



## FEDERATION OF INDIAN PILOTS

### **MINUTES OF THE 27TH ANNUAL GENERAL MEETING OF THE FEDERATION OF INDIAN PILOTS (FIP) HELD AT THE IAAS OFFICE MUMBAI - 400063, INDIA ON 30<sup>TH</sup> SEPTEMBER 2024 AT 13:00 HRS**

1. The Meeting was called to order at 13:00 Hrs. However, due to lack of quorum, the President adjourned the meeting, and it was reconvened at 13:35 Hrs. Some members participated in the meeting in Person at FIP Office, and others joined through ZOOM online meeting platform.

2. **Following Committee Members Present:**

- a) Capt. C.S. Randhawa, President
- b) Capt. Surinder Mehta, Vice - President
- c) Capt. Ajay Rawat, Secretary
- d) Capt. Somesh Babu Maddula

3. Capt. Jamshed Menon, Treasurer, Capt. Kapil Mehrotra and Capt. Rohan Kumar Singh attend the meeting on Zoom

4. **Following Members Present:**  
**On Zoom:**

- a) Capt. Fredy Daruwala
- b) Capt. Siddharth Marwah
- c) Capt. Chaudhary
- d) Capt. Melwyn
- e) Capt. Prem Shankar
- f) Capt. Harbinder Singh
- g) Capt. Riju Kochhar
- h) Capt. Varun Chakrapalli
- i) Capt. Abhishek
- j) Capt. Harshad Mishra
- k) Capt. Prem Shankar
- l) Capt. Raghavendra
- m) Capt. Akshay Thakre
- n) Capt. Vikas Thakur
- o) Capt. Ajit Khedkar

5) Capt. Randhawa chaired the meeting, and he welcomed all the members present to the 27<sup>th</sup> AGM of the Federation of Indian Pilots.

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## FEDERATION OF INDIAN PILOTS

:2:

6) **Agenda No. a): Read and adopt Minutes of the 26th Annual General Meeting held on 25<sup>th</sup> September 2023.**

7) Capt.C.S. Randhawa, Secretary, read the Notice and Agenda of the Annual General Meeting. He informed, the Minutes of the Meeting of the 26<sup>th</sup> Annual General Meeting held on 25<sup>th</sup> September 2023 was already circulated to all members. He enquired if all the members consented to the Minutes. Since there were no queries from the members, the Minutes of the 26<sup>th</sup> Annual General Meeting were taken as read and passed unanimously

8) **RESOLUTION:**

***“RESOLVED THAT the Minutes of the 26<sup>th</sup> Annual General Meeting of the Federation of Indian Pilots held on 25<sup>th</sup> September 2023 are read, approved and adopted.”***

Proposed by: Capt. Jamshed Menon

Seconded by: Capt. Surinder Mehta

9) **Agenda No. b): Adoption of Annual Accounts by Members of Federation of Indian Pilots & IAAS along with Auditors' Report thereon for the year ended 31st March 2024 and to read and adopt the Report of the Management for the year 2023 - 24.**

10) The President informed the members that the Audited Balance Sheet for the Financial Year 2023-24 along with Auditor's Report and the Report of the Management was already circulated to all the Members. He requested Mr. Thomas to read out the Report of Management to all the Members after which members could come forth with observations or suggestions, if any. As there were no queries or comments on the same, the following resolution was passed unanimously

11) **RESOLUTION:**

***“RESOLVED THAT the Annual Accounts of FIP and IAAS comprising of Balance Sheet as on 31<sup>st</sup> March 2024 and the Income and Expenditure Statement for the year ended on that date and the Auditor's Report thereon, be and are hereby approved and adopted.”***

Proposed by: Capt. Vikas Thakur

Seconded by: Capt. Somesh Babu Madula

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3

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:3:

12. **Agenda No c): Appointment of Auditors for the year 2024-25 and to fix their remuneration:**

