



PAKISTAN AIRLINE PILOTS' ASSOCIATION

AFFILIATED WITH :
INTERNATIONAL FEDERATION OF AIR LINE PILOTS' ASSOCIATIONS &
INTERNATIONAL TRANSPORT WORKERS FEDERATION.

INFO

Dear Members:

September 06, 2010.

اسلام وعلیکم

PALPA has filed CP No. D-2568/2010 in the Honourable High Court of Sindh, whereby we have challenged the imposition of Draconian Law (Essential Services Maintenance Act 1952) on COCKPIT CREW through our Counsels Mr. Anwar Mansoor Khan and Mr. Sheikh Javed Mir.

The matter has been taken up by the Divisional Bench High Court of Sindh headed by Honourable Chief Justice Mr. Sarmad Jalal Osmani and it was observed "*We have heard both the learned counsel as well as learned D.A.G. in our opinion, once issues have been resolved by both the parties through **Working Agreement** and subsequently through the meeting afore-mentioned (meeting before MOD dated 06.08.2010) then we would direct them to sit down together and workout any further differences amongst themselves and in this respect we would expect that both the learned counsel would actively assist their respective clients insofar as the issue of **pilots' fatigue** is concerned. We would issue notice to the Director General Civil Aviation Authority. Quid-e-Azam International Airport Karachi, who would file his comments in the matter. A copy of the Petition shall be sent to him by the Office*".

Contd: P/2.

(2)

Earlier suit No. 1262/2010 filed by the Management, the Honourable High Court of Sindh has ordered that **PIAC-PALPA would follow the Working Agreement and Law.**

We have again been vindicated in our stance that **issues are to be resolved by PIAC-PALPA through PALPA-PIAC Working Agreement 2009-2011 and the understanding reached before Ministry of Defence.**

Now the parties are to sit down together and work out further differences arising out of imposition of Essential Services Maintenance Act (ESMA).

The provisions of Essential Services Maintenance Act (ESMA) do not apply when unlawful command/order is given. Moreover, it does not apply if someone for reasonable excuse is not in a position to perform his/her duty.

The management cannot pressurize the membership to compromise flight/passenger safety for revenue under the garb of Essential Services Maintenance Act (ESMA).

We expect the membership to adhere & follow the PALPA-PIAC Working Agreement 2009-2011 in letter & spirit.

Thanking you,

Yours sincerely,



Capt. T. M. Rabbani
GENERAL SECRETARY

LONG LIVE THE UNITY OF PILOTS