



REPORT

**Incident of Mihin Lanka
Flight MJ 408 (SHJ – CMB), Airbus A321, bearing registration
4R-MRC on 01st May 2015**

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1. Abbreviation

ASR	-	Air Safety Report
ATC	-	Air Traffic Controller
ATPL	-	Airline Transport Pilot Licence
ASN	-	Aviation Safety Notices
BIA	-	Bandaranaike International Airport
CAASL	-	Civil Aviation Authority of Sri Lanka
CPL	-	Commercial Pilot Licence
CMB	-	Colombo
CRM	-	Crew Resource Management
CVR	-	Cockpit Voice Recorder
DFO	-	Director Flight Operations
DFDR	-	Digital Flight Data Recorder
DGCA	-	Director General of Civil Aviation
DFO	-	Director Flight Operations
F/D	-	Flight Deck
F/S	-	Flight Steward
F/SS	-	Flight Stewardess
F/O	-	First Officer
FOM	-	Flight Operations Manual
hrs	-	hours
IS	-	Implementing Standard
MJ	-	Mihin Lanka
OMSJ	-	Sharjah International Airport
PIC	-	Pilot in Command
PF	-	Pilot Flying
PNF	-	Pilot Not Flying
SHJ	-	Sharjah International Airport, United Arab Emirates
SLA	-	SriLankan Airlines
SOP	-	Standard Operating Procedures
SMS	-	Safety Management System
TCN	-	Technical Crew Notice
TRV	-	Trivandrum International Airport, India
UTC	-	Coordinated Universal Time

2. Introduction

The incident was reported in electronic media on 12th May 2015 of an incident involving a Pilot of Mihin Lanka snoozing in flight deck. Pilot in Command (PIC) of the flight MJ 408 from Sharjah (SHJ) to Colombo (CMB) on 01st May 2015, was found snoozing en-route to Colombo, & had not opened the door for the First Officer of the flight to get into the flight deck.

Inquiry in to the alleged incident was initiated to find out the breach of safety and the violation of safety regulations by DGCA. The team appointed in this regard is as follows;

- Mr. Susantha De Silva - Chief Investigator,
- Captain N.A. Keil - Team Member,
- Ms. Romany Lawrence-Hewa - Team Member,

2.1 Synopsis

Mihin Lanka, holder of an Air Operator Certificate (AOC) issued by CAASL operated a scheduled Flight MJ 407/408 between CMB – SHJ – CMB. The flight MJ 407 is scheduled to depart from CMB at 1310 hrs UTC (1840 hrs Local time) to SHJ on 30th April 2015. After 10 minutes of delay the flight MJ 407 took off from CMB and arrived in SHJ at 1805 hrs UTC (2205 hrs Local Time) on same day. The first sector of flight was uneventful.

After approximately 2 hours of ground time in SHJ, the flight MJ 408, departed from SHJ to its destination, CMB, Bandaranaike International Airport (BIA), Colombo, Sri Lanka at 2010 hrs UTC (0010 hrs Local time on 1st May 2015).

It had been reported in Electronic Media, that flight MJ 408 on 1st May 2015 en-route to CMB from SHJ, that there had been an incident involving the PIC, not opening the door for the First Officer of the flight to get into the flight deck as he had fallen asleep. First officer had gone out of the Flight Deck (FD) to the wash room & tried to enter back to the FD, had failed to enter due to PIC not responding to the door call bell.

Finally First Officer had used the emergency code to enter the cockpit.

3. Factual Information

3.1 History of Flight

Mihin Lanka Airlines aircraft, Airbus A321 with the registration 4R-MRC was scheduled for a commercial flight for Colombo (CMB) - Sharjah (SHJ) - Colombo (CMB) on 30th April 2015.

Prior to the departure all crew had reported to BIA at 1200hrs UTC (1730 hrs Local time) and a briefing had been carried out by the Pilot In Command (PIC).

The flight MJ 407 departed CMB on 30th April 2015 at 1310hrs UTC and the first sector of the flight to SHJ was uneventful. On the same day, the return flight MJ 408 from SHJ to CMB has departed SHJ at 2010 hr UTC (0010 hrs SHJ Local time) and arrived at 0035hrs UTC (0605 hrs local time) on 01st May 2015.

This was a two tech crew operation with 6 cabin crewmembers.

Voyage Report (VR) contained a description of the incident whereas Tech log was not used for recording of any event or unserviceability of Flight Deck door mechanism.

