

THE MINISTER OF STATE IN THE DEPARTMENT OF POWER IN THE MINISTRY OF ENERGY (SHRI KALPNATH RAI): (a) to (d). The total number of power plants based on coal in Maharashtra is seven (7). The average monthly requirement of coal for these power plants during 1989-90 is 12,76,000 tonnes against which the average monthly receipt of coal during April-June, 1989 was 12,17,000 tonnes. Thus, the coal receipt has been somewhat less than the coal requirement. The coal supply position is being continuously monitored.

Development of Wind and Tidal Power in Gujarat

1024. SHRI AMARSINHA RATHAWA: Will the Minister of ENERGY be pleased to state:

(a) whether Gujarat has adopted novel ideas in development of wind power in the State;

(b) whether the State has also become first to tap the tidal power; and

(c) if so, the steps being taken to develop power from these sources and how far it will meet the requirement of power in the State?

THE MINISTER OF ENERGY (SHRI VASANT SATHE): (a) Two demonstration wind farms projects of aggregate capacity 1.65 MW have been established in Gujarat. Over 80 lakh units of electricity have been fed to the State grid from these projects. In addition, wind power projects of aggregate capacity 14.90 MW are under construction in the State. A novel idea that Gujarat has introduced to encourage development of wind power in the State, is that the State Electricity Board will purchase electricity generated from wind power projects @Rs. 1.25 per unit upto an installed capacity of 40 MW.

(b) Central Electricity Authority have prepared a feasibility report for 900 MW tidal power project in the Gulf of Kachchh in Gujarat. The scheme is yet to be cleared from techno-economic angle.

(c) Site-specific feasibility and techno-economic studies are underway for wind and tidal power projects. The total estimated potential of these sources for power generation is in excess of the projects requirement of power in the State for the year 2000. Large scale development will depend on outcome of the studies and the availability of funds.

Sex discriminations in Air India/Indian Airlines

1025. PROF. NARAIN CHAND PARASHAR: Will the Minister of CIVIL AVIATION AND TOURISM be pleased to refer to the reply given on 29 August, 1988 to Starred Question No. 404 regarding sex discrimination in Air India and Indian Airlines and state:

(a) the decisions/judgements of the courts on the five grounds of alleged sex discrimination of which the Air hostesses are subjected to as mentioned in the representation submitted to Government by the National Campaign Committee of Trade Unions;

(b) the dates on which the decision have been taken and implemented by Government respectively alongwith other relevant details; and

(c) the response of the Trade Unions to these decisions?

THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION AND TOURISM (SHRI SHIVRAJ V. PATIL): (a) Details of the decisions and the judgements on the five grounds of alleged discrimination against the airhostesses of Air India and Indian Airlines are given in the statement below.

(b) The decisions of the Courts have already been implemented by the two airlines. However, recently the service conditions of the airhostesses in the two airlines have been reviewed by the Boards of the two Airlines. After review, it is proposed to give the following concessions in the service conditions of airhostesses:-

- i) to reduce the period of embargo on marriage from four years to three years;
- ii) the medical examination of airhostesses after the age of 35 years to be done every two year instead of every year.

(c) Airhostesses are represented by the Air Corporations Employees' Union in Indian Airlines and by the Air India Cabin Crew Association in Air India. While in Indian airlines there has been no representation from the Union in regard to the service conditions of airhostesses, in Air India, after the understanding was reached with the Cabin Crew Association in December, 1988, there has been no further representation in the matter.

STATEMENT

The judgements and decisions, in brief, are given below:-

(i) *Case of No. 3 of 1981 filed in the Supreme Court by Ms. Mergish Mirza and some of the airhostesses of Indian Airlines:-*

(a) *Age of superannuation:* The petitioners challenged the constitutional validity of the provisions in regulations relating to the age of superannuation of 35 years and extension upto the period of 10 years. The Supreme

court upheld the provisions regarding retirement age of airhostesses at 35 years and extension in service upto the age of 45 years.

(b) *Medical examination beyond the age of 35 years:-* The airhostesses contended that the annual medical examination beyond the age of 35 years is arbitrary. Whereas Supreme Court held that while the medical examination every year beyond the age of 35 years is not bad in law, the provisions vesting powers on the M.D. to extent the service of airhostesses every year beyond the age of 35 years is arbitrary and gives the M.D. unfettered and uncontrolled powers. The Supreme Court directed that the service of airhostesses beyond the age of 35 years should be extended as a matter of course provided she is found medically fit.

(c) *Embargo on marriage:* Airhostesses challenged the constitutional validity of the provisions in the regulations relating to four years embargo on marriage after joining service. The Supreme Court upheld the provisions.

(d) *Embargo on pregnancy:* Airhostesses challenged the provisions that the airhostesses would retire on first pregnancy. The Supreme Court ruled that the provision relating to pregnancy should be liberalised and

that airhostesses should cease to be in service of the airlines only on third pregnancy, provided two children are alive.

- (ii) *Civil writ petition No 231 of 1987 in the Supreme Court filed by Ms. L. Khan:* In the petition the petitioners challenged the validity of the provisions relating to the retirement age of airhostesses. The Court observed that there was no need for reviewing its judgement given in 1981.
- (iii) *Writ petition No. 3091 of 1986 filed in the Bombay High Court by Ms. A. C. Mohan:* The petitioners again challenged before the single bench of the Bombay High Court, the validity of the Air India Regulations regarding the retirement age of airhostesses. The Honourable Court upheld the validity of the provisions of Air India Regulations and observed that the Judgement of the Supreme Court of 1981 was still binding.
- (iv) *Writ Appeal No. 135 of 1987 before the Division Bench of Bombay High Court by Ms. A. C. Mohan:* The petitioners filed an Appeal before the Division Bench of the Bombay High Court against the judgement of the single judge given in the writ petition mentioned at serial number (iii) above. The Division Bench upheld the judgement of the single judge and dismissed the appeal. The petitioners filed a special leave petition in the Supreme Court against the judgement of the Division Bench of the Bombay High Court. The Supreme Court

rejected the special leave petition.

- (v) *Writ Petition 116 of 1984 filed by Ms. Nergish Mirza and others in the Bombay High Court:* The petitioners challenged the provisions of the Record Note of Understanding between Air India management and the Air India Cabin Crew Association dated 17.11.1983 which provided for job functions of Dy. Chief Airhostesses and hierarchy on board Air India aircraft by virtue of which airhostesses had to perform duties under the Flight Purser, despite airhostesses being senior to the Flight Pursers. The High Court upheld the Record Note of Understanding.
- (vi) *Writ appeal No 1068 of 1984 before the Division Bench of Bombay High Court filed by Ms. Nergish Mirza and others:* In this appeal the decision of the single bench mentioned at serial No. (v) was challenged. The Division Bench of the Bombay High Court upheld the validity of the Record Note of Understanding, the functions and duties and hierarchy on board the aircraft. It also reiterated that the observations of the Supreme Court in the writ petition of 1981 have concluded the case once for all (Case No. 3 of 1981 filed by Ms. Nergish Mirza and others).

Assistance for revival of Sick Units

1026. SHRI CHINTAMANI JENA:
SHRI HARISH RAWAT:

Will the Minister of INDUSTRY be pleased to state: