI	AHMEDABAD	3:15
9-Jun-20	AI 1170	AMSTERDAM	DELHI	4:15
9-Jun-20	AI 0102	NEW YORK	DELHI	10:30
9-Jun-20	AI 0102	DELHI	KOLKATA	14:40
9-Jun-20	AI 0104	WASHINGTON	DELHI	23:00
11-Jun-20	AI 1182	BRUSSELS	DELHI	4:45
12-Jun-20	AI 0126	CHICAGO	DELHI	0:30
12-Jun-20	AI 1170	AMSTERDAM	DELHI	4:15
12-Jun-20	AI 0126	DELHI	HYDERABAD	4:30
12-Jun-20	AI 0112	LONDON	DELHI	10:40
12-Jun-20	AI 0112	DELHI	AMRITSAR	13:25
13-Jun-20	AI 0174	SAN FRANCISCO	DELHI	3:30
13-Jun-20	AI 1184	HELSINKI	DELHI	3:45
13-Jun-20	AI 0174	DELHI	BANGALURU	8:30
13-Jun-20	AI 0102	NEW YORK	DELHI	10:30
13-Jun-20	AI 0102	DELHI	CHENNAI	15:30
17-Jun-20	AI 0174	SAN FRANCISCO	DELHI	3:30
17-Jun-20	AI 0174	DELHI	HYDERABAD	7:45

For Air India Express evacuation flights, please visit <https://www.airindiaexpress.in>

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
I.A NO. \_\_\_\_\_ OF 2020

107

IN

SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2020

(UNDER ARTICLE 136 OF CONSTITUTION OF INDIA)

(Arising from the order dated 22.05.2020 passed by the Hon'ble High Court of Judicature Bombay Writ Petition (L) No. 3/2020)

**IN THE MATTER OF:-**

AIR INDIA & ANR. ... PETITIONER

VERSUS

DEVEN Y. KANANI & ORS. ... RESPONDENTS

APPLICATION FOR EXEMPTION FROM FILING CERTIFIED COPY OF  
THE IMPUGNED JUDGMENT DATED 22.05.2020

TO,

THE HON'BLE THE CHIEF JUSTICE  
OF INDIA AND HIS COMPANION JUDGES OF  
THE SUPREME COURT OF INDIA.

THE HUMBLE PETITION OF THE PETITIONER ABOVE NAMED.

**MOST RESPECTFULLY SHOWETH:**

1. (1) The Petitioner is constrained to file the present urgent Special Leave Petitioner challenging the interim Order of the Hon'ble High Court of Judicature at Bombay [hereinafter referred to as the "Hon'ble High Court"] dated 22nd May, 2020 in Writ Petition (L) No. 3 of 2020 [hereinafter referred to as the "Impugned Order"]. The Hon'ble High Court, by way of the Impugned Order, has passed an interim order mandating the keeping of one seat empty between two seats in all rescue/relief flights across the world have been started by the

Petitioner after due consultation and after issuing adequate safety measure. It is submitted that the aforesaid requirement of keeping of one seat empty between two seats in all rescue/relief flights [non-scheduled flights] across the world is a huge cascading effect as the entire schedule is affected leaving thousands of passengers who were to board the flights in a state of confusion. It is submitted that the impugned order also reasonably requires the Petitioner [along with the relevant authorities] to drop 1/3rd of the already selected persons stranded across the world to be dropped. It is submitted that there are numerous flights everyday carrying thousands of passengers and the dropping of such passengers would create massive logistical, international and visa related issues.

**2.** The petitioner reiterates all of the contentions taken in Special Leave Petition and List of Dates for the purposes of this application also and the contents of the same are not being reiterated herein for the sake of brevity and to avoid prolixity.

**3.** That since the impugned order has been passed day before yesterday on 22.05.2020, it was not possible to get a certified copy of the judgment due to paucity of time. The Petitioner has however requested his advocate to apply for the certified copy of the impugned order. The petitioner undertakes to file the certified copy of the order as and when it is directed by this Hon'ble court or when the same is available.

109

4. In view of the urgency the petitioner may please be exempted from filing certified copy of the Impugned order.

**P R A Y E R**

In the facts and circumstances set out herein above it is most respectfully prayed that this hon'ble court may be pleased to:

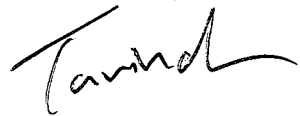
3. Pass an order to exempt the petitioner from filing certified copy of the impugned order dated 22<sup>nd</sup> May, 2020 in Writ Petition (C)(L) No. 3 of 2020; and/or
4. Pass any other order and/or directions as this Hon'ble Court may deem fit and proper.

AND FOR ACT OF KINDNESS AND JUSTICE THE  
PETITIONER SHALL EVER PRAY AS IN DUTY BOUND.

Filed on: 24-05-20

Place: New Delhi

Filed by



**M.V. KINI & ASSOCIATES  
ADVOCATE FOR THE PETITIONERS**

IN THE SUPREME COURT OF INDIA

110

CIVIL/CRIMINAL/APPELLATE/ORIGINAL JURISDICTION

S.L.P./T.P./W.P./SUIT/APPEAL (Civil/Crl.) No. .... of 2018

IN THE MATTER OF:

Air India Ltd & Ors ..... Petitioner (s)  
Appellant (s)

Versus

Devan Y Kanani & ors ..... Respondent (s)

VAKALATNAMA

I/We Abhad Narasinh Kulkarni ..... Petitioner(s)/Respondent (s)/Appellant(s) in the above Suit/Petition/Appeal do hereby appoint and retain **M/s. M.V.Kini & Associates, Advocates**, of the Supreme Court to act and appear for me/us in the above Suit/Petition/Appeal and on my/our behalf to conduct and prosecute (or defend) or with draw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed there, in including proceedings in taxation and Application for Review, to file and obtain of return documents and to deposit and receive money on my/our behalf in the said Suit/Appeal/Petition/and Application for Review, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.

Date this the ..... day of .....2018

ACCEPTED

*Tarind*

M/s. M.V.Kini & Associates  
Advocate, Supreme Court

*Abhad Narasinh Kulkarni*  
General Manager (Legal)  
Air India Limited  
New Delhi-110 001 / New Delhi-110 991

Petitioner(s)/Appellant(s)/Respondent(s) No 1 & 2

Dated: \_\_\_\_\_ 2018

MEMO OF APPEARANCE

To,  
The Registrar,  
Supreme Court of India  
New Delhi.

Sir,

Please enter my appearance on behalf of Petitioner(s)/Appellant(s)/ Respondent (s) in the above matter.

Yours faithfully

*Tarind*

M/s. M.V.Kini & Associates  
Petitioner(s)/Appellant(s)/Respondent(s)