

**SENATE OF PAKISTAN**  
**House of the Federation**



**SPECIAL REPORT OF THE SENATE STANDING COMMITTEE ON**  
**AVIATION**

To examine and recommend resolution of issues regarding Pilots Licenses.

**PRESENTED BY**

**Senator Hidayat Ullah**  
**Chairman**  
**Senate Standing Committee on Aviation**

**SENATE SECRETARIAT**

**REPORT OF THE SENATE STANDING COMMITTEE ON AVIATION  
UNDER RULE-195 OF THE RULES OF PROCEDURE AND CONDUCT OF  
BUSINESS IN THE SENATE 2012.**

I, Senator Hidayat Ullah, Chairman Standing Committee on Aviation, have the honor to submit, on behalf of Committee, the report of the Committee on its discussions made in its meeting of 6th July, 2023 respectively.

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

1	<b>Senator Hidayat Ullah</b>	<b>Chairman</b>
2	Senator Syed Muzafar Hussain Shah	Member
3	Senator Syed Muhammad Sabir Shah	Member
4	Senator Faisal Saleem Rahman	Member
5	Senator Mian Raza Rabbani	Member
6	Senator Sherry Rehman	Member
7	Senator Aon Abbas	Member
8	Senator Mohsin Aziz	Member
9	Senator Saleem Mandviwala	Member
10	Senator Afnan Ullah Khan	Member
11	Senator Dilawar Khan	Member
12	Senator Umer Farooq	Member
13	Minister for Aviation Division	Ex-Officio Member

3. In pursuance of Rule 183 (1) of the Rules of Procedures and conduct of Business in the Senate 2012, the Standing Committee on Aviation, in its meeting held on 30th March, 2023, constituted a Sub-Committee consisting of the following Members:-

- |      |                              |          |
|------|------------------------------|----------|
| i.   | Senator Saleem Mandviwalla   | Convener |
| ii.  | Senator Muhammad Sabir Shah  | Member   |
| iii. | Senator Faisal Saleem Rehman | Member   |

4. Following were the Terms of Reference (TORs) of the Sub-Committee:-

“To examine and recommend resolution of issues regarding Pilots licenses.”

5. The Sub-Committee convened total four meetings on 24th May, 2023; 25th May, 2023; 1st June, 2023; and 9th June, 2023 respectively. The members, Sr. JS Aviation, DG Civil Aviation, Director FIA, and the representatives of the relevant departments attended the meetings.

**1<sup>st</sup> Meeting (24<sup>th</sup> May, 2023):**

6. The first meeting of the Senate Sub-Committee on Aviation was held under the Convenorship of Senator Saleem Mandviwalla on 24th May, 2023 at 11:00 a.m. in Committee Room No. 1, Parliament House, Islamabad.

7. The meeting commenced with recitation of the Holy Quran, Senator Saleem Mandviwalla welcomed the Members, officials from the Ministry, Stakeholders and media persons.

8. At the outset, Senator Saleem Mandviwalla apprised the Committee regarding the statement of former Minister for Aviation and issue arises after that. He was of the view that the former Aviation Minister was wrongly advised to give that statement having no authentication of evidence, ultimately resulted in the suspension and cancellation of licenses of various Pilots along with embarrassment at International Level.

9. DG Civil Aviation Authority, briefed the Committee that the issue of Pilots is of two fold, one fold pertains to fake degrees of PIA pilots which was raised by Supreme Court of Pakistan while the other relates to the concern raised by CAA itself regarding some fraudulent activities found in the Licensing Issuance System. To identify the said issue, an in house inquiry was conducted by CAA to scrutinize the examination data and processes for issuance of Pilot Licenses in 2018. The then Secretary Aviation wrote to the Establishment Division for nominating a Senior Grade 22 Officer to conduct Inquiry and forensic audit. Establishment Division constituted a Board of Inquiry headed by Secretary Maritimes Affairs Division, Mr. Rizwan. Initial findings of the Board reported 262 Pilots having minor and major anomalies. DG, CAA was of the opinion that the issue had to be investigated and dealt at the department level, however, the then Minister for Aviation made a statement on the floor of the Parliament and, ultimately, Pakistan Civil Aviation Authority had to face the backlash, whereby, ICAO raised 9 significant concerns and Federal Aviation Administration (FAA) downgraded the PCAA from category one to category two and the Third Country Operator (TCO) was revoked for the European Union.

10. CEO, PIA apprised the Committee that after the crash of Airbus A320 on 22<sup>nd</sup> May, 2020 in Karachi the ban was imposed on Pakistan. The Committee inquired about the report of the crash of A320, to which, CEO, PIA responded that the report has been completed and will be finalized in couple of weeks. Senator Saleem Mandviwalla further inquired that IASA has banned Pakistan to go to Europe, US has also banned PIA, but why Canada is allowing Pakistan even after that. CEO PIA explained that Canada conducted an audit of Pakistan right after the crash which was qualified by CAA and they were satisfied. Even in the online audit of EASA, they were satisfied with Pakistan, and now only the physical audit is left. The Committee showed displeasure that despite lapse of more than 3 years, Aviation Division & CAA are unable to find any fruitful solution.

11. DG, CAA further apprised the Committee that there is not a single Pilot license which is fake, rather the issue relates to fraudulent means used during the ATPL exams by the Pilots. Senator Sabir Shah further pointed out that why Pakistan didn't appoint foreign pilots to satisfy the safety concerns of International Regulators? DG, CAA replied that the main commitment to clear the international audit from ICAO was to separate the Regulatory and Service Provider, and the Bill is yet to be passed by the Parliament. Senator Saleem Mandviwalla stated that the Committee members will take that up the matter with Minister for Law and Justice to get the bill passed from the Parliament.

12. DG, CAA apprised the Committee that initially 262 pilots were pointed out having some issues with their licenses, out of them, 180 pilots were cleared and 82 pilots remained. CAA took the administrative action and suspended the licenses of those who haven't availed the benefits of questionable licenses. After the order of the Supreme Court of Pakistan, the matter went to the Cabinet, and the licenses of 50 pilots were cancelled, and 32 licenses were suspended. Some pilots went to the Court and got Stay Order. He further added that Supreme Court ordered CAA to take criminal action against the persons involved in the fraudulent activities for license exams. Resultantly, CAA wrote a letter to FIA, whereby, the FIA registered 5 FIRs against 68 pilots out of 83. Moreover, some of the Pilots who were originally included in the list of 83 by CAA were cleared by FIA and new pilots were added after the investigation. Subsequently, FIA submitted Challan in the Court.