13) The President, informed the members that Mr. Piyush Chhajed from M/s. Chhajed & Doshi, Chartered Accountants, were the present Statutory Auditor of FIP. They were allowed to continue last year with a consolidated fee of Rs.60000/- The Secretary opined that they could continue with M/s.Chhajed & Doshi for the same consolidated fee of Rs.60000/-, if the members agreed for it. As there was no objection from members, it was decided to continue the services of M/s.Chhajed & Doshi as Auditors for 2024-25 on the same terms. Following Resolution was proposed and passed unanimously:

14) **RESOLUTION:**

***“RESOLVED THAT Mr. Piyush Chhajed from M/s.Chhajed & Doshi, Chartered Accountants to continue as the Statutory Auditors of FIP for the year 2024-25 on the same terms as last year i.e. at a consolidated fee of Rs.60000/- plus applicable taxes.”***

Proposed by: Capt. Kapil Mehrotra  
Seconded by Capt. Siddharth Marwah

15) **Agenda No d): To read and adopt the Report of the Managing Committee for the year 2023 - 24.**

The above report was read by Mr. Thomas Colaco under the instructions of the President. As there were no queries or comments on the same, the following resolution was passed unanimously

16) **RESOLUTION:**

***“RESOLVED THAT the Report of the Management for the year 2023 – 24, be and are hereby approved and adopted.”***

Proposed by: Capt. Chaudhary  
Seconded by Capt. Melwyn

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:4:

### **17) Agenda No e): To discuss and resolve the purchase of FTD Level 5.**

The President gave a brief of FDT Level 5 which could be Generic or Type Specific. Data package from Boeing or Airbus would convert generic FTD into Type Specific. The data package would cost around USD 1.0 Million. He also informed members that DGCA is shortly expected to issue a revised CAR on FSTD/FTDs once it comes into effect credits could be obtained by training on Type Specific FTDs. The advantage of Procedure Trainer and Level 5 FTDs was briefed to the members. Queries from the attending members was answered by the Secretary. He further opined that subsidy would be given to the pilots utilizing the FTDs. The pilots will be charged reasonably.

***“RESOLVED THAT the PURCHASE OF THE FTD LEVEL 5 for an approximate amount of Rs 3.5 Crores was hereby approved and adopted unanimously.”***

Proposed by: Capt. Prem Shankar  
Seconded by Capt. Shreenath M.

### **18) Agenda No f): Increase of Annual Subscription and Lifetime subscription for FIP Members**

The President informed the members that the Membership Fee has not been increased since 2011. He stated that the Managing Committee felt that due to inflation it was proposed to increase the Membership Fee from Rs.1,700/- to Rs.2,500/- for Annual Membership and from Rs.17000/- to Rs. 30,000/- for Lifetime Membership.

The Members were of the opinion that the Lifetime Membership should be increase to Rs 25,000/- instead of Rs 30,000/- as proposed. This would encourage the First officers of various Airlines to join the FIP as a Lifetime Member at the first go itself. After due deliberation it was finally agreed that the Lifetime Membership be revised to Rs 25,000/-

***“RESOLVED THAT the Annual Membership of the FIP be Revised to Rs 2,500 from Rs 1,700 and the Lifetime Membership fee be revised to Rs 25,000 from Rs 17,000 the same was hereby approved and adopted unanimously.”***

Proposed by: Capt. Thakur  
Seconded by Capt. Prem Shankar

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## FEDERATION OF INDIAN PILOTS

:5:

**19) Agenda No g): To update the members on the latest court case regarding FTDL and one year Notice period.**

**FDTL WRIT- FIP vs DGCA and Anr [Writ Petition (C) No.616 of 2023]**

This writ petition challenges the validity of the 2019 CAR pertaining to the flight duty period. The FIP has challenged the vires of "Civil Aviation Requirement, Section 7 - Flight Crew Standards Training and Licensing, Series J, Part III dated 24.04.2019" ("Impugned CAR") whereby DGCA had severely reduced rest period as prescribed by the 2011 CAR, vide a writ petition titled FIP v. DGCA WP(C) No. 616 of 2023 ("Writ Petition") before the Hon'ble High Court of Delhi and the same is pending for adjudication. During the pendency of the proceeding, the DGCA circulated for comments a draft revision to the Impugned CAR and invited comments on the same from the general public, stakeholders or the persons likely to be affected thereby. Accordingly, the FIP submitted a representation on the draft of the proposed revision of the Impugned CAR, before the DGCA, vide its email dated 02.12.2023 and also submitted a hard copy of the representation on 04.12.2023.

