Court: airlines can ground overweight air hostesses
"There is no scope for any debate on overweight people"

Staff Reporter

NEW DELHI: The Delhi High
Court on Wednesday upheld
a judgment by one of its Sin-
gle Benches putting the seal
of approval on a decision by
the Indian Airlines (now In-
dian) to ground overweight
airhostesses and cabin cre.w
members from flight duty.
The judgment by a division
bench comprising Justice
A.K. Sikri and Justice J.R.
Midha came on a review pet-
ition against a Single Bench
judgment by the affected air
hostesses and cabin crew
members.
The Division Bench also al-
lowed Indian Airlines to re-
cover excess money payable
to employees on flight duty
even after their grounding on
a direction by the Court.
The Single Bench had justi-
fied the Airlines' decision to
ground them on account of
the requirement of the public
sector company to stay in
business.
The petitioners had also
challenged a circular issued
by the Airlines in 2006 with-
drawing the permissible over-
weight limit of 3 kg over and
above the upper weight limit

for them. The Court dismis-
sed this plea as well.
Counsel for the petitioners
had argued that the airhos-
tesses and the cabin crew
members had cleared the
medical fitness tests to be on
flight duty. When their clients
were declared medically fit to
do flight duty, they could not
be grounded on account of
their being overweight. The
decision was arbitrary, they
argued.
Counsel for the airlines
submitted that the petition-
ers were withdrawn from
flight duty whey they failed to
meet the minimum physical
fitness standards.

Specified in contract

It was clearly mentioned in
their contracts that their jobs
could be terminated if they
put on weight beyond the per-
missible limit. The counsel
submitted that they had been
grounded with the direction

that they would not be put on
flight duty even if they lost the
weight they had gained.
Justifying the decision of
the public sector airlines to
put the overweight em-
ployees on ground duty to
maintain its competitive edge
vis-a-vis the private airlines,
the Bench said: "Entry of pri-
vate airlines in the business
has resulted in severe compe-
tition, and the Indian Airlines
has to meet this challenge by
ensuring that its airhostesses
and cabin crew members re-
mained physically fit."
On maintaining the phys-
ical fitness, the Bench said:
"There has been much debate
about skinny bodies vis-a-vis
healthy bodies, but there is no
scope for any debate on over-
weight people. It is universal-
ly accepted that overweight
people have tendency to suf-
fer from diseases."
Excess money paid can be
recovered from them.

.

The petitioners challenged a circular issued
by the airlines in 2006
.

"Indian Airlines has to meet the challenge
of private airlines"

<title>Court: airlines can ground overweight air hostesses</title>
<keywords>LR1 Labour and Law NGR1</keywords>
<publication>The Hindu</publication>
<pubDate>05/06/2008</pubDate>
<description>The Delhi High Court approval on a decision by the Indian Airlines (now In dian) to ground overweight airhostesses
and cabin cre.w members from flight duty a division bench had
justified the Airlines' decision to ground them on account of
the requirement of the public sector company to stay in business.
The Bench said: "Entry of private airlines in the business has resulted
in severe competition, and the Indian Airlines has to meet this challenge by ensuring that its airhostesses and cabin crew members re-
mained physically fit."</description>
<classif>A21b</classif>
<entrydt>21/06/2008</entrydt>
<sd>PG</sd>