13. Senator Saleem Mandviwalla while stating the objective of the Committee highlighted that this issue has also happened in the other countries and they dealt the matter by taking administrative action only, whereby re-conducting the questionable exam was made. He also inquired about the issues of 12 Pilots of PIA whose Licenses have been suspended and the 6 Pilots who were terminated by the PIA? Chief Human Resource Officer, PIA briefed that there are three categories of the PIA Pilots: one was CPL holders and their exams were questionable, the second, who gave ATPL exams but never flown on that, and, third, those who got their ATPL issued and flown on that as well. He further briefed that since the Pilots were not being utilized for long time, therefore, PIA terminated their services with immediate effect. However, two Pilots i.e. Capt. Yahya Musawar Sandila and Captain Waseem Akhtar had obtained stay order from High Court of Sindh before issuance of termination letters, therefore, they were not

terminated. Moreover, due to non-availability of their license, they are not performing any flying duties.

14. Senator Saleem Mandviwalla proposed that since this issue relates to re-examination, therefore, if CEO, PIA, CAA and Ministry of Aviation agreed, the Pilots could be asked to re-appear in the questionable papers. DG, CAA answered that, pilots have FIRs registered against them, and, therefore, Security Clearance cannot be done while FIRs are in place even if they clear the questionable papers. He further added that there were 6 pilots whose licenses were suspended and their names weren't in the FIRs, their suspension period has also passed and, thus, they can be reinstated right away. The names of those six pilots are:

1. Mr. Mehtab Tahir.
2. Mr. Haroon Amer.
3. Mr. Zain Sohail.
4. Mr. Noman Lodhi.
5. Mr. Zaid Ali Tariq.
6. Mr. Noman Kirmani

15. Adding to the discussion, CEO, PIA apprised the Committee that the services of Mr. Mehtab Tahir was terminated due to the suspicious license, he was flying as First Officer. The Convener asked CEO PIA to reinstate that pilot if CAA has cleared him. The CEO, commented that he would have to take legal opinion on this as the Pilot has gone into the Court against PIA. Mr. Mehtab Tahir was also present in the meeting and affirmed the Committee that he would withdraw his case from Court given that PIA reinstates him. Committee directed PIA to take the necessary opinion from legal department and reinstate that pilot without any prejudice.

16. The Committee inquired from PIA the status of 12 pilots of PIA whose licenses were suspended and have FIRs against them. Representative of PIA stated that the main issue with these Pilots were the registration of FIRs. The representatives of FIA stated that final Challan is yet to be presented in the Court and FIA is waiting for the decision of this honorable forum to proceed further. The Convener Committee directed FIA to submit final challan along with the report of this Committee and let the Court make decision on the issue. Senator Sabir Shah inquired if there is any way for out of Court settlement; on which the FIA apprised the Committee that as there were some established facts, money trail and confessions, so FIA cannot withdraw the case from the Court.

17. DG, CAA apprised the Committee that 50 licenses were marked for cancellation, out of which, 3 have been issued with cancellation orders, while other 7 went to the Court and took stay on the cancellation. He further apprised the Committee that these 50 cases were forwarded to FIA as well for inquiry but FIA only registered FIRs against 34 pilots, while, 16 were cleared on unknown grounds. He stated that those 16 Pilots who got clearance from FIA can reapply to CAA for giving the exams again and after clearing the exams, they can get their licenses. The Committee inquired why the separate treatment was given to different Pilots while the charges were same? DG, CAA answered that separate treatment was given by the then DG,

CAA to those Pilots who haven't enjoyed the benefits of questionable license, that's why their license was suspended only. Whilst, those who enjoyed the benefits of compromised license, their license were cancelled. Now, those pilots whose names are not in the FIRs, have to reappear in the exams again and start from ground zero to acquire the license. However, the Committee did not satisfy with the given explanation and decision.

18. The Committee questioned the decision regarding cancellation of all the licenses acquired by the Pilots. They were of the view that CAA should downgrade the Pilot on the questionable license. Representatives of CAA stated that the decision was taken according to the Civil Aviation Rules and the legal team would further brief the Committee in the upcoming meeting.

16. Sr. Joint Secretary, Ministry of Aviation who headed the Board of Review on the issue of Pilots stated that Ministry is in disagreement with CAA on the issue of cancellation of all Licenses. The Board of Review was of the opinion that those pilots whose ATPL was questionable, should be allowed to fly on CPL rather than cancellation of all licenses.

19. Next, Senator Saleem Mandviwalla inquired from PIA on the status of those pilots whose license was cancelled. There were 5 pilots in that list and their names are as follows:

a) Talha Ahmed Khan had anomalies in his ATPL examinations and his ATPL was cancelled. He had approached the Board of Review and BOR decided to restore his CPL. But he has FIR registered against him.

b) Waseem Akhtar had anomalies in his ATPL examinations and his ATPL was to be cancelled but he went to court and the matter is still pending there. He has been grounded and is not terminated from PIA. He had also approached the Board of Review and the Board decided to keep his CPL intact.

c) Umar Salim had anomalies in his ATPL examinations and his ATPL was to be cancelled but he went to court and the matter is still pending there. He has not approached the Board of Review.

d) Sher Afghan Jomezai had anomalies in his ATPL examinations and his ATPL was to be cancelled but he went to court and the matter is still pending there. He took the VSS from PIA and went to Canada.

e) Ali Hassan Yazdani had anomalies in his ATPL examinations and his license got cancelled.

f) Syed Saleem Ali was working in PIA as co-pilot, his ATPL got cancelled and he has been nominated in one of the FIRs.

g) Muhammad Uzair Javed had anomalies in his ATPL examinations and his ATPL was cancelled by CAA on the directions of Cabinet. He also approached the Board of Review but never appeared in front of Board.

h) Yahya Mussawar Sandila had anomalies in his ATPL examinations and his ATPL was cancelled by CAA.

20. The Committee directed PIA to give an updated list of Pilots along with comments, legal status and having remarks of PIA. The Committee further directed the PIA, CAA, and Ministry of Aviation to amicably resolve the issue in consultation with FIA and to reinstate all

those Pilots whose suspension period has been passed and have not named in the FIRs without going into any legal technicalities as already considerable time has been passed. Moreover, they have not been flying since long and penalized already. Senator Sabir Shah inquired that as FIR hasn't been decided yet, why CAA has taken action and suspended or cancelled the licenses of the Pilots? DG CAA replied that CAA took the administrative action against the Pilots in question while the FIR was registered by FIA being the criminal part of the case. Senator Sabir Shah further inquired why the matter was taken directly to Cabinet and not to Departmental Appellate Forum? DG, CAA informed that Department does have Appellate Forum that is why Board of Review was constituted but due to the decision of Supreme Court, the matter was sent to the FIA, for taking criminal proceedings. The Committee was further apprised that the time for appeal to Review Board has already finished.

21. DG, CAA further added that out of total 83 pilots, only 19 appealed before the Review Board, however, the right of appeal was given to everyone. Mr. Obaid Ullah, representative of Pilots stated that the reason for not appealing to Review Board was Pilots had reservations on the Composition of the Review Board. The representatives of the Ministry of Aviation explained the Committee that the constitution of Review Board was made under the Rules and Regulations. Moreover, Review Board heard each case without any prejudice and also decided same in favor of cases Pilots.

22. The Committee also heard the individual cases of various pilots and decided to take the issue of all pilots collectively. It was noted during the meeting that even some student pilots were also included in the FIRs and they have completed their suspension period as well.