Thereafter, the DGCA has vide its notification dated 08.01.2024, released the Civil Aviation Requirement Section 7 Series J- Part III dated 24.04.2019 (bearing File Number DGCA-22-24/12/2-22-FSD) ("Revised CAR"). As per the notification dated 08.01.2024, it is stated by the DGCA that All operators engaged in scheduled air transport operations may continue to operate in compliance with Impugned CAR till approval of their respective scheme in compliance with the Revised CAR or 01.06.2024 whichever is earlier.

Thereafter, it came to the notice of the FIP, through newspaper reporting, that the operators, through the Federation of Indian Airlines, have submitted a representation before the DGCA seeking deferment of the implementation of the Revised CAR, which is due to be implemented from 01.06.2024. Accordingly, the FIP submitted a representation to DGCA as the request of the operators was prejudicial to passenger safety and the FIP asserted that such deferment requests made by the operators should be rejected by the DGCA.

DGCA proceeded to issue a revised version of the CAR on 26.03.2024. This revision eliminates the mandatory requirement for operators to implement the Revised CAR before 01.06.2024. Instead, operators engaged in scheduled air transport operations are now permitted to continue operations in accordance with CAR Section 7 Series J Part III Issue III dated 24th April 2019 until the approval of their respective schemes, in alignment with the new CAR.

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6

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:6:

The Writ Petition was listed before the Hon'ble High Court, on 01.04.2024 and 08.05.2024, and on the said dates the FIP pressed for implementation of the Revised CAR and the Hon'ble Court has requested the DGCA to inform the Court about the tentative date of implementation of the Revised CAR.

Thereafter, the matter was listed before the High Court on 09.07.2024 and on the said date the following was the outcome of the hearing:

1. DGCA informed the court that DGCA is not in a position to commit to any specific implementation date of CAR of 2024.
2. On the probing of the judge, it was further informed that CAR of 2024 might not be implemented this year.
3. The court observed that the date of implementation of the 2024 CAR is a policy decision and, therefore, cannot be directed by the court.
4. The court agreed to proceed with the hearing for final adjudication of all writ petitions challenging the 2019 CAR, as the 2019 CAR will continue to operate due to the non-implementation of the 2024 CAR.
5. The court directed that all matters be listed for final arguments on 02.09.2024.

### **WRIT CHALLENGING MANDATORY NOTICE PERIOD AND CONNECTED WRIT PETITION FILED BY SNV AVIATION PVT. LTD**

[FIP vs DGCA and Anr.; Writ Petition (C) No.8399 of 2017 and SNV Aviation Pvt. Ltd. vs DGCA and Others. Writ Petition (C) No.12193 of 2023]

FIP has filed this writ petition to challenge the CAR of 2017, concerning the mandatory notice period, whereas a writ petition is filed by Akasa Air/SNC Aviation Pvt. Ltd, seeking enforcement of CAR of 2017, concerning the mandatory notice period.

FIP filed a writ petition (W.P.(C) No. 8399 of 2017) before the Hon'ble Delhi High Court seeking quashing of the CAR, dated 16.08.2017, stipulating a mandatory notice period for pilots. The Hon'ble High Court vide its order dated 25.07.2018 took note of the submissions of FIP and protected the interest of the Pilots since it directed that no coercive steps be taken by DGCA till its final decision in the matter. The High Court directed the Airlines to act only in accordance with contractual terms entered into between the Pilots and the Airlines.