3.2 Personal Information

Flight Crew

a) Pilot-In-Command

Licence : Valid ATPL (ATPL /A/709) issued by the DGCA Sri Lanka; valid till 08th May 2016

Age : 54 years, Male

Aircraft Ratings : A320 issued on 03.03.2013

Flying Experience : Total: P1 4585 hrs on A319/320/321 with previous employer Kingfisher Airlines

Total on type (A321) : 1948. 41 hrs with Mihin Lanka

b) First Officer

Licence : Valid CPL (CPL/A/618) issued by the DGCA Sri Lanka; valid till 27th April 2016

Age : 32 years, Male

Aircraft Ratings : A320 issued on 02.12.2011

Flying Experience : Total: 2475. 13 hrs, no previous airline experience as he joined Mihin Lanka as a Cadet pilot

Total on type (A321) : 2475. 13 hrs – with Mihin Lanka

4. Analysis

4.1 DFDR/CVR Data

As the Aircraft was detailed & released for other flights after the incident concerned, DFDR & CVR was not preserved for the investigations. Therefore complete investigation was based only on witness statements, obtained through interviews of crew members. Basically all evidence are based on human statements, interventions & interpretations which was done after almost 12 days of the event. Therefore reliability & verification of some information is considered somewhat questionable.

4.2 Briefing on SOPs

During the crew briefing prior to departure from CMB, according to tech crew, they have agreed that any time a pilot leaves the flight deck for physiological or any other need, a cabin crewmember has to be called prior to leaving the F/D. In this regard the company has issued Technical Crew Notice (TCN) ref 0086 dated 27th March 2015.

Flight MJ 407 CMB/SHJ Sector PF has been the First Officer with PIC being the PNF. On that particular flight whenever the pilots left the Flight Deck a cabin crewmember had always been called prior to his leaving the Flight Deck. Purser or a cabin crewmember who had been in the Flight Deck at that time has obliged. The crew has used the 01# key and the pilot in the F/D had opened the door.

4.3 Crew interviews

The following crewmembers of Mihin Lanka were interviewed with regard to the alleged incident on MJ 408.

1. Captain
2. First Officer
3. Purser
4. F/SS
5. F/S
6. Safety Manager of Mihin Lanka
7. Another independent First Officer

4.3.1 First Officer

Following is an excerpt from the First Officer's Statement & verified with other crew who have been interviewed including PIC.

The return sector of MJ 408 from SHJ to CMB the Pilot flying (PF) was the PIC and First Officer (FO) was the Pilot Not Flying (PNF). According to the Statements, even during this sector every time the pilots used the washroom a cabin crewmember has been summoned in to the Flight Deck (F/D) prior to the pilot leaving it.

Just before the descend, First Officer had wanted to use the washroom. When the First Officer was about to reach the call bell to call the Flight Stewardess, the PIC had said "just go". First Officer had thought that PIC had not wanted a cabin crewmember in the F/D at that time, & had left the F/D closing the door behind him to use the washroom. However PIC denies this & states that he was expecting a crew member just like the way they agreed during briefings & practiced throughout both sectors of the Flight. There is no way of verification of what was the real facts of the matter since CVR was not available for the investigations.

At that particular moment the purser had just come of the toilet and seeing the F/O near the toilet door & seen the F/SS serving for business class passengers near the forward galley has inquired as to who is in the F/D. It was revealed that during the interview that there was no call from the F/D to Flight stewardess.

By the time the F/O came out of the toilet and had used the 01# code to enter the F/D the door had not been opened by the PIC. He had tried it three times and as the door was not opened by the PIC, F/O had used the emergency code to enter the F/D. When he had entered he had seen the PIC reclining the seat, covering himself with a blanket and had been fast asleep.

First Officer had brighten the lights, had tapped & called the PIC. The PIC had woken up and realizing that he had fallen asleep had apologized. First Officer had informed him that he had used the emergency code to enter the F/D as the PIC did not open the door when he had used the 01# code.

As this incident has happened just before descend the next communication contact was TRV. F/O has heard that the ATC Controller has had inquired on VHF Radio Telephony "MJ 408 do you read me? MAA had tried to call you and had kept UL aircraft as well to contact you. Please maintain listening watch." with a voice of irritation according to F/O. This had been informed to PIC by the F/O.