### **2<sup>nd</sup> Meeting (25<sup>th</sup> May, 2023):**

23. The second meeting of the Senate Sub-Committee on Aviation was held under the Convenorship of Senator Saleem Mandviwalla on 25<sup>th</sup> May, 2023 at 11:00 a.m. at Conference Hall, Ministry of Aviation, 8<sup>th</sup> floor, Kohsar Block, Pak Secretariat, Islamabad.

24. Legal team of CAA apprised the Committee that Rule 237A of Civil Aviation Rules (CAR) provides that if the higher license has cancelled for any reason, the pilot should be debarred to exercise the lower license as well. Moreover, no time limit regarding debarring of license has been mentioned in the Rules. The Committee directed the CAA and Ministry of Aviation to approach the Federal Government to resolve this issue. The Committee further directed that this treatment will only be given to those Pilots who are not named in the FIR and their license has been cancelled by the CAA.

25. Senator Saleem Mandviwalla was of the view that the administrative action against Pilot should only be prevalent against Pilot until he clears his examination as per international practice. The legal representatives of CAA while agreeing to the point of the honorable Senator stated that, at that time, due to the statement of the Former Aviation Minister on the floor of

the House, the Supreme Court ordered to investigate the matter further and take criminal action against those pilots who remained involved in the fraudulent activities during exams.

26. The Sub-Committee directed CAA and the Ministry of Aviation to sort out the issue of suspended license of those pilots whose names have not been mentioned in the FIRs and they have passed their suspension period already. The Committee was of the view that those pilots who went to the Court against their suspension of licenses should withdraw their appeals from the Court and CAA may give them minimal suspension time followed by reinstating their licenses.

27. The representatives of PIA stated that total affected Pilots were 27, out of them 2 have been retired, one is deceased, 4 of them took VSS and left PIA. It was also apprised to the Committee that all those Pilots who took VSS from PIA are also included in the FIRs, and there is no way to recollect the money from them if they have proven guilty before the Court. PIA representative further pointed out that Mr. Mehtab Tahir and Mr. Saqlain Akhtar are not included in the FIRs. Mr. Mehtab Tahir can join back provided he withdraws his case from the Court. The Committee directed PIA to write a letter to Mr. Mehtab Tahir stating him to rejoin PIA and withdraw his case from the Court.

28. The Committee was also briefed about Mr. Saqlain Akhtar. He went to the Court against the decision of CAA and Court granted him the interim order against any criminal proceedings. Sr. Joint Secretary briefed the Committee that both those pilots approached the Board of Review and Board restored the CPLs of both of the Pilots, however, retained the decision of CAA on ATPL. Review Board had also issued letters to them. The Committee directed PIA to take legal opinion on their cases and report back to Committee.

29. Ministry of Aviation provided the names of 13 pilots who doesn't have FIRs against themselves and their licenses were cancelled. These include:

Sr. No.	Name of Pilot	Licence type
1.	Mr. Saqlain Akhter	ATPL
2.	Mr. Waseem Akhtar	ATPL
3.	Mr. Aqib Moeed Khan	CPL
4.	Mr. Umar Saleem	ATPL
5.	Mr. Muhammad Zubair	CPL
6.	Sher Afghan Jomezai	ATPL
7.	Mr. Umer Farasat	CPL
8.	Muhammad Fahad Bin Zameer	CPL
9.	Raja Hashim	CPL
10.	Hamza Khan	CPL
11.	Ms. Anam Liaqat	CPL



12.	Agha Umar Farooq	CPL/ATPL
13.	Syed Khurram Ali	CPL

30. The Sub-Committee directed CAA and Ministry of Aviation that pilots who do not have any FIR against their names would reach back to Review Board for appeal. The Review Board would deal their cases on merit and resolve the issue favorably. The Pilots will write to DG CAA for sending their cases to Review Board. The Committee further directed to revive the Review Board again in order to hear the cases of the Pilots. The legal team of CAA proposed that if Sub-Committee gives direction to CAA to deal this matter under their rules and submit that response to the Court, they can proceed further in the matter.

31. The Committee further discussed the issues of reinstatement of PIA Pilots. Representatives of PIA pointed out that there was a peculiar case of Mr. Faisal Ghazanfar, he was allowed to reappear in the questionable exams, and he cleared those exams and got his license reissued. He kept on flying with Air Siyal in Pakistan for 250 to 300 hrs, but still his name is in the FIR. After that FIR, Civil Aviation wrote Air Siyal to not utilize his services. Now, Mr. Ghanzafar has license, but he cannot fly on that. DG CAA responded that he approached for re-examination even before the whole issue was highlighted. DG CAA also read out the order of the Supreme Court of Pakistan, the Para No. 9 of the order states that:

*"The Authority is directed to deal with the pilots whose licenses, educational testimonials or other documents are suspect, in accordance with law. The CAA shall also deals with its own employees and take stern action against all those found involved in violation of or deviation from the rules and procedure and bring them to book. The actions that the CAA will take shall not only be of departmental nature but criminal cases shall also be registered against persons who committed illegal or wrongful acts in CAA. A report regarding remedial steps and actions shall be filed with this Court before the next date of hearing."*

32. The Committee inquired about the status of a Pilot named Talha Ahmed Khan, who was told by Review Board that his CPL has been restored but CAA hasn't issued him the license as his name was included in the FIR. The legal representative of CAA stated that if Board of Review clears any pilot he can submit the decision of the Board in the Court which will result in getting his case strong because the Appellate Forum has already cleared him from those charges.

31. Officials from PIA apprised the Committee that Supreme Court of Pakistan has put restriction on PIA on induction of new pilots, resultantly, they are running short of Pilots. The Committee decided to take this matter up in the main Committee and will write to the Supreme Court to sort their matter out.

33. The legal representatives of CAA also read out the judgement of Supreme Court which is as follows:

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"This report has been filed by the Director General, Civil Aviation Authority (the Authority) in which comprehensive details have been given regarding the employees' misconducts and crimes while performing their duties in the Authority. The prosecution against such employees have already commenced and it is stated by the learned counsel that Challans have been filed in their respective Trial Courts. It is also stated that witnesses named in the Challans shall be produced and the Authority shall ensure that all these cases are decided by the respective Courts expeditiously. We may note that normally the criminal cases are not seriously prosecuted by the Government departments; therefore, mostly the delinquent employees get acquitted for the reason that no effective evidence is brought on record by the department concerned. Learned counsel for the Authority contends that they shall vigorously pursue all these matters and shall ensure production of best possible and quality evidence before the concerned Courts. The learned counsel further gives details of the action taken by the Authority on departmental side against the officials, including the pilots, who have obtained fake licenses, and informed about the details of the cases in which injunctive orders have been passed. In this regard, the DG of the Authority may approach the office of the Attorney General for Pakistan to ensure that the cases before the Courts, particularly where injunctive orders have been passed, shall be properly pursued and dealt with to bring them at a logical conclusion. Further report shall be submitted by the DG before the next date of hearing."

