

COCKPIT

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PALPA NEWS BULLETIN

Affiliated with

International Federation of Airline Pilots' Associations & International Transport Workers Federation

DEAR MEMBERS:

السلام وعلیكم

This issue of Cockpit is to apprise you of the Annual General Meeting of the Association, that was held on Saturday 24th February 2007. The meeting was very well attended in spite of the fact that it wasn't an election year. This is a good omen for the Association and its membership. It also sends the correct signal to all and sundry.

The first year of the incumbent Executive Committee has now officially been over and the final year has started. The current scenario that has developed after the European Union ban on B-747 and A-310 operating to Europe has created a genuine anxiety and mayhem amongst all sections of employees in PIA. In spite of shortage on all equipments, the PIA pilots have gone beyond the call of their duty to keep the flights operating normally on the entire network.

This situation has put another apprehension in the minds of the operating crew on the restricted aircraft; though not ill founded.

The higher management is seemingly carrying out the damage control but the time given earlier by the EU has been wasted and the inevitable has happened. It is an embarrassment for the Airline, the Nation and those linked up with PIA in any capacity. The irony is that our membership's dedicated and concerted efforts have also frittered away.

The outcome of this partial ban is that the entire work load in Europe and North American continent has fallen on the crews operating B-777. It is an uphill task but we are certain that our pilots will carry out the mission professionally. Importantly, we hope that the restrictions imposed on PIA's operation are taken up on an emergent basis and the situation remedied as soon as possible.

RESOLUTIONS FOR AGM:

Following resolutions were put up before the House during the Annual General Meeting of the Pakistan Airline Pilots' Association held on 24th February 2007.

The Resolutions received from the members were put up for an open discussion. The members present expressed their views on each resolution and a healthy debate followed. The outcome of each resolution is enumerated below:

RESOLUTIONS NO. 1

Proposed by Capt. Nadeem Choudhry and Seconded by F/O. M. Khalid:

"AS PER INCOME TAX ORDINANCE 2001, FINANCIAL YEAR IS FROM 1ST JULY TO 30TH JUNE EVERY YEAR, WHEREAS PALPA'S FINANCIAL YEAR IS FROM 1ST JANUARY TO 31ST DECEMBER. THEREFORE, PALPA SHOULD ALSO CLOSE ITS ACCOUNTS ON 30TH JUNE ACCORDINGLY, AS PER THE REQUIREMENTS OF INCOME TAX ORDINANCE 2001.

AS ADVISED BY OUR TAX CONSULTANTS M/S ARSHAD MALIK & CO. PALPA ACCOUNTS SHALL ALSO BE CLOSED ON 30TH JUNE 2007. (SIX MONTHS THIS TIME ONLY).

UNDER THE CLAUSE 58 OF PART-1 OF THE SECOND SCHEDULE OF THE INCOME TAX ORDINANCE 2001, PALPA BEING A WELFARE ORGANIZATION DOES NOT FALL UNDER TAX NET, BUT THROUGH FINANCE ACT 2006, AN AMENDMENT HAS BEEN MADE IN THE SECTION 114 OF THE INCOME TAX ORDINANCE 2001, AS SUCH, PALPA IS LIABLE TO FILE ITS RETURNS OF INCOME EVERY YEAR. HOWEVER, AS PER THE CURRENT LAW THERE SHALL BE NO LEVY OF ANY TAX.

IT IS, THEREFORE, PROPOSED THAT PALPA'S ACCOUNTS SHALL BE CLOSED ON 30TH JUNE EVERY YEAR AND RETURNS OF INCOME SHALL BE FURNISHED AS PER FINANCE ACT 2006. THE AUDIT REPORT SHALL STILL BE PRESENTED IN THE AGM IN FEBRUARY AS PER THE CONSTITUTION".

As there was an amendment required in the Constitution, the AGM authorized the Executive Committee to carry out the necessary work of getting 2/3 majority of the membership to make the requisite change.

RESOLUTIONS NO. 2:

Proposed by Capt. Riffat Saeed and Seconded by F/O. Sadiq Rehman:

BIFURCATION OF ACCOUNTS – PALPA & PALPA CLUB HOUSE

"AS ADVISED BY M/S. ARSHAD MALIK & CO., THAT AFTER AMENDMENT IN INCOME TAX ORDINANCE 2001, ALL PERSONS/ORGANIZATIONS ARE REQUIRED TO FILE THEIR INCOME RETURN IRRESPECTIVE OF THEIR INCOME TAX RETURN WHETHER IT IS TAXABLE OR EXEMPTED FROM THE TAX W.E.F. TAX YEAR 2006 (FINANCIAL YEAR ENDED 30TH JUNE 2006).

IT IS, THEREFORE, PROPOSED THAT ACCOUNTS OF PALPA AND PALPA CLUB HOUSE SHOULD BE BIFURCATED W.E.F. 1ST JULY 2007, AND THE FINANCIAL YEAR OF PALPA CLUB HOUSE WILL ALSO BE FROM 1ST JULY TO 30TH JUNE EVERY YEAR. ACCOUNTS, INCOME AND EXPENSES OF PALPA AND PALPA CLUB HOUSE SHALL BE SEPARATED W.E.F. 1ST JULY 2007.