In his statement F/O maintained that PIC, is a habitual sleeper during the cruise phase of the flight and because of this habit the F/Os who fly with him is inundated with work during that period as F/O has to do all work of PF & PNF. This has been verbally reported to the Airline Management. Furthermore these have been common complains by the F/Os at safety meetings. It is established that although, the complaint has been verbal it has never been documented even as minutes, at the safety meetings conducted at Mihin Lanka.

On the MJ 407, first sector, in one occasion when Flight steward (F/S) has been in the F/D there had been a considerable delay in opening the door by PIC. During the interview it was revealed that the F/O suspected that the PIC had fallen asleep, but the F/S says that the delay was due to the pilot being in contact with ATC. At no time has the cabin crewmember tried to open the door, although he heard the buzzer, as it was not a SOP in the airline. He said that after the German Wings accident a TCN had been issued in the notice board by the company, to ensure that one cabin crewmember has to be in the flight deck before the pilot leaving it for any particular reason. The aircraft has touched down in SHJ at 1805 hrs UTC and the departure was scheduled at 2010 hrs UTC. As there was almost two hours on ground both pilots have taken a nap in the F/D.

In all statements of the above personnel it was revealed that PIC has had the habit of sleeping during the cruise phase of the flight.

4.3.2 Pilot In Command (PIC)

PIC blatantly admitted the fact that he was incapacitated for a short period of time due to a quick powernap in the FD in his PIC seat while the F/O was out in the wash room. He also admitted the fact that he travelled as a passenger from his home town in India & left home around 2300 Local time on 28th & landed in CMB on early morning & from there he has proceeded to Colombo city without taking any rest. He has apparently returned from city in the afternoon & taken a rest before the flight. At most, this rest may have been for only 3 to 4 hours which is not adequate for a twelve hour flight in the night.

4.3.3 Purser & FS, FSS.

Purser has released a report on the incident & reiterated the fact the PIC had the habit of excessive using of Blankets & pillows in his all flights. Also he has had the habit of demanding more facilitation from the cabin crew & in a certain report one purser has demanded the services of an additional crew member when flying with this PIC.

4.3.4 Others

On a Statement recorded on an independent First Officer, substantiated the behavioral pattern of the PIC. He said PIC never practice CRM but had maintained Flight deck gradient during the flight. It was established that the PIC was a habitual sleeper giving the First Officer the PF and PNF SOPs as per the FOM.

During the interview with F/O, it was further revealed that PIC does not follow the SOPs published by the Airline, when conducting flight operations but uses raw data to fly the aeroplanes carrying passengers. They informed that expat pilots are introduced to the roster within 01 week of arrival and hence are not trained adequately on company procedures. They informed that they have a concern over the ground training and trainers of the Company. They said although there are local F/O s who are eligible for command training the management overlook them and appoint expat pilots who are relatively inexperienced in "command" aspect.

During the interview with the Safety Manger of the airline, it was revealed that the higher Management of Mihin Lanka does not take any corrective action for the ASR's & the verbal complains which are the outcome of safety meetings. He said that the F/O feel unwanted by the management by verbal expressions made by DFO "...Captains are essential commodity for the airline".

4.4 Behavior of the PIC

The cabin crewmembers informed that when the Captain boards the aircraft he requests for two pillows & one blanket as a standing order. It is noted through the inquiry that PIC lacks CRM principles as he has practiced the F/D gradient to a serious extent. On flight MJ 305/306 on 24th January 2015, the Purser of flight MJ305 has commented that a 7th crewmember is needed to attend to this PIC requests as the cabin crew cannot manage the passenger services and his individual requests. On flight MJ 501/502 on 25th January 2015, as the cabin crew had delayed in serving his meal he had denied the F/D entry to the cabin crew as it is documented to say that when crew dialed 01# key the indication has been red. Further has had refused to answer the call bell from the cabin as well. It is evident that even the F/O had been not allowed to answer the call from the cabin as there is a written comment by the Purser of the said flight. Although an inquiry has been called for this particular incident and all parties concerned had reported to Mihin Lanka Head Office, DFO had cancelled the inquiry saying that the correct procedure of conducting disciplinary actions as per MJ has not been followed. No further action had been carried out.

Three first officers nearing experience requirement to undergo Command training, Suresh Fernando, Sanjeewa Weerasekera & M. Izadeen of MJ have yet not been identified for command training although they have completed the requirements published by the airline.

Although the airline has issued a TCN to Tech crew it does not fully address the requirement published by CAASL in reference to IS 033.