34. Minister of State for Law & Justice suggested that the only solution to resolve the issue is that the investigation must be completed, investigation agency file the report and solution be sought from Court.

### **3<sup>rd</sup> Meeting (1<sup>st</sup> June, 2023)**

35. The 3<sup>rd</sup> meeting of the Senate Sub-Committee on Aviation was held under the Convenorship of Senator Saleem Mandviwalla on 1st June, 2023 at 11:00 a.m. in Committee Room No. 1, Parliament House, Islamabad.

36. Senator Saleem Mandviwalla stated that confessions made by the Pilots were deceitfully extracted from the Pilots under duress and with fake promise of re-examination by the Investigating Officers of FIA. He further pointed out that two Pilots were arrested and maltreated in this case and among them, one was just a Student Pilot.

37. Additional Director, FIA briefed the Committee that, FIA has submitted the Interim Challan against five FIRs in the Court. The Court considered Interim Challan as Final Challan. However, FIA officials were of the view that, the final challan is yet to be submitted in the Court and trial should not be started before that. He further apprised the Committee that the honorable Court is looking for the outcome of this Committee's recommendations. Senator Saleem Mandviwalla inquired from FIA about the grounds on which the FIRs were registered and criteria for framing the criminal charges. He was told that the inquiry was conducted on the recommendations of CAA. FIA representative also informed the Committee about a fine of

Rs. 25000 mentioned in the CAA Rules along with re-examination of the individual in such cases as per the Rule 4 (2) (e) of Civil Aviation Rules, 1994. To that response, the Committee was surprised on the stance taken by FIA in the instant matter as it was clearly mentioned in the CAA rules as to how to deal with such kind of situation, but FIA framed criminal charges against the Pilots involved.

38. Mr. Rao Amir, Investigating Officer (FIA) briefed the Committee that money trail and confessions were found the basis of the FIR. There was a person named Mr. Jameel who facilitated the whole process by collecting the money from Pilots and he had connections in CAA. The Committee was apprised that the accused, Mr. Jameel, is currently non-traceable, and, thus declared as an absconder and FIA is not able to prove anything.

39. The Investigating Officer (IO), FIA further stated that in the coming hearing on 06-06-2023, the Court has summoned CAA to clarify their point of view, and apprise the honorable Court regarding the available solution in the rules of CAA.

40. Mr. Samir Agha, a Pilot, pointed out that his license was suspended for 9 months which has over now and he is willing to reappear in the exam. Another Pilot, Mr. Umar Farooq also stated that his license has neither been suspended, nor cancelled but, his name is still in the FIR. FIA pointed out that he has been declared as absconder because he didn't appear in the proceedings.

41. The Committee also read the complaint of CAA that was forwarded to FIA, and it was observed that there was no mentioning of taking criminal action against the pilots in the complaint. CAA referred the case to FIA for CAA employees only but FIA included the names of Pilots in the FIR. The Committee decided to hold a meeting after the hearing of the Court on 6<sup>th</sup> June, 2023 and directed CAA to put forward before the honorable Judge, the rules and ANOs of CAA which deals with such cases. The Committee further directed FIA to conduct the inquiry and treat the matter on merit under the rules and regulations, but not charge this as a criminal offence. The representative from FIA also agreed that initial complaint didn't involve the names of the pilots. The Committee unanimously decided to wait for the hearing of the Court.

#### **4<sup>th</sup> Meeting (9<sup>th</sup> June, 2023)**

42. The 4<sup>th</sup> and final meeting of the Senate Sub-Committee on Aviation was held under the Convenorship of Senator Saleem Mandviwalla on 9th June, 2023 at 11:00 a.m. in Committee Room No. 1, Parliament House, Islamabad.

43. DG, CAA apprised the Committee that CAA will submit its report before the honorable Supreme Court on 12<sup>th</sup> June, 2023. Senator Saleem Mandviwalla inquired about the case of Mr. Mehtab Tahir Niazi as he was not having FIR registered against him, still PIA was reluctant to reinstate him. Representatives of PIA replied that there were two papers of Mr. Mehtab Tahir, wherein, he was suspected of misconduct. However, CAA has cleared him recently and PIA is also willing to reinstate him but as per Supreme Court Orders, if an employee found in

possession of any fake degree in government department, his employment becomes ceased. The Committee directed CAA to provide the clarification letter to PIA so that Mr. Mehtab Tahir could be reinstated. Moreover, the Pilot was also requested to withdraw the Court case against PIA for an out of Court settlement.

44. While briefing on the issue of suspension period of license, DG, CAA told the Committee that if maximum suspension period of license mentioned in CAA Rules, i.e. one year has been passed, given there is no legal and technical formalities, the license become valid as the rules are silent after one year suspension period. Furthermore, while stressing the importance of fixing a time limit for canceled licenses, DG, CAA informed the Committee that his department is currently amending the rules, and a summary will be presented to the Cabinet for approval shortly. He also clarified that the licenses of Pilots were canceled by the Cabinet Division and not by the CAA.

45. After thorough deliberation and considering the options for resolving the issue, the Senate Sub-Committee on Aviation, opined that the FIA shall submit supplementary/ final challans in the FIRs registered against Pilots, and report to the Court that CAA has already taken the administrative action as per the Civil Aviation Rules, 1994 against the Pilots whose license were in question and no criminal activity was found on the part of the Pilots. The FIRs may, however, remain in place against the CAA employees named in the complaint forwarded to the FIA. The Committee further observed that the statement given by the representatives of FIA, was devoid of any conclusive proofs as the main culprit of this whole scenario has not being caught. The Committee also found that the confession statements that FIA and CAA took from some Pilots were also taken under pressure of cancellation of license, hence, doesn't stand valid.

46. The Committee stressed the need of taking action taken against the alleged pilots under the purview of the Civil Aviation Rules, 1994, and, hence the Committee recommended that the Pilots who possess ATPL & CPL Licenses but have allegedly compromised their examination to obtain those licenses shall be reexamined. If any pilot refuses to be reexamined within one year, CAA may proceed for cancellation of his license. Moreover, fines, according to the CAA Rules shall be imposed on those who have confessed in writing before the CAA of having used some unfair means to obtain the licenses.

47. For the sake of record, the Committee further read out the complaint forwarded by CAA and pointed out that no Pilot was mentioned in the original complaint, neither any annexure was added with the letter.