PERCENTAGE OF EXPENSES SUCH AS THE CONSUMPTION IN RESPECT OF UTILITY BILLS OF GAS, ELECTRICITY, TELEPHONE, COMMON SERVICES ETC. SHALL BE:

- | | |
|---------------------|-----|
| 1. PALPA | 30% |
| 2. PALPA CLUB HOUSE | 70% |

IT IS FURTHER PROPOSED THAT FOLLOWING ASSETS ARE HEREBY TRANSFERRED FROM PALPA BOOK OF ACCOUNTS TO PALPA CLUB HOUSE ACCOUNTS:

PALPA:

1. LEASEHOLD LAND
2. BUILDING ON LEASEHOLD LAND
3. OFFICE PREMISES
4. FURNITURE FIXTURE, OFFICE EQUIPMENT, COMPUTERS, LIBRARY BOOKS ETC.

5. VEHICLES
6. AUDITORIUM
7. CONFERENCE ROOM
8. PREMISES PRESENTLY OCCUPIED BY PODF TRUST

PALPA CLUB HOUSE:

1. SWIMMING POOL
2. TENNIS COURT
3. GYM EQUIPMENTS
4. LAWNS
5. CAFETERIA
6. GUESTS ROOMS
7. LOUNGE

OVERALL ADMINISTRATION OF BOTH PALPA AND PALPA CLUB HOUSE SHALL BE UNDER THE ELECTED EXECUTIVE COMMITTEE, PRESIDENT, GENERAL SECRETARY AND WITH A DEDICATED/NOMINATED CLUB SECRETARY TO RUN THE DAY-TO-DAY AFFAIRS OF THE CLUB".

The House discussed the matter and some minor changes were made to the proposed resolution but the one that has been written above is what the House had consensus on. However, Capt. N.A. Bucha suggested that a PALPA lawyer should be consulted before bifurcation of the accounts and the assets of the PALPA and Club House. The House then authorized the Executive Committee to carry out the necessary legal work and do the needful after professional advise.

RESOLUTIONS NO. 3:

Proposed by F/O Arif Majeed and Seconded by Capt. Khalid Hamza.

"NO PILOT BE HIRED ON CONTRACT FROM ANY OTHER AIRLINE, LOCAL OR FOREIGN, AND ARMED SERVICES EXCEPT THOSE WHO HAVE SERVED IN PIAC AND ATTAINED SUPERANNUATION".

There was no discussion and the House approved the resolution unanimously.

RESOLUTIONS NO. 4:

Proposed by Capt. Khalid Hamza and Seconded by F/O Arif Majeed.

"ANY PERSON WHO IS PAKISTAN NATIONAL AND IS A REGULAR AND CONTRACTUALLY EMPLOYED OR RETIRED/MEDICALLY GROUNDED PILOT IN PAKISTAN INTERNATIONAL AIRLINES CORPORATION AND WHOSE PURPOSE IS ALIGNED WITH THOSE OF THE

ASSOCIATION SHALL BE ELIGIBLE FOR MEMBERSHIP OF THE ASSOCIATION SUBJECT TO THE COMPLETION OF THE PROCEDURE PRESCRIBED HEREIN”.

A long discussion took place and finally the House agreed to add “AND/OR” before “CONTRACTUALLY” and “HIRED CADET PILOT” after “CONTRACTUALLY”. Capt. Bucha was of the opinion that this resolution should also be vetted by a lawyer before it is sent to the membership for a Constitutional amendment.

RESOLUTIONS NO. 5:

Proposed by Capt. Khalid Hamza and Seconded by Capt. Nayyar Nazir:

“THE PILOTS RETIRING SHOULD PREFERABLY BE RE-EMPLOYED ON CONTRACT ON THE EQUIPMENT LAST FLOWN AND CANNOT BE ASSIGNED ANY SUPERVISORY ASSIGNMENT.”

A heated discussion took place and a number of suggestions were put up before the House. Capt. Omar Ishaq and Capt. Sarwat discussed the pros and cons of the Resolution. F/O. Najib Ameen and F/O. Jehangir objected to the resolution and were of the opinion that they were not being promoted in spite of the fact that they have more than 15 years of service in PIA.

Capt. Bucha said that we must pay full respect to our seniors who are being taken on contract after superannuation, they should continue to be PALPA members and should have right to vote in the PALPA elections.

Seeing the ensuring rift, the General Secretary said that the discussion taking place in the House tantamounts to undermining the seniors and to avoid creating any rift, the matter be left to the Executive Committee to take the decision in the larger interest of the community.

APPOINTMENT OF AUDITORS:

The General Secretary suggested to change the auditors as PALPA was facing difficulties in getting audit done on time. The House agreed to his suggestion and authorized Executive Committee to appoint new Auditors for the coming year.

CURRENT SITUATION:

UNRESOLVED ISSUES DISCUSSED WITH THE CHAIRMAN PIAC.

