

Sleeping Duty: A Case of Pilot Fatigue and Industry Challenges

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Background

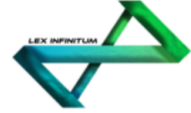
The Indian aviation industry is globally recognized for its unique challenges, operating on slim profit margins of approximately 11%. Despite maintaining a commendable safety record, the sector has faced occasional safety-related incidents over the years. Currently, only three airlines are operational in India, and the industry heavily strains its workforce, especially pilots.

Aspiring pilots must invest significantly—nearly ₹1 crore—to obtain a Commercial Pilot's License with a type rating. Pilots also need to invest to move to Category 2 and Category 3, which would significantly improve their employability. Airlines often employ non-type-rated trainee First Officers, offering them subsidised flight hours in exchange for reduced salaries. Pilot remuneration varies significantly, ranging from ₹10–12 lakh per annum for trainees to ₹80 lakh per annum for senior captains and line trainers. Salaries account for approximately 30–35% of an airline's operational expenditure, alongside fuel (30–35%), aircraft maintenance and leasing (20–25%), and airport charges (7–15%).

The Issue

Pilot fatigue, driven by disrupted circadian rhythms, irregular schedules, long duty periods, night flights, and frequent time zone changes, poses a significant safety risk. Recognizing this, the International Civil Aviation Organization (ICAO) urged member states in 2019 to update Flight Duty Time Limitations (FDTL) for enhanced safety. In response, the Directorate General of Civil Aviation (DGCA) issued a draft circular proposing revisions to rest and duty regulations for aircrew. However, the draft faced resistance from pilots and was





left in abeyance, further delayed by the COVID-19 pandemic and its economic repercussions on the aviation industry.

In 2024, following government pressure, the DGCA finalized and notified the new regulations on 1st June 2024. Key provisions included:

- Increasing the weekly rest period for aircrew from 36 to 48 hours.
- Extending the defined night period to 6 hours (00:00–06:00).
- Maximum flight time increase by only one extra hour in case of unforeseen circumstances.

Industry Response

Airlines warned that these changes would necessitate employing and training 25% more pilots, reduce operational flights by 20%, and further lower pilot salaries. Efforts by the National Pilots Association (NPA) to negotiate with airlines yielded little progress. On 21st June 2024, the NPA filed a writ petition in the Supreme Court challenging the new regulations. The airline industry filed an intervening application to join the litigation, citing operational and financial concerns.

Reluctant to engage in judicial legislation, the Supreme Court referred the matter to mediation, designating **Lex Infinitum** as the mediating institution. The Court identified the following parties:

- **Requesting Parties:** The National Pilots Association and the Consortium of Airline Industry.
- **Responding Party:** The Directorate General of Civil Aviation.

The mediation is scheduled for **17th January 2025**, with all stakeholders expected to resolve the dispute collaboratively.