48. The representatives of PIA stated that the bail orders were done on the basis of Interim Challan and the bail order of Mr. Saqlain that was assessed during the meeting is as follows:  
*"From the perusal of the FIR of the instant case it appears that same was registered on 29-01-2021 while showing date and hour of occurrence to be "2018". The record further shows that initially the matter remained under inquiry by the concerned department, thereafter, same was referred to FIA. The record further shows that all the licenses which were issued by the Licensing Branch of CAA were validly issued but the procedure for issuance of license is alleged to be dubious. After registration of FIR and passing of such considerable time in*

*enquiry and investigation into the matter and after arrest of the present applicant/accused in the case, the prosecution has not been able to produce any document to show that applicant/accused did not personally appeared in the examination and on the date of the exam he was absent. The I.O. of the case, who is present before this Court was asked to point out any incriminating material against the applicant/accused but he could not give any satisfactory reply."*

49. Member National Assembly, Mr Nazir pointed out that even Student Pilots without having any licenses, and flying experience were entangled in the controversy. FIA representatives pointed out that there were 3 student Pilots named in the FIR on various issues. The Committee recommended that Student/Trainee Pilots whose CPLs were suspended/cancelled immediately upon issuance and could not undertake/complete any further training or commercial flying, should be separately treated from the Commercial Pilots and exonerated on priority.

50. DG CAA apprised the Committee that the Case is on the cause list for the 12th June, 2023 before the Supreme Court and CAA will submit its report before the honourable Court. Senator Saleem Mandviwalla inquired about the issue of those pilots who do not have FIRs registered against them. The DG CAA informed that those who do not have FIRs registered against them will all be cleared and the process has been initiated by the CAA as well. He further apprised the Committee that few people went to Court and had obtained the stay orders and hence CAA cannot take any action in favor or against them till withdrawal of cases. The pilots were requested to withdraw their court cases and approach CAA for favourable resolution of their issue.

51. Senator Saleem Mandviwalla inquired about the case of Mr. Mehtab Tahir Niazi as he is not implicated in any criminal case, yet, PIA is reluctant to reinstate him. Representatives of PIA apprised the Committee that there were two examinations of Mr. Mehtab Tahir and he was suspected of misconduct, however, CAA has cleared him recently and PIA is also willing to reinstate him but as per Supreme Court orders, if an employee had presented any fake document in governmental department, his employment shall be terminated. Therefore, PIA needs clarification letter from CAA stating that he has cleared both the aforesaid examinations. Committee directed CAA to provide the clarification letter to PIA so that he can be reinstated. The pilot is also requested to withdraw the Court case against PIA, so that PIA and PIA and the Pilot should reach an out of Court settlement.

52. DG CAA apprised the Committee that maximum suspension of license was for a period of one year and that time has now lapsed for those who do not have FIRs against them, there remain no legal or technical formalities and the said licenses can be revived. Following are the list of pilots who do not have FIRs against them and their licenses were suspended:

1. Mr. Mehtab Tahir.
2. Mr. Haroon Amer.
3. Mr. Zain Sohail.
4. Mr. Noman Lodhi.
5. Mr. Zaid Ali Tariq.

6. Mr. Noman Kirmani

53. The Committee further discussed the cases of pilots whose license were cancelled and there were no FIRs registered against them. After deliberations, the Committee directed the CAA to reinstate the Board of Review and hear their cases on merit. DG CAA told the Committee that regarding cancelled licenses there is no time bar available in the rules for cancellation. He stressed the importance of fixing a time limit for cancelled licenses. He further said that the CAA is currently amending its rules, and a summary will be presented to the Cabinet for approval. It was clarified that the licenses of pilots were cancelled by the Cabinet and not by the CAA. Following is the list of those pilots:

S. No	Name	License #	FIRs by FIA
1.	Saqlain Akhtar	ATPL-1698	No
2.	Waseem Akhtar	ATPL-1701	No
3.	Aaqib Moeed Khan	CPL-3634	No
4.	Shahid Saeed	ATPLH-34	No
5.	Umar Salim	ATPL-1584	No
6.	Muhammad Zubair	CPL-3730	No
7.	Sher Afghan Jomezai	ATPL-1632	No
8.	Omar Farasat	CPL-3226	No
9.	Muhammad Anas Ayub	CPL-3155	No
10.	Muhammad Fahad Bin Zameer Raja	CPL-3234	No
11.	Raja Hashim Khan	CPL-3506	No
12.	Hamza Khan	CPL-3719	No
13.	Annum Liaqat	CPL-3570	No
14.	Muhammad Naveed Khokhar	ATPL-1500	No
15.	Agha Muhammad Umar Farooq	CPL-3768	No
16.	Syed Khurram Ali	CPL-3192	No

54. After thorough deliberations, the Senate Sub-Committee on Aviation, recommended that the FIA shall submit supplementary/ final challans in the FIRs registered against Pilots,

and report to the Court that CAA has already taken the administrative action as per the Civil Aviation Rules, 1994 against the pilots whose license were in question and no criminal activity was found on the part of the Pilots. The FIRs may, however, remain in place against the CAA employees who may be prosecuted by the FIA if it deems fit. The Committee further reached to the conclusion that the statements made by the representatives of FIA are not concrete and also inconclusive especially considering that the main culprit of this entire controversy is still out of the reach of the FIA. The Committee found that criminal charges were not established against the Pilots, and FIA and CAA were unable to prove that they have enough evidence for criminal wrongdoing on part of the Pilots. Moreover, the Committee also found out that the confessions that FIA and CAA rely upon, were also taken under pressure of cancellation of license and on the offer that the confessors shall be re-examined only, and, hence, are not valid.

55. Senator Saleem Mandviwalla further stressed the need that the action taken against the alleged Pilots should be under the purview of the Civil Aviation Rules, 1994 only and, hence, the Committee recommended that the pilots who possess ATPL & CPL Licenses but have allegedly compromised their examination to obtain those licenses, shall be re-examined. If any Pilot refuses to be re-examined within one year, CAA may proceed for cancellation of the license. Fines, according to the CAA Rules may also be imposed on those who have confessed in writing before the CAA of having used some unfair means to obtain the licenses.

56. The Committee also recommended that those pilots who possess valid lower licenses (CPL & PPL) and had not yet obtained higher licenses but were alleged to have attempted to taken compromised examination for higher licenses shall be granted their lower licenses (which shall be made fully operational) upon the withdrawal of their names from the FIR. DG, CAA stated that once their names have been withdrawn from FIR, CAA has no issue in reinstating the licenses of the Pilots, however, CAA needs Cabinet's decision to determine the time period for the cancelled licenses.

57. The Committee directed the Director FIA to evaluate the factual position of the issue and present it before the honourable Court. The Committee also directed the DG, CAA to do the administrative action as per the rules of Civil Aviation and recommended that the Ministry of Aviation, CAA and PIA should not discriminate against those pilots who had filed cases against them and obtained stay orders against their cancellation/ suspension of licenses/ termination of employment; and, they shall be treated at par with those who had not filed any cases against the aforesaid authorities.

58. The Convener Sub-Committee on Aviation, while concluding the meeting thanked the members for making it convenient to attend the meeting and provided valuable feedback. He also thanked all the departments for their continuous support and input in the discussion.

