

14.51 hrs.

ELECTION TO COMMITTEE

[English]

Rubber Board

THE MINISTER OF COMMERCE (SHRI DINESH SINGH) : On behalf of Shri Priya Ranjan Das Munsi, I beg to move :

“That in pursuance of sub-section (3) (e) of Section 4 of the Rubber Act, 1947 read with rule 4(1) of the Rubber Rules, 1955, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Rubber Board, subject to the other provision of the said Act and the Rules made there under.”

MR. DEPUTY SPEAKER : The question is :

“That in pursuance of Sub-section (3) (e) of Section 4 of the Rubber Act, 1947 read with rule 4(1) of the Rubber Rules, 1955, the members of this House do proceed to elect, in such manner as the Speaker may direct, two members from among themselves to serve as members of the Rubber Board, subject to the other provision of the said Act and the Rules made there-under.”

The motion was adopted

14.52 hrs.

AIRCRAFT (AMENDMENT) BILL-Contd.

[English]

MR. DEPUTY SPEAKER : Now, let us take up further consideration of the motion moved by Shri Shivraj Patil on the 4th August, 1988.

[Translation]

SHRI YOGESHWAR PRASAD YOGESH (Chatra) : Mr. Deputy Speaker,

Sir, I had said while speaking on the Aircraft (Amendment) Bill yesterday that the Bill is purposeful and in the national interest. Therefore, there is no need for any special discussion on it. But some of our colleagues have made it debatable unnecessarily.

Without going into details, I want to say only this much that there should at least be some provision of punishment for those who obstruct work. But the