***Abstract for international conference on current developments in air and space law***

*(sub-theme:* airline liability & insurance- the differences in carrier liability for passengers and cargo.)

***AIR CARRIER LIABILITY AND INSURANCE FOR***

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*“My airplane is quiet, and for a moment still an alien, still a stranger to the ground, I am home."*

With people realising the convenience offered by air travel, there is also need for insurance policy in aviation. The availability of this air flight insurance will provide protection against any contingency which is likely to take place during the course of travel. Aviation insurance is different from other type of insurance in their usage of terminology, limits, clauses and requirements. There is no direct obligation in air law to arrange for adequate insurance. This concept of Carrier liability came in 20thcentury in form of various conventions such as Warsaw convention in 1929 and Montreal convention in 1999, signed by different countries.

Aviation insurance may conveniently be divided into three sub sets. They are:

* the hull of the aircraft;
* the liability of the carrier for passengers, cargo and crew; and
* liability for damage caused to third parties.

In India, government has ratified Montreal Convention 1999, in March 2009. Currently it applies to international travels. The Warsaw System, which is in force in India by way of Carriage by Air Act, 1972 had specified four areas where a passenger can file his claim- place of issue of ticket, principle place of business of the carrier, the place of destination of the passenger and the place of domicile of the carrier. In aviation, liability will amount to when the Insurer will pay on behalf of the  Insured all sums which the Insured shall become legally obligated to pay as damages  arising from Bodily Injury and/or Damages to Baggage and/or Damages to Cargo caused by an occurrence and arising from the Insured's operations.

This paper tries to analyse whether the present law is competent to deal with the problem of carrier liability that will occur unless proper protection is provided to passengers. Paper will also further deal with measures for immediately harmonizes international policies into domestic laws.