#### **FINDINGS/ SUGGESTIONS/ RECOMMENDATIONS OF THE SUB-COMMITTEE**

Based on the discussions with the Ministry of Aviation, Civil Aviation Authority, Federal Investigation Agency, the worthy Minister for Law & Justice, the affected Pilots and the others; and after scrutiny of the entire record made available to the Sub-Committee by all concerned, the Sub-Committee has come to the following conclusions:

## REGARDING RE-EXAMINATION OF PILOTS WHO REQUIRE RE-EXAMINATION AND THOSE WHO DO NOT REQUIRE RE-EXAMINATION

The Sub-Committee was apprised that there are two categories of cases that the CAA dealt with. The first category consisted of those pilots who had obtained their higher licenses and were later found out to have anomalies in their computer-based examination records. Such anomalies were deemed to be proof of misconduct and their licenses were sought to be cancelled. The other category consisted of those pilots who had attempted to obtain higher licenses but had not yet been issued the said licenses. Anomalies were found in the records of their computer-based examination records; however, their higher licenses had not yet been issued. Since their higher licenses were not yet issued, their lower licenses (which were otherwise validly issued and had no anomalies) were suspended for certain periods as penalty for attempting to obtain higher licenses, allegedly through illegal means.

The Sub-Committee was apprised that the entire matter could have been resolved had the Pilots who were found to have anomalies in their examination records were simply re-examined, fined or both. In fact, the CAA had done so previously as well. Two pilots were re-examined before the crash of PIA flight PK8303, on the basis of having anomalies in their examination records. This was done in pursuance of the Civil Aviation Rules which allow the Authority to reexamine any Pilot on various grounds. While the same measure could have been adopted till now, it was admitted before this Committee that the pressure of International Regulators seeking reasons for the crash; the wrongly advised statement given by former Minister for Aviation on the floor of the National Assembly in the aftermath of the crash; and the Suo-Moto case regarding fake academic degrees of PIA employees all led to a chain of events that led to the mishandling of the issue and made CAA taking harsh measures against the pilots.

The Sub-Committee was informed by the representative of CAA that the Pilot license issue required only administrative action and remedial measures. The Ministry of Aviation also agreed to that statement of the representative of CAA. The Sub-committee was pleased to notice that all the concerned parties were determined to find a feasible and workable solution to the issue at hand, instead of seeking damages.

The Sub-Committee was also able to find that the issue at hand is not unprecedented. The same issue had cropped up in the United States of America as well as neighboring India. In both the said countries, only administrative action was taken against Pilots, and the same should also be the case here in Pakistan. The administrative action taken by the other jurisdiction was to simply have the Pilots re-examined, and, the same should have been the case in Pakistan.

Therefore, the Sub-Committee finds that the ideal solution to the issue at hand is to have the pilots who have anomalies in their records to be re-examined as per the Civil Aviation Rules and Regulations, which shall enable the Pilots to be rehabilitated and there will remain no question on their credentials if they are provided the opportunity to retake their contentious examinations and prove their abilities. However, if any of the pilots refuses to be re-examined,



he should be proceeded against in accordance with the Rules & Regulations of CAA and the Authority will be justified in initiating the procedure for cancellation of his/her license. For the Pilots falling in the first category detailed above, the process of re-examination and rehabilitation shall begin as soon as they are discharged from the criminal cases registered against them. They shall have to retake their examinations within one year from being discharged from criminal cases. For those pilots who were not nominated in FIRs and fall within the ambit of the first category, they may reappear for their examinations within one year from now.

Regarding the second category of pilots (whose lower licenses have been suspended on the pretext that they had attempted to obtain higher licenses and had allegedly employed illegal means to attempt to obtain them), the Sub-committee found that their period of suspension of license must end and their licenses should be made operational upon being discharged from criminal cases. For those falling in the second category and not being implicated in FIRs, the CAA has already guaranteed the immediate restitution and revival of their licenses. The Sub-Committee found that the same treatment shall be given to those who have FIRs registered against them as soon as the issue of criminal cases is resolved.

The Sub-Committee has also found that there seems to be some apprehension of mistreatment or discrimination amongst the pilots who had approached Courts of law against the suspension and cancellation of their licenses. The Sub-Committee recommended that it be ensured that the regulator does not discriminate against the Pilots that approach the Courts and those who did not. The period of suspension of license for those who approached the Courts shall be deemed from the day when their license was suspended (whether for the purpose of inquiry or otherwise) and not from when they withdraw their cases. The Sub-Committee also recommended that the Pilots withdraw their cases from Courts. in light of the decision of this forum.

Furthermore, the Pilots whose licenses have been cancelled shall approach the Board of Review for re-examination for the issuance of the license that has been cancelled. However, for those whose licenses have not yet been cancelled (due to Court orders) may apply to the Director General Civil Aviation Authority for re-examination, since their licenses are not yet cancelled but only suspended.

Following is the list of pilots whose license have been cancelled and have FIRs against them:

S. No	Name	License #	FIRs by FIA
1.	Mian Khalid Mahmood Hasrat	ATPL-1650	Yes
2.	Fazli Khaliq Afzal	CPL-3699	Yes
3.	Shoukat Mehmood	ATPL-1643	Yes
4.	Muhammad Uzair Javed	ATPL-1699	Yes
5.	Hassan Iqbal	CPL-3767	Yes

6.	Jamal Alam Khattak	CPL-3794	Yes
7.	Muhammad Jawad Mirza	ATPL-1690	Yes
8.	Muhammad Ammar	CPL-3419	Yes
9.	Ali Hassan Yazdani	ATPL-1639	Yes
10.	Najeeb-Ur-Rehman Baloch	ATPL-1029	Yes
11.	Ahmed Ali Khan	CPL-3682	Yes
12.	Zaryab Bashir Cheema	ATPL-1637	Yes
13.	Muhammad Khubaib Jameel	CPL-3772	Yes
14.	Shumaila Majeed	CPL-3769	Yes
15.	Talha Ahmed Khan	ATPL-1674	Yes
16.	Naveed Zafar	CPL-3676	Yes
17.	Gohar Abrar	CPL-3718	Yes
18.	Muhammad Ghufraan Shah	CPL-3686	Yes
19.	Muhammad Kaab	CPL-3812	Yes
20.	Muhammad Haider Nazir	CPL-3823	Yes
21.	Muhammad Saqlain Ali	CPL-3809	Yes
22.	Syed Mustafa Rizvi	ATPL-1717	Yes
23.	Asif Ali Malik	CPL-3658	Yes
24.	Fahid Sultan	CPL-3484	Yes
25.	Asim Haider Bangash	CPL-3797	Yes
26.	Zahid Haneef Butt	CPL-2778	Yes
27.	Naeem Masood Khan	ATPL-H44	Yes
28.	Yahya Mussawar Sandila	ATPL-1708	Yes
29.	Syed Saleem Ali	ATPL-1689	Yes
30.	Syed Sibtain Rizvi	ATPL-1673	Yes

Following is the list of Pilots whose licenses have not been cancelled because they obtained stay orders and have FIRs against them (licenses still suspended only):

S. No.	Name	License #	FIR
1.	Saif ur Rehman Khan Burki	ATPL-1653	Yes
2.	Muhammad Faisal Mirza	ATPL-1658	Yes
3.	Baset Rehman	ATPL-1619	Yes
4.	Muhammad Bilal Chughtai	ATPL-1624	Yes