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7

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## FEDERATION OF INDIAN PILOTS

:7:

During the pendency of the aforementioned matter, SNV Aviation Pvt. Ltd, filed a writ petition, i.e. Writ Petition (C) No.12193 of 2023, seeking clarification of the order dated 25.07.2018 and seeking enforcement of CAR against the pilots. During the hearing dated 18.09.2023, to contest the said plea of SNV Aviation Pvt. Ltd, we asserted that it should be subject to the outcome of FIP's writ petition, W.P.(C) 8399/2017, which challenges the said CAR. FIP's submission emphasized that the relief sought by SNV Aviation Pvt. Ltd, which aims to enforce the CAR against employees who violated the terms of their employment contracts, is not valid and the CAR itself falls beyond the authority granted to the DGCA under the Aircraft Act, 1934, and Aircraft Rules, 1937. Consequently, we requested the Hon'ble Court not to issue any orders on the petition of SNV Aviation until the Court has examined its vires (validity) in FIP's writ petition.

Following the aforesaid hearing the Hon'ble High Court, vide its order dated 26.09.2023, passed the following order.

- i. As regards the issue of clarification of the interim orders dated 25.07.2018, the Court held that the said orders are conditional upon the pilots and Airlines duly complying with the terms of the contract and in case of non-compliance, the CAR, 2017 becomes operative; and DGCA is at liberty to act in accordance with the said CAR, 2017 and under the extant law against the party in breach. There is no absolute restraint against DGCA from taking action as contended by DGCA.
- ii. As regards issuing a direction to DGCA to act upon a representation in future from the Petitioner against a defaulting pilot, in the facts of this case, since DGCA has contended that it has no jurisdiction to consider a representation made by the Petitioners/SNV Aviation against the defaulting pilots under the extant law including CAR, 2017, as it is a contractual dispute. The Court stated that the said issue of jurisdiction would have to be decided finally before issuing a direction to DGCA to consider and inquire upon a complaint received from the Petitioner.
- iii. The Court further stated that a direction to DGCA to decide the representation of Petitioners against (future infractions) by the defaulting pilots cannot be issued at this interim stage without first deciding the issue of jurisdiction of DGCA.

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## FEDERATION OF INDIAN PILOTS

:8:

- iv. The Court stated that it deems it appropriate to hear the arguments on the issue of jurisdiction of DGCA to take action against the defaulting pilot for not serving the minimum contractual notice period or the period prescribed in CAR, 2017 if it leads to harassment of passengers as stipulated in CAR, 2017, since a doubt has been raised by the said DGCA itself and it has denied its jurisdiction.
- v. The Court also stated that the Petitioner is seeking the direction for possible future infractions and therefore, the direction sought against DGCA can await the final adjudication. It is however, made clear that if during the pendency of this petition, in case a pilot acts in breach of the minimum contractual notice period as specified under his/her employment agreement, then such an action will be at the pilot's own risk and will remain subject to the outcome of the present petition.
- vi. The Court further held that in view of the submissions of FIP and considering the commonality of issues arising in the writ filed by FIP and Indian Pilot Guild, it is deemed appropriate to implead FIP as Respondent Nos. 3 in the petition of SNV Aviation Pvt Ltd.

The Writ Petition was last listed on 09.07.2024 before the Hon'ble Delhi High Court, We appeared on behalf of FIP, and the matter was heard along with the petition of SNV Aviation Pvt Ltd., i.e. SNV Aviation vs Directorate General of Civil Aviation and Another. The counsel representing SNV Aviation requested the court to direct all parties and associations to share the pleadings filed in all the writ petitions. We objected to this request, stating that SNV Aviation is not a party in all the writ petitions and cannot claim such service of the pleadings. Consequently, the court observed that such directions cannot be issued at this stage. However, if SNV Aviation requires any pleadings, they may apply to the court registry for certified copies.

The Court directed the interim order to continue till the next date of hearing and that the matters are to be listed for final hearing on 03.09.2024.

