

Government of India has borne the entire expenditure towards the rehabilitation of repatriates from Sri Lanka; so far, Rs. 86.65 crores have been spent. However, with regard to Sri Lankan refugees of Tamil origin who have come into India in the wake of the two ethnic riots of '83 and '85, no expenditure has been incurred or is proposed to be incurred on their rehabilitation in this country as they are the citizens of Sri Lanka and are expected to return to their country as soon as conditions become normal there. As on 20-5-85, an amount of Rs. 1.28 crores has been spent towards relief (since the beginning of the recent influx in February, 1985). However, the expenditure on refugees of the first influx between July, '83 and February, '85 is not available as separate account was not maintained for such expenditure.

(b) There is no proposal to claim compensation by the Government of India from the Government of Sri Lanka with regard to the repatriates as their rehabilitation in this country is under mutual agreement. As far as refugees are concerned, there is no proposal to seek compensation from the Government of Sri Lanka for expenditure incurred towards that the relief measures extended to them.

#### Differential Rate of Compensation to the Victims Killed in Air Crash

1383. SHRI G. BHOOPATHY : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state the differential rate of payment of compensation to the victims killed in air crash of Air India, Indian Airlines and Vayudoot ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI ASHOK GEHLOT) : A statement giving the requisite information is given below.

#### Statement

##### International Carriage :

The amount of compensation payable to the heirs of passengers killed in air accidents, is governed by the Warsaw Convention, 1929 as amended by the Hague Protocol, 1955 as incorporated in the Carriage by Air Act, 1972.

In terms of the provision of Article 22(1) of the 1st Schedule to the said Act, the liability of carrier for each passenger is limited to the sum of 1,25,000 Francs if the carriage is between the territories of two contracting parties to the original Warsaw Convention, 1929 and 2,50,000 Francs if the carriage is between the territories of the State parties to the Warsaw Convention as amended by the Hague Protocol. The sum mentioned in Francs refer to a currency unit consisting of 65.6 milligrams of gold of millesimal of fineness 900. Conversion of this sum into national currency other than gold shall be made according to the gold value at the date of the judgement by the Court seized of the case.

However, the carriage by Air Act permits the carrier to agree to the pay higher liability and accordingly Air India has accepted the liability upto a maximum of US\$ 75,000 per passenger. The actual compensation payable will be determined in accordance with the general principles of law based on the assessment of the pecuniary loss sustained by the heirs taking into account the age, earning capacity, status and the number of dependants of the victim.

##### Domestic Carriage

In the event of the death of passenger the liability of the carrier for each passenger shall be Rs. 2 lakhs if the passenger is 12 or more years of age, and Rs. 1 lakh if the passenger is below 12 years of age on the date of accident.

##### Inclusion of Assistants in Select List of 1983

1384. SHRI GANGA RAM : Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Assistants of his Ministry Cadre whose names were included in the Select List Vacancies under the Zoning Scheme dated 29 December, 1983 have been/are being placed in the Select List of 1983 year itself;

(b) if so, whether such instructions have been/are being issued to other Departments/Ministries for similar action; and

(c) the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI-MATI RAM DULARI SINHA) : (a) to (c). Instructions were issued to all Ministries/ Departments by the Department of Personnel and Training in their OM No. 5/7/83-CS II(21) dated 29th December, 1983 for incorporating the names of eligible and approved officers of the Upper Division grade upto the zones specified therein in the select list of Assistants Grade against vacancies reserved for promotion on the basis of seniority.

Sixty-seven Assistants working on long term-basis in the CSS Cadre of the Ministry of Home Affairs are eligible for inclusion in the select list in accordance with the aforesaid instructions dated 29.12.83. However, 24 Assistants working on long term basis in the Ministry of Home Affairs and included in the earlier select list zones are yet to be included in the select list of Assistants. Only 26 select list vacancies for being filled on the basis of seniority are available for the year 1983. Some more vacancies are likely to be available after diverting unutilised vacancies reserved for direct recruit Assistants. After adjusting 24 Assistants included in the earlier select lists only few persons out of 67 Assistants included in the select list zone issued in December 83 can be accommodated in the select list for the year 1983 in the Ministry of Home Affairs. Options were invited from all these persons for moving out to other cadres against select list vacancies. However, only 12 have opted to move out. The remaining persons will be adjusted against future select list vacancies.

**News Item Captioned "Das Lakh Ki Cigaretteon Ki Holi"**

1385. SHRI SARFARAZ AHMAD : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether Government's attention has been drawn to the news item appearing on the front page of the daily 'Jansatta' dated 29th June, 1985 under the caption "Das Lakh Ki Cigaretteon Ki Holi" (Bonfire of cigarettes worth Rs. 10 lakhs); and

(b) if so, the reasons for which these surplus cigarettes were stored and were not

immediately sold in the market and the total value thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI ASHOK GEHLOT) : (a) Yes, Sir.

(b) 52 cases of cigarettes (each case containing 10,000 cigarettes) valued at Rs. 92,689/-, unfit for human consumption were destroyed by ITDC Management under the supervision of Customs Authorities. As per prevailing trade practice, such damaged stock of cigarettes is replaceable free by the suppliers.

**Setting up of Administrative Tribunals for Special Categories and in States**

1386. SHRI CHINTA MOHAN : Will the PRIME MINISTER be pleased to refer to the reply given to Unstarred Question No. 6665 replied on 15 May, 1985 regarding Administrative Tribunals and to state :

(a) whether the Administrative Tribunals have been set up for each State and for different special categories such as scientific staff, armed forces etc.;

(b) if so, details of their working;

(c) whether Government propose to ensure that there is no delay in setting up the Tribunals; and

(d) whether Government propose to put only men of reputation and only those from judicial services on these Tribunals for successful working with instruction for taking speedy, time-bound decisions ?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL AND TRAINING, ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES AND PENSION AND IN THE DEPARTMENT OF CULTURE (SHRI K. P. SINGH DEO) : (a) and (b). Under the Administrative Tribunals Act, 1985 Central Government may establish Administrative Tribunal for any State on receipt of a request in this behalf from that State Government. No State Administrative Tribunal under the Act has so far been established.