Following is the list of Pilots whose licenses were suspended, but were not sought to be cancelled and have FIRs against them:

S. No	Name	Licence #	FIR
1.	Yarmand Jan	CPL-3210	Yes
2.	Fida Muhamad Khalil	CPL-2031	Yes
3.	Assad Nawaz	SPL-4891	Yes
4.	Malik Abid Hussain	CPL-2918	Yes
5.	Muhammad Mohsin Saleem	CPL-2732	Yes
6.	Abdullah Tasleem	CPL-2912	Yes
7.	Hamad Ahmed Khan	CPL-2819	Yes
8.	Syed Saulat Abbas	CPL-2915	Yes
9.	Faran Ahmed	CPL-3423	Yes
10.	Kashaun James Ingham Khan	CPL-3051	Yes
11.	Asim Aziz	CPL-1683	Yes
12.	Atif Munir	CPL-2586	Yes
13.	Syed Mohsin Ali	CPL-2017	Yes
14.	Abid Hamza (Deceased)	CPL-1866	Yes
15.	Akbar Khan Afridi	CPL-2261	Yes
16.	Shaikh Umar Islam	CPL-2613	Yes
17.	Humayun Afzal Mirza	SPL-3182	Yes
18.	Usman Aslam	CPL-2064	Yes
19.	Ihsan ul Haq	SPL-3998	Yes

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20.	Amir Mahmood Malik	CPL-2525	Yes
21.	Samir Agha	CPL-1927	Yes
22.	Muhammad Zeeshan	CPL-3355	Yes
23.	Syed Usman Ali Shah	PPL-3334	Yes
24.	Kashif Mahmood Ali	CPL-2723	Yes
25.	Aziz	PPL-3433	Yes
26.	Faisal Shoukat	PPL-3554	Yes
27.	Israr Khan Afridi	PPL-3442	Yes

Following is the list of pilots whose licenses were cancelled but they are not nominated in any FIR:

S. No	Name	Licence #	FIRs by FIA
1.	Saqlain Akhtar	ATPL-1698	No
2.	Waseem Akhtar	ATPL-1701	No
3.	Aaqib Moeed Khan	CPL-3634	No
4.	Shahid Saeed	ATPLH-34	No
5.	Umar Salim	ATPL-1584	No
6.	Muhammad Zubair	CPL-3730	No
7.	Sher Afghan Jomezai	ATPL-1632	No
8.	Omar Farasat	CPL-3226	No
9.	Muhammad Anas Ayub	CPL-3155	No
10.	Muhammad Fahad Bin Zameer Raja	CPL-3234	No
11.	Raja Hashim Khan	CPL-3506	No
12.	Hamza Khan	CPL-3719	No
13.	Annum Liaqat	CPL-3570	No
14.	Muhammad Naveed Khokhar	ATPL-1500	No

15.	Agha Muhammad Umar Farooq	CPL-3768	No
16.	Syed Khurram Ali	CPL-3192	No

Following is the list of pilots whose licenses were suspended but they are not nominated in any FIR:

S. No.	Name	License #	FIR
1.	Mehtab Tahir.		No
2.	Haroon Amer		No
3.	Zain Sohail		No
4.	Noman Lodhi		No
5.	Zaid Ali Tariq		No
6.	Mr. Noman Kirmani		No

#### **CASES OF PIA PILOTS INVOLVED IN PILOT LICENSE ISSUES**

The Sub-Committee has deliberated in great details with the representatives of PIA as well as the concerned Pilots regarding the issue of termination of their services from PIA in pursuance of the Pilot License issue. The Sub-Committee was informed that PIA has terminated a total of 18 Pilots as their licenses were either suspended since long or were cancelled in pursuance of the Pilot License issue. Representatives of PIA had also informed the Sub-Committee that apart from the licensing issue and registration of FIRs, there was no other reason for their termination.

The Sub-Committee while expressing its displeasure on how the Pilot licensing issue was handled, stated that FIRs should not have been registered against Pilots in the first place, and the issue of their licenses could have been resolved by re-examination. Re-examination would have cleared the aspersions on the pilots, and the matter could have easily been resolved. It seems that had the pilot licensing issue been resolved administratively in a timely manner, and the pilots had been given the opportunity to retake their examinations, their services would not have had to be terminated in the first place.

It is, therefore, that the Sub-Committee finds that the pilots whose services had been terminated, should be revived by Pakistan International Airlines. There seems to be no plausible reason why their services should remain terminated, when most have them have flown most of their lives for the national flag carrier, with some of them performing extraordinary feats for the national flag carrier. PIA has already stated before the Sub-Committee that the only issue with the employment of the concerned Pilots was the license issue and apart from that PIA has no other issue with the employment of the said Pilots. If the Pilot licensing issue is resolved, PIA shall have no issue reviving their services.

## REGARDING CRIMINAL CASES AGAINST PILOTS

The Committee was particularly concerned about the reasons for and events behind the initiation of criminal action against Pilots who had anomalies in their licensing records. At the outset of the hearings, CAA placed its reliance on orders passed by the honorable Supreme Court of Pakistan in a Suo Moto case, which they had interpreted to have meant to direct it to initiate criminal proceedings against Pilots.

However, scrutiny of the orders reveal that the Pilots were to be dealt in accordance with departmental law and were subject to departmental proceedings only. Criminal cases were only desired to be registered against those employees of Civil Aviation Authority who found involved in violation of or deviation from the rules and procedures. This is clear from the wordings of the Order dated 21.07.2020 which states as follows:

*"The Authority is directed to deal with the Pilots whose licenses, educational testimonials or other documents are suspect. in accordance with law. The CAA shall also deal with its own employees and take stern action against all those found involved in violation of or deviation from the rules and procedures and bring them to book. The action that the CAA will take shall not only be of departmental nature but criminal cases shall also be registered against persons who committed illegal or wrongful acts in CAA."*

A subsequent order dated 05.05.2021 further clarifies the position at Paragraph 8 where it states as follows:

*"This report has been filed by the DG, CAA in which comprehensive details have been given regarding the employees' misconducts and crimes while performing their duties in the Authority. The prosecution against such employees has already commenced and it is stated by the Learned Counsel that challans have been filed in their respective Trial Courts... We may note that normally criminal cases are not seriously prosecuted by the Government departments; therefore, mostly the delinquent employees get acquitted for the reason that no effective evidence is brought on record by the department concerned."*

The above excerpts make it quite clear that the Pilots were only to be dealt with departmentally and that too strictly in accordance with law (the Civil Aviation Authority Act, the Rules & Regulations) while the employees allegedly responsible for misconduct and deviation from the Rules were to be dealt with under departmental laws as well as criminal laws.