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## FEDERATION OF INDIAN PILOTS

:9:

### **20) Agenda No h): Any other Point with the permission of the Chair.**

#### **1) Adoption of a procedure for granting Ex – Gratia to the FIP and IAAS Permanent Staff: -**

The President briefed the members that one of our Office staff was infected with Cancer and while undergoing his surgery his right hand has got paralyzed, He said that it was the duty of the Managing Committee to look after the welfare of the Staff and as Mr. Vinod has already been working with the FIP for the last 13 year he wanted to give him an Ex- Gratia but also pointed out that a policy for the same was required to be drafted for this and any such further cases.

#### **Policy of Ex-Gratia Payment for FIP and IAAS Permanent Employees w.e.f. 30<sup>th</sup> September 2024.**

##### **1. Objective**

This policy provides guidelines for ex-gratia payments to permanent employees of **FIP and IAAS staff** who have completed **10 or more years** of service, offering financial support in cases where employees are rendered unable to continue employment due to disease, or in situations not covered by insurance, with discretion granted to the managing committee.

##### **2. Eligibility**

- Permanent Employee: Only permanent employees are eligible.
- Minimum Service: Must have completed at least 10 years of continuous service with FIP.
- Medical Condition: Applicable in cases where an employee suffers from a disease that renders them unable to continue employment.
- Discretionary Cases: The managing committee may consider other exceptional cases not covered.

##### **3. Ex-Gratia Payment Calculation**

- A. **Completed Years of Service:** Ex-gratia is paid at the rate of one month's salary for each completed year of service. Plus

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## FEDERATION OF INDIAN PILOTS

:10:

- B. **Remaining Service:** Until Superannuation (58 years): Ex-gratia will be paid at the rate of two months' salary for each year of service remaining until superannuation.
- C. **Whole Year Only:** Only complete years of service and full pending years until superannuation are counted. (If in any case the period is more than 6 months its counted as one year)
- D. **Maximum Limit :** The ex-gratia payment shall not exceed the total salary payable for the remaining service period.
- E. **Salary Definition :** The calculation is based on the monthly salary, excluding insurance premiums.

#### 4. **Example**

For an employee with:

- Completed Service: 12 years
- Remaining Service: 13 years (until superannuation)
- Monthly Salary: ₹30,000

#### 5. **Ex-Gratia Calculation:**

1. For Completed Service (12 years):  
 $\text{₹30,000 (one month's salary)} \times 12 \text{ years} = \text{₹3,60,000}$
2. For Remaining Service (13 years):  
 $\text{₹30,000} \times 2 \text{ months} \times 13 \text{ years} = \text{₹7,80,000}$

**6. Total Ex-Gratia** = ₹3,60,000 + ₹7,80,000 = ₹11,40,000

**7.** However, the total ex-gratia payment cannot exceed the salary for the remaining service (13 years):  $\text{₹30,000} \times 12 \text{ months} \times 13 \text{ years} = \text{₹46,80,000}$

**8.** Thus, the total ex-gratia payable is **₹11,40,000.**

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## FEDERATION OF INDIAN PILOTS

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### **9. Discretionary Provisions**

**10.** The Managing Committee retains the discretion to approve ex-gratia payments for cases not covered under this policy, where appropriate, based on individual circumstances.

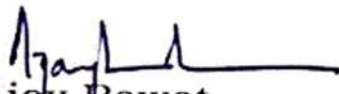
**11.** This policy aims to provide financial relief to long-serving employees of FIP and IAAS facing life-altering health issues or exceptional situations.

It was decided that the Ex- gratia policy was approved and the Managing Committee would prepare a policy and according implement the same for the affected staff.

***“RESOLVED THAT the Ex-gratia payment to the Permanent staff of the FIP and IAAS is approved in the Policy prepared by the Management of the FIP, the same was hereby approved and adopted unanimously.”***

Proposed by: Capt. Prem Shankar  
Seconded by Capt. Surinder Mehta

**21)** There being no other agenda point to be discussed; the meeting ended with a vote of thanks to the Chair.

  
Capt. Ajay Rawat  
Secretary - FIP