Following points were taken up with the Chairman PIAC on 13th March 2007.

1. Resolve and implement the Pension Heads and formula for the pilots.

2. Permit PIA contractual pilots to become PALPA members by removing the repugnant clause in the contract.
3. The passage facility on Annual leave should be reverted to its previous status and confirmation of seats done 36 hours prior to departure.
4. Circular No. 02/2007 dated 9th January 2007 to be re-issued with the following correction.
 - (a) 10% annual increase on basic salary as per previous Circular No. 36/2006 dated 26th May 2006.
 - (b) Other provisions of above circular for Rs. 22.5 million as defined for year 2008 should be retained. (Addendum with circular no. 36/2006 dated 26th May 2006).
5. Removal of restrictions to opt for retirement and imposition of financial penalty by the Corporation after completion of the requisite number years of service laid down in the Service Rules governing retirement.
6. Leave Accumulation/Enhancement.

COURT CASE - CAPT. ANWAR ZAIDI V/S PALPA

Following is the letter written by PALPA counsel to the Association on 11-03-2007.

Mr. Arif Majeed
General Secretary
Pakistan Airline Pilots' Association
ST-31, Block-5, Kehkashan, Clifton,
Karachi-75600

Subject: (SUIT NO. 113 OF 2006 Filed by Captain Anwar Zaidi V/s PALPA).

Dear Sir,

PALPA filed an application Under Order VII Rule 11 CPC or rejection of plaint of subject suit. The plaintiff filed objection to the application thereafter it was fixed for hearing of the application. After hearing arguments of both the counsel, the matter was reserved for order. The court has been pleased to announce order on 03-03-2007 rejecting the plaint of subject suit filed by Capt. Syed Anwar Khurshed Zaidi.

Thanking you,
Yours faithfully,

(MOHSIN TAYEBALY & CO.)

An extract of the judgement is reproduced below for your perusal.

I agree with the contention of learned counsel for defendants that suit is barred by the provisions of Section 42 of specific Relief Act 1877. Moreover in this suit all relieves claimed by the plaintiff are related to the proposed election of Executive Committee of PALPA which was already held on 18.02.2006 making this suit infarctus.

Under the circumstances stated above defendant's applications under Order 07 rules 11 of Civil Procedure Code are allowed and plaint is hereby rejected being not maintainable with no order as to cost.

Announced in Open Court.

Given under my hand and seal of this Court.
This 3rd of March 2007

(MUQTADAR ALI KHAN)

VITH CIVIL JUDGE AND JUDICIAL MAGISTRATE
SOUTH KARACHI:

TERMINATION OF MEMBERSHIP:

The following letter was written to Capt. Anwar Zaidi as decided by the AGM held on 24th February 2007.

Since you decided not to avail relief under clause 3.3.13 of the PALPA Constitution in the AGM of 24th February 2007, your membership of PALPA stands automatically terminated as per the Constitution.

This is for your information.

Thanking you,
Yours sincerely,

F/O Arif Majeed
GENERAL SECRETARY

PALPA WEB SITE:

For the information of membership, it is once again reminded that the PALPA web site is being kept fully updated. The documents of professional nature specific to our profession, the access to Crew Aims programme, Training/Scheduling/Rostering policies, latest INFOs/Cockpit Issues are all there for your ease.

To access the specific areas of the Site you have to fill in your personal data and a password will be allotted to you.

The password is then changeable, if desired by you.

The guest room or any other PALPA Club facility booking is also possible through the PALPA Site. However, a lead tie of seven days would be required.

PALPA TRANSPORT AT ISLAMABAD:

A multipurpose PALPA Transport has been arranged for our esteemed members based at Islamabad/Rawalpindi. This facility has been provided for the benefit of families specifically when the members are away on flights. The modalities of its usage are being worked out and once finalized would be communicated to you.

62ND IFALPA CONFERENCE, CROATIA:

The 62nd IFALPA Conference was held in Dubrovnik, Croatia from 16th to 20th March 2007. PALPA was represented by Capt. Nayer Nazir and F/O Janjua. A comprehensive report was presented highlighting the PALPA affairs. A carpet was presented to the Croatian ALPA, which has been our tradition as a token of goodwill for hosting ALPA.

MEMBERSHIP OFFER:

Sysmax (Pvt) Ltd. has offered a discounted rate for membership of DA Country and Golf Club for PALPA members. The members who are interested to avail of this opportunity may contact PALPA for details and related information.

OBITUARIES:

Following of our colleagues have lost their dear ones as mentioned against their names:

- | | | |
|----|-------------------------|---------------|
| 1. | F/O Sibtain | Brother |
| 2. | Capt. Zaidi | Mother-in-law |
| 3. | Capt. Farhad Gigyani | Sister |
| 4. | Capt. ® Jehanzeb Afridi | Mother |

May Allah in His infinite mercy grant our colleagues and their families' strength, courage and patience to bear this irreparable loss. We pray for the departed souls an elevated place in their heavenly abode. (Ameen!)

F/O ARIF MAJEED
General Secretary

LONG LIVE THE UNITY OF PILOTS.