Moreover, even the complaint forwarded by the Civil Aviation Authority to the FIA for registration of criminal case does not name any particular Pilot per se. The complaint only names five employees of the Civil Aviation Authority and seeks registration of case under Prevention of Electronic Crimes for illegal access of record and manipulation thereof. Yet, FIRs were registered against Pilots when they could merely have been examined as witnesses in order to prosecute officials of CAA, if need be, and, the matter regarding Pilot Licenses could and should have been dealt with departmentally only in accordance with the CAA Rules

and Regulations, which amply cater for such a situation by having the Pilots re-examined and by imposing fines on them where necessary.

The Committee also put in considerable efforts to understand why some of the pilots were nominated in FIRs while others with similar cases were not, especially keeping in view the fact that the complaint mentions none of the pilots, and there is no document annexed with the complaint that distinguishes between those upon whom criminal cases ought to be registered and those who would only be dealt with departmentally. CAA informed the Committee that it had forwarded the report of the Board of Inquiry/ Forensic report to the FIA, however, the said report apparently contained anomalies in the computer-based examination records of 262 Pilots and not only of the 67 against whom FIRs were registered. What cast more aspirations on the process employed to sift between the guilty and the not-guilty pilots was the fact that the Committee was able to find some cases in which FIRs were registered against Pilots, yet, their names were later on cleared departmentally.

Furthermore, the Sub-Committee has gone through the evidence upon which the FIA has based its case against the Pilots and the evidence was found to be inconclusive especially considering the statement of the FIA officials attending the meeting disclosing that the main culprit of the entire matter, Mr. Jameel, is completely out of the picture and nowhere to be found throughout the entire fiasco. It seems that apart from the report of the Board of Inquiry/ Forensic report of the computer-based examination system, which merely establishes that there are discrepancies between the computer records of CAA and the documents possessed by Pilots, no proof of criminal activity could be found against the pilots, or at least the FIA could not convince the Sub-committee that there was any conclusive proof against the pilots to prove their guilt in criminal cases.

The Committee has therefore found that registration of criminal cases against Pilots was unwarranted, and criminal cases to the extent of Pilots should terminate. The Committee was informed that to date, charge has not been framed against Pilots and the worthy Trial Court was also aware that the Committee was re-examining and probing the matter relating to the pilot licenses. The Committee has also been informed that the worthy Trial Court has deferred the framing of charge keeping in view the fact that the matter was being probed by this Sub-Committee and a solution to the issue might be arrived at by this forum.

The Committee, therefore, not only expresses its displeasure that criminal cases were unnecessarily registered against Pilots but also recommends that FIA should submit supplementary/ final challans in the criminal cases to the extent of Pilots to assist the worthy and honorable trial Court in appreciating the fact that the matter should and can be dealt with departmentally and there is no judiciousness in proceeding with the trial of the Pilots, and in order to enable them to be discharged from the said criminal cases. Needless to state, the FIA may continue to prosecute the employees of CAA and persons in CAA in criminal cases, if it deems fit.

The Sub-Committee has therefore directed PIA to immediately restore and revive the services of those pilots whose services were terminated as this Sub-Committee has already declared that the framework for resolving the Pilot License issue, which was the only ground for their termination.

### **Further Recommendations/Suggestions /Observations of the Committee:**

- The Committee unanimously concluded that FIRs should not have been registered against the Pilots, as remedy had already been provided in the Civil Aviation Rules.
- The Committee expressed its displeasure that criminal cases were unnecessarily registered against Pilots and also directed the FIA to submit supplementary/ final challans in the criminal cases to the extent of pilots to assist the honourable Trial Court in appreciating the fact that the matter should and can be dealt departmentally and there is no judiciousness in proceeding with the trial of the Pilots, and in order to enable them to be discharged from the said criminal cases. Needless to state, the FIA may continue to prosecute the employees of CAA in criminal cases, if it deems fit.
- The Committee directed that the ideal solution to the issue, at hand, is to have the Pilots who have anomalies in their records to be re-examined as per the Civil Aviation Rules and Regulations. However, if any of the Pilots refuses to be re-examined, then he should be proceeded against in accordance with the Rules & Regulations of CAA and the Authority will be justified in initiating the procedure for cancellation of his/her license within one year from now.
- The Committee directed PIA to immediately restore and revive the services of those Pilots whose services were terminated as this committee has already declared that the framework for resolving the pilot license issue, which was the only ground for their termination.
- The Committee directed that the CAA would adopt lenient view against those Pilots who do not have FIRs against them. Moreover, all those Pilots who have taken stay from the Court would withdraw their Court Cases and approach CAA for favourable resolution of their issue.
- The Committee directed PIA and Ministry of Aviation to reinstate all those Pilots whose suspension period has been passed without going into any legal technicalities as already considerable time has passed and they are not flying since long, and, have been penalized enough.
- The Committee directed PIA to take the necessary opinion from legal department and reinstate Mr. Mehtab Tahir without any prejudice. The Pilot has also affirmed to the Committee that he would withdraw his case from Court provided PIA reinstates him.
- The Committee directs CAA to provide a clarification letter to PIA so that Mr. Mehtab Tahir can be reinstated. The Pilot is also requested to withdraw the Court case against PIA and recommends that both the parties reach a settlement out of Court.
- The Committee also advised the Pilots whose licenses were suspended to withdraw their cases from the Court, if they had gone to Court, and appeal to Board of Review or



the Director General CAA, as the case may be, in accordance with the directions given above.

- The Committee directed the CAA and Ministry of Aviation to approach the Federal Government to amend the Rules and to provide a time period for which lower license of a Pilot shall remain suspended in case a higher license is cancelled for future purposes.
- The Committee further directed the Ministry of Aviation to revive the Board of Review in order to enable the Pilots to approach the said forum for bringing into effect the decision of the Committee.
- The Committee also directed DG CAA to publicize the revival of the Board of Review to enable all to avail the forum, as soon as it is revived.
- The Committee recommended Student/Trainee Pilots whose SPL/PPL/CPLs were suspended/cancelled immediately upon issuance and could not undertake/complete any further training or commercial flying, should be separately treated from the Commercial Pilots and exonerated on priority.
- The Committee also recommended that those pilots who possessed valid lower licenses (CPL & PPL) and had not yet obtained higher licenses but were alleged to have compromised examination for higher licenses shall be granted their lower licenses (which shall be made fully operational) upon the withdrawal of their names from the FIR.
- The Committee directed the DG CAA to take the administrative action as per the Rule 4 (2) (e) of Civil Aviation Rules, 1994 and in the light of the directives mentioned above.
- The Committee directed to the Ministry of Aviation, CAA & PIA that they shall not discriminate against those pilots who had filed cases against them and obtained stay orders against their cancellation/ suspension of licenses/ termination of employment and they shall be treated at par with those who had not filed any cases against the aforesaid authorities.
- If issue of the pilots is not resolved within 60 days of adoption of this report, pilots may approach the Committee again.

59. The report is being presented for perusal of the House, in the light of approval for submission granted by the Committee in its meeting held on 6<sup>th</sup> July, 2023.



**(Syed Khurram Hussain Naqvi)**  
Secretary Committee



**(Senator Hidayat Ullah)**  
Chairman Committee