5. Conclusions

Investigation on this incident was mainly focused on this particular incident only, refraining further investigations on other safety concerns surfaced during the investigations. Those safety concerns are mentioned as Observations since, those concerns demand collection of further evidence before it is confirmed as Findings.

5.1 Observations

5.1.1 Airline

It is observed that the Airline has no evidence of ;

1. Proper Implementation of Safety Management Systems (SMS) in the airline due to following facts.

- i. Airline has not been able to detect crew who are reporting to duty with onset of Fatigue with impaired performance to a level of serious safety concerns in flight operations.
 - ii. Does not practice just culture but has “shoot the messenger” attitude.
 - iii. Suggestion boxes are kept in areas which does not promote anonymous volunteer reports
 - iv. Not taking corrective actions on the Air Safety Reports (ASR)s and verbal complaints made by crew during safety meetings.
 - v. CEO, Management, Pilots & cabin crew have not been trained formerly on SMS.
2. Proper Implementation of Crew Resources Management (CRM) in the airline due to following facts.
 - i. No evidence found on proper practice of CRM principles during briefings
 - ii. No flight deck/ cabin crew CRM training together.
 - iii. First officers being felt intimidated and not essential for the flight.
3. Proper Implementation of Regulations, ASNs & ISs in the airline due to following facts.
 - i. Flight & Cabin crew not aware of the IS pertaining to flight deck entry.
 - ii. Keeping the cabin crew informed of regulations through the notice board.
 - iii. SOP developed by the Company for IS 033, does not address the procedure required to be adopted by the purser and cabin crew for effective compliance.
 - iv. Expat pilots have not been adequately trained on Company procedures.

5.1.2 CAASL

1. No adequate training has been provided for CAASL Inspectors on SMS
2. Training Programs of Mihin Lanka on CRM, SMS & Company Indoctrination have not been properly assessed.
3. Proper Oversight on safety of Mihin Lanka was not evident.
 - I. No adequate inspection have been carried out to verify effective implementation of Company SOPs.
 - II. No adequate Inspections have been carried out to verify effective implementation of SMS by the Airline.
 - III. No Principle Inspector has been identified for Mihin Lanka.

5.1.3 PIC

1. Has had a practice of reporting for duty in a status of fatigue without a proper rest
2. Lack of practice of CRM within the crew of Flights of the Airline.
3. Has had a practice of refraining from working during flights entrusting everything to Co-Pilot
4. Was not aware of the CAASL IS 033 which was implemented about few months back. Perhaps he was not aware of any of them.

5.2 Probable causes

Main Cause for the incident is PIC failing to be cognitive of the fact that his body has reached a level of fatigue undesirable to discharge his duties as a license holder on duty as PIC.

Further the Pilot failure to be assertive enough to judge his physical inability prior to reporting to work and the airline's failure to capture and mitigate fatigue issues encountered by the operational crew are also identified to be probable causes.

6. Safety Recommendations

6.1 Airline – Mihin Lanka

1. The airline shall have an effective comprehensive SMS implemented in the company, inter-Alia following;
 - a. Reporting culture to be encouraged through reintroduction of suggestion boxes and safety promotions to enhance SMS.
 - b. Encouraging establishment of a just culture in the airline.
 - c. Airline management shall evaluate the fatigue risks associated with individual behavioral patterns.
2. The airline shall have an effective Training Programs satisfying regulatory compliance as a whole, inter-alia, SMS, CRM and company indoctrination programme for Pilots. Conducting of join CRM training for Flight & Cabin Crew is also essential in an urgent basis.
3. Flight operations of Mihin Lanka is required to overview their compliance to stipulated requirements of CAASL, through their SOPs
4. Safety targets shall be implemented when allocated to Mihin based on the reported Occurrences
5. Flight Safety Action Group (FSAG) of Mihin Lanka shall take note of the serious safety hazards in the airline and take immediate mitigation actions.

6.2 Regulator - CAASL

1. CAASL – OPS inspectors have to be provided proper SMS training
2. CAASL is required to conduct proper inspections on SMS on Mihin Lanka
3. Safety targets shall be allocated to Mihin based on the reported Occurrences
4. Annual surveillance plan shall be amended to address all concerns areas of flight operation.
5. CAASL shall have to evaluate the Training programs of Mihin Lanka on priority basis.
6. Recruitment of adequate number of inspectors into Operations Section
7. Conducting an audit on the SMS of Mihin Lanka to ascertain the level of compliance.
8. Develop a declaration consisting of a questionnaire based on Fatigue and Rest Management to be submitted by suspected pilots on a regular basis to the operator.
9. CAASL shall establish a new procedure requiring operators to monitor behaviors of expat/local crew in relation to their off day activities which may have effect on fatigue.

