

SENATE OF PAKISTAN
HOUSE OF THE FEDERATION

REPORT NO. 52 / 2017



**REPORT OF THE COMMITTEE ON BREACH OF PRIVILEGE OF
THE HOUSE, DUE TO PROVISION OF INCORRECT INFORMATION
IN REPLY TO STARRED QUESTION NO. 8, ASKED BY SENATOR
FARHATULLAH BABAR ON 22ND AUGUST, 2017, REGARDING
MALPRACTICES AND IRREGULARITIES IN AERO MEDICAL
DEPARTMENT OF CIVIL AVIATION AUTHORITY.**

PRESTENDED BY

SENATOR DR. JEHAZEB JAMALDINI
CHAIRMAN

SENATE OF PAKISTAN
HOUSE OF THE FEDERATION

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON BREACH OF PRIVILEGE OF THE HOUSE DUE TO PROVISION OF INCORRECT INFORMATION IN REPLY TO STARRED QUESTION NO. 8, REPLIED ON 22ND AUGUST, 2017.

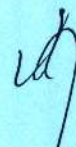
(Report No. 52/2017)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Breach of privilege of the House, due to provision of incorrect information in reply to starred question No. 8, asked by Senator Farhatullah Babar on 22nd August, 2017, regarding malpractices and irregularities in Aero Medical Department of Civil Aviation Authority.

2. The composition of the Committee is as under:-

1.	Senator Dr. Jehanzeb Jamaldini	Chairman
2.	Senator Zahida Khan	Member
3.	Senator Hilal-ur-Rehman	Member
4.	Senator Atta Ur Rehman	Member
5.	Senator Nighat Mirza	Member
6.	Senator Syed Muzafar Hussain Shah	Member
7.	Senator Saleem Zia	Member
8.	Senator Osman Saifullah Khan	Member
9.	Senator Sardar Muhammad Yaqoob Khan Nasar	Member
10.	Senator Murtaza Wahab	Member
11.	Senator Dr. Syed Asif Saeed Kirmani	Member
12.	Minister for Parliamentary Affairs	Ex-Officio Member

3. Senator Farhatullah Babar had asked a question in the 266th session regarding malpractices and irregularities in Aero Medical Department of Civil Aviation Authority, board of inquiry having been set up and implementation of the BoI report. As the question hour ended before his question could come up on August 22, 2017 for any supplementary questions it was treated as having been laid on the table. Having further questions and not satisfied with the written reply he moved a motion under Rule 60 to discuss the matter further. During discussion on the motion on September 20, 2017, he pointed out some contradictions between the recommendations of the inquiry board constituted to probe into the said cases and their implementation upon which the Chairman referred the matter to the Committee on Rules of Procedure and Privileges for consideration and report.



4. The Committee discussed the matter in its meetings held on 28th September and 20th October, 2017. All the concerned officers were called in the meetings and given ample opportunity to explain their position.


5. Senator Farhatullah Babar said that there was apparent contradiction between the recommendations of the Board of Inquiry in case of malpractices in the Aero Medical Department as provided to the Senate in reply to his question and the internal communication within the CAA on the subject inquiry.

6. Elucidating his point he said that the internal communication mentioned words like 'criminal negligence' and 'unethical practices as an eye opener' allegedly by an employee suggesting a far too serious nature of irregularities warranting a sterner action against the guilty. He said that the absence of such words in the BoI report and the relatively milder action taken by the CAA as provided to the Senate suggested a void and a discrepancy that needed to be clarified.

7. The BoI, he said, had also recommended reshuffling of medical staff in Aero Medical every two years but apparently it had not been done and asked why?

He said that it appeared that a candidate declared medically unfit by a medical board in one city just walked into another medical board in another city to be declared medically fit for flying. The absence of a formal procedure for appeals against decisions of a medical board before an independent body was fraught with grave consequences for civil aviation industry. Treating so casually the medical appeals process gave rise to allegations of favoritism and nepotism and undermined safety of passengers. He asked if proper procedure had been followed in the medical appeals in cases referred to in the BoI and if not, why not?

