



GOVERNMENT OF INDIA
MINISTRY OF LABOUR

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1

1st Floor, Shram Raksha Bhavan, Shivrusthi Road, Opp. Priyadarshini,
Off Eastern Express Highway, Sion, Mumbai-400 022.

No.A.Appln.CGIT-05/23/1026 /26

Date: 2/02/2026

To,

1. The Under Secretary,
Government of India,
Ministry of Labour & Employment,
Shram Shakti Bhavan, Rafi Marg,
New Delhi - 110001

2. British Airways PLC
Regus Business Centre
Level 1, Block A
Shiv Sagar Estate
Dr. Annie Besant Road Worli
Mumbai – 400018

3. Ms. Swetha K. Rangarajan & Anr.
A4-4, Ruby Elite,
Velachery Main Road Santhosapuram,
Selaiyur, Chennai – 600073.

4. British Airways India Cabin Crew Union (BAICCU)
Khareghat Colony, Building no. 8,
3rd Floor, Hughes Road,
Mumbai – 400007.

APPROVAL APPLICATION NO.CGIT- 05 OF 2023
(Arising out of Ref.No.CGIT- 13 of 2018 and LCB-2 of 2022)


Parties: - British Airways PLC : Applicant
V/s.
1. Ms. Swetha K. Rangarajan & Anr.
2. British Airways Indian Cabin Crew Union (BAICCU) : Opp. Party

Sir,

I am directed to forward herewith two copies/a copy of the judgment in the above noted approval application under Section 33-2(b) of the I.D. Act, 1947.

Kindly acknowledge receipt.

Yours faithfully,


Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. I
Mumbai

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AND LABOUR COURT NO. 1, MUMBAI

Present

Justice Arvind Kumar Mishra

Presiding Officer

Approval Application No. CGIT 5 of 2023
(Arising Out of Ref. CGIT No. 13 OF 2018 AND LCB-2 of 2022)

British Airways PLC

...Applicant

Versus

1. Ms. Swetha K. Rangarajan & Anr.
2. British Airways Indian Cabin Crew Union

...Opposite Parties

APPEARANCE:-

For the Applicant : Mr. Santosh Shetty (Adv.)

For the Opp. Party No.1 : Absent

For the Opp. Party No.2 : Absent

Mumbai, dated 23rd February 2026.

JUDGEMENT

1. This is an application under Section 33(2)(b) of the Industrial Disputes Act, 1947, filed by the Applicant/Management seeking approval of its action of dismissal of Opposite Party No.1 during the pendency of industrial proceedings between the Management and Opposite Party No. 2 Union.
2. Brief facts, as borne out from the pleadings and documents, disclose that Opposite Party No.1 was employed as Global Cabin Crew. The incident happened on 31/07/2023 when the Opposite Party No. 1 was travelling on-board flight no. BA 036 from Chennai to London. She was not part of the main crew, however she was traveling to attend her training. On this flight she took several alcoholic drinks from the on-board bar without permission and she became incapacitated due to the effects of alcohol and she vomited on the said flight. Other allegations have been levelled against her. All the allegations culminated in a domestic inquiry which, according to the Applicant, was conducted strictly in accordance with principles of natural justice.



3. The record reveals that an investigation was conducted with the employee and then Inquiry Officer was appointed by the Applicant. The Opposite Party No. 1 was given a choice to be accompanied by a colleague, but the option was not exercised by her. The entire enquiry process was transparent and conducted in accordance with principles of natural justice with full participation of the Opposite Party No. 1 during recording of evidence.
4. It is further evident that the Inquiry Officer, after appreciating the evidence on record, came to the conclusion that the appropriate course of action in these circumstances would be termination of the Opposite Party No. 1. In this case, the Opposite Party No. 1 behaved in an unruly, disorderly, and intoxicated behaviour on board the aircraft inconveniencing the passengers, and other misconducts. Consequent thereto, the Management has dismissed the employee contemporaneously with the filing of the present application and has paid one month's wages as mandated under Section 33(2)(b) of the Act.
5. The law is well settled that while considering an application under Section 33(2)(b), the Tribunal does not sit in appeal over the findings of the domestic inquiry. The scope is confined to examining:
 - a) Whether a proper and fair domestic inquiry was held;
 - b) Whether a prima facie case of misconduct is made out;
 - c) Whether one month's wages have been paid simultaneously; and
 - d) Whether the action is bona fide and not an act of victimisation or unfair labour practice.

6. *The Hon'ble Supreme Court of India in Lalla Ram v. DCM Chemical Works Ltd., (1978) 3 SCC 1, has authoritatively held that:*

"The Tribunal has only to see whether a prima facie case is made out and whether the employer has complied with the conditions prescribed under Section 33(2)(b)."

7. *In John D'Souza v. Karnataka State Road Transport Corporation, (2019) 18 SCC 47, the Apex Court reiterated that approval proceedings are summary in nature and detailed examination of evidence is impermissible at this stage.*

Findings:

8. On careful perusal of the pleadings, inquiry papers, and annexures, this Tribunal finds that:
 - i. A fair and proper inquiry was conducted following due procedure;
 - ii. The employee was given adequate opportunity to defend herself;
 - iii. The findings of misconduct are supported by admitted facts and documentary material;
 - iv. There is no material on record to suggest victimisation, mala fides,



- or unfair labour practice;
- v. One month's wages along with dues up to the date of dismissal have been paid contemporaneously.
9. The Hon'ble Bombay High Court in *Air India Ltd. v. V.A. Rebello, 2010 (6) Bom CR 517*, has held that loss of trust and confidence, especially in safety-sensitive roles, constitutes valid ground for dismissal when misconduct involving dishonesty is proved.
10. Cabin Crew members occupy positions of trust, discipline, and integrity. Such untoward behaviour and conduct strike at the very root of the employer-employee relationship. The punishment of dismissal, in the present facts, cannot be said to be shockingly disproportionate.
11. The Applicant has placed on record a No Objection Certificate dated 08/05/2024 received from the Opposite Party No. 1 which has been duly signed by her stating that she will not contest her dismissal/termination and further that she has no objection to the Approval Application under the Industrial Disputes Act, 1947 being allowed. She has further stated that no pressure or force is being exercised upon her in anyway.

Conclusion

12. In view of the above discussion and applying the settled principles of law laid down by the Hon'ble Supreme Court and the Hon'ble High Court, this Tribunal is satisfied that the Applicant has complied with all statutory requirements under Section 33(2)(b) of the Industrial Disputes Act, 1947.

ORDER

The Approval Application is allowed. The action of the Applicant/Management in dismissing Opposite Party No.1 from service is hereby approved under Section 33(2)(b) of the Industrial Disputes Act, 1947.

No order as to costs.



सही प्रतिलिपि
TRUE COPY

Secretary to the Court
Central Government Industrial
Tribunal-cum-Labour Court No. 1
Mumbai

(JUSTICE ARVIND KUMAR MISHRA)
PRESIDING OFFICER

23/4/26