



**The Aircraft Accident Investigation Bureau has failed in its primary duty that of securing the accident site.** Not only has the site been contaminated but key evidence has been destroyed and stolen. Video recorded by media channels clearly shows how the aircraft cockpit was rummaged and desecrated by groups of people looking for something in specific. It just might be a key evidence in the accident investigation. A judicial probe must be initiated to carry out a fair and unbiased investigation. The letter written to the Secretary Civil Aviation reads as follows.

Evidence destruction

The Secretary,  
Ministry of Civil Aviation,  
New Delhi, India  
Dear Sir,

This is with reference to the Air India Express aircraft VT-AXH accident on 7th August 2020 at Kozhikode. This is also with reference to the emails sent to your office on 17th August 2020, 18th May 2020, 03 July 2020 & 13th August 2020 with the subject "Reinvestigation of Ghatkopar accident", "Reinvestigation of Ghatkopar accident & Change of VT-AXH investigator due previous complaint".

I am sending you snapshots from media reports & a link to the news clipping taken soon after the aircraft met with the accident. The photographs undoubtedly capture a scene of alleged tampering and destruction of evidence from the aircraft cockpit. This amounts to a criminal act which is punishable under the Indian Penal Code. This act is also a violation of the Aircraft (Investigation of Accidents and Incidents) Rules, 2017, Protection of evidence, custody, removal and preservation of damaged aircraft.

As seen in the photograph, a person(A) dressed in military fatigues positioned outside the aircraft cockpit is seen pointing out to something inside the cockpit. There is apparently another person(B) inside the cockpit who hands over a what appears to be a document, to person A. Person A is then seen handing over the presumed document, which is apparently stained to a third person(C).

In the news clipping, the destruction of evidence is also evident from the fact that the person inside the cockpit is rummaging through the documents and cavities inside the cockpit, apparently searching for something in particular.

The Aircraft Accident Investigation Bureau procedures manual 2012, under point 4 details the procedure for securing the evidence on site.

4.1.4 The Officer Incharge of the Aerodromes closest to the site of the accident shall assist in coordination with Local Police Authorities and shall take immediately all reasonable measures to protect the evidence until the arrival of the officer of AAIB or any other authorized person.

4.1.8 The assistance of civil authorities, particularly that of local police is also necessary to ensure that vital evidence is not lost.

The International Civil Aviation Organisation (ICAO) Doc. 9756 Part II, 1.5 Responding to notification states the following.

1.5.3 The investigation authority's immediate response to notifications will facilitate the immediate response of local authorities (fire and police departments) and the prompt arrival on site of investigators. The following tasks should be accomplished without delay:

a) securing the occurrence site, aircraft, wreckage, and other equipment involved to ensure their preservation, including protection against further damage, and the deterioration or disappearance of essential evidence due to theft, displacement or improper handling of the wreckage;

It is evident from media reports and available video records that the accident site was not secured and evidence have been displaced, tampered and 'probably' destroyed. I have also written to you regarding the Ghatkopar accident of VT-UPZ where the final investigation was flawed and key evidence was misrepresented or tampered with.

The need to secure accident sites was highlighted during the Mangalore Air Crash and it seems we have not learnt our lessons. In this case, it has been an intentional, willful and deliberate act and whoever this personnel were are clearly searching for these documents and they seem to have been specifically ordered to look for something. This personnel, other than extricating bodies, are not authorised to do any other act and this is clear evidence of tampering with evidence.

In the absence of a Judicial and an open inquiry, I do not see any reason as to how an investigation would be fair and reasonable. Therefore I request you to immediately constitute a Court of Inquiry

under the Rule 12 of Aircraft (Investigation of Accidents and Incidents) Rules 2017.

Regards,

Capt. Amit Singh FRAeS

18 August 2020

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