8. Replying the Director General, Civil Aviation Authority, explained in detail the background of negligence in the submission of medical bills of Rs 98,000 by a doctor of the CAA. The said doctor, he said, was undergoing a personal trauma of separation from wife at the time when the bills were sent to him by the father of his estranged wife. He said that it was an old case and had already been investigated on a complaint of some junior doctors at the time. Although the inquiry at the time had given the benefit of doubt to the accused he (the DG) had directed another inquiry into it. The new inquiry concluded that the bills indeed were bogus but cleared the doctor of any criminal negligence because of the



circumstances of the doctor. Still, the department went extra length and the said doctor was suspended and also censured, the DG CAA said.

9. About the rotation of medical staff the DG CAA said that the recommendation had largely been implemented and only one doctor was not transferred ~~as his~~ as his replacement was not immediately available. He further informed that neither there was any complaint against this doctor nor was he being inquired into by the BoI. However, in line with the recommendations of BoI he too had now been transferred out of the medical aviation department.

10. The Chairman Committee inquired about the general rules of the authority for rechecking fitness of a pilot after having been declared unfit. He said that the pilots were declared unfit by the board in Lahore and later on they were declared fit by the board in Karachi. He was of the view that when a pilot is declared unfit by the board of Aero Medical Department he should have been re-examined by a neutral board out of the setup of the Civil Aviation Authority. He was of the view that rechecking of pilots by the Medical Board within the same Department was not appropriate and there were doubts in the cases of rechecking of fitness of the said pilots.

11. Senator Sardar Muhammad Yaqoob Khan Nasar inquired that whether the concerned pilots made an appeal for rechecking of their fitness or otherwise. He was of the view that rechecking by the board within the same system located in another city was not appropriate. He enquired that as to whether there is a permanent medical board for this purpose or it is constituted afresh on case to case basis. He also enquired about the benefits being provided to the pilots when they are declared medically unfit.

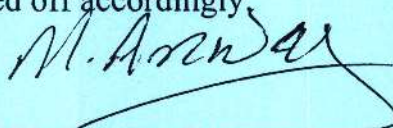
12. The Additional Director General, Civil Aviation Authority, while explaining the procedure for examination and re-examination of fitness of pilots, informed that through medical checkup of every pilot is carried out by the main medical board after every two years. If the age of pilot is more than sixty years, such checkup is carried out after one year. Apart from the checkup by the main board, checkup of pilots of the age of more than sixty year is also carried out at local level after every six months and of other pilots after every one year. He also informed that when a pilot is declared medically unfit by a doctor, he can make an appeal for rechecking within 45 days. In such case his checkup is carried out by a

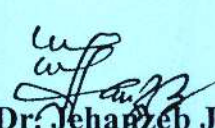
medical board consisting of one doctor from Civil Aviation Authority and two others. If he is declared unfit again by that board, he can make an appeal to the Aviation Division within 14 days on which a special medical board is formed for his checkup. He said that a due care is taken in the case of medical fitness of the pilots and at the same time it is ensured that injustice is not done with any one. He informed further that the airlines have their own doctors who carry out medical checkup of their pilots, whenever require, as per their policy. He informed further that they have permanent medical board wherein changes may be made on need basis. Regarding reshuffling of staff, he informed that reshuffling was being done as recommended by the inquiry board in true spirit.

13. The Secretary, Aviation Division, informed that the Civil Aviation Authority has nothing to do with the salary, allowances and other fringe benefits of the pilots. It relates to the concerned airlines.

14. Senator Farhatullah Babar showed satisfaction over the position explained by the concerned quarters. He noted the position taken by CAA that the BOI recommendation pertaining to two- year rotation applied only to the medical staff and not the doctors. If that indeed is the case he said then it should be clearly stated that any doctor transferred out of Aero Medical is the result of internal administrative requirement and not a punitive action as a result of BoI. No disciplinary^o action should be taken against anyone against whom there was no complaint and who were not the subject of BoI.

15. The committee was satisfied over the position explained by the Civil Aviation Authority and the matter was disposed off. The committee recommended that the House may also accept the clarification given by the concerned quarters and the matter may be disposed off accordingly.


(Muhammad Anwar)
A.S./Secretary committee


(Senator Dr. Jehanzeb Jamaldini)
Senator