10. CAASL shall take punitive actions on the crew as follows;
 - a. Revoke the license of PIC
 - b. Suspend the license of F/O for two weeks

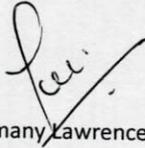
Members of Inquiry Team



Mr. Susantha De Silva - Chief Investigator



Capt. N.A. Keil - Team Member



Ms. Ms. Romany Lawrence-Hewa - Team Member

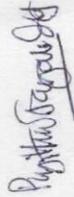
Appendix 01: Technical Crew Notice

TECHNICAL CREW NOTICE

To	All Mihini Lanka Tech Crew
From	Director Flight Operations/Head of Training & Standard
TCN No	0086 Rev:01
Date of Issue	27 th March 2015
Subject	SINGLE PILOT IN FLIGHT DECK PROCEDURE

During flight at any given time should one of the operating Pilots leave the flight deck, an operating cabin crew member should remain in the flight deck during the absence of the Pilot with the concurrence of the Purser.

For your information and strict compliance.



Captain Pujitha Jayakody
Director Flight Operations/
Head of Training & Standard

cc: Manager In-flight

PJ: nif

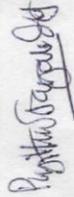
TECHNICAL CREW NOTICE

To	All Mihini Lanka Tech Crew
From	Director Flight Operations/Head of Training & Standard
TCN No	0086 Rev:02
Date of Issue	11 th May 2015
Subject	SINGLE PILOT IN FLT DECK PROCEDURE

While In-flight at any given time should one of the Operating Pilots required to leave the Flight Deck, an operating Cabin Crew member should be made available in the Flight Deck duration of the absence of the said pilot with the concurrence of the Purser.

It is the responsibility of the pilot leaving the flight deck to coordinate availability of the cabin crew member to be present during his or her absence.

For your information and strict compliance.



Captain Pujitha Jayakody
Director Flight Operations/
Head of Training & Standard

cc: Manager In-flight

PJ: nif

Appendix 02: Cabin Crew Voyage Report of MJ 407/408

CC 03

MIHIN LANKA CABIN CREW VOYAGE REPORT

SECTORS	CMB	SHJ	SHJ	CMB				
TIMINGS	ETD	ETA	ETD	ETA	ETD	ETA	ETD	ETA
	18.40	21.50	22.50	05.10				
LOAD	ATD	ATA	ATD	ATA	ATD	ATA	ATD	ATA
	18.50	22.00	00.10	06.05				
MEALS	W	Y	W	Y	W	Y	W	Y
		182		209				
		182		212				

FLIGHT NO/S...MJ 407/8 DATE 30.4.15 A/C...321 REGISTRATION 4A-MEC

CAPTAIN Gajendra D. Goon

CREW	POSN	NAME	S/N	SIGNATURE
PURSER	L1	Rozana Sadia	0038	
STEWARD/ESS	R1	Marlene Mendis	0416	
STEWARD/ESS	R2	Ashmi Senavirathna	0669	
STEWARD/ESS	L2 R3	Sehan Palliyaguru	0664	
STEWARD/ESS	L4	Lakshani Kuruppu	0403	
STEWARD/ESS	04	Venusna Samithasiri	0547	
SNY				
INSTRUCTOR				
START OF FDP	17.40	DATE 30.4.15	END OF FDP 06.3	DATE 01.5.15
ENTITLEMENT OF ALLOWANCES	09825	BRUNCH	DINNER	O/NIGHT

COMMENTS 10051

* 10 mnts delay due to transport. Ramp Control

* Cargo reported at 17:35 (15 mnts late) due to transport. We were given 2 transports to Colombo Myself / Lakshani & Venusna was given one transport & Marlene was given a separate transport. From Madana but on the return flight they cut down the vehicles to one and asked us to bring Marlene.

Appendix 04: Interview of PIC of MJ 408

Appendix 05: Interview of First Officer

Appendix 06: Statement of First Officer

Appendix 07: Interview of the Purser

Appendix 08: Interview of Flight Stewardess

Publication of the Appendices 04, 05, 06, 07 and 08 withheld in compliance with Section 61 of Civil Aviation Act No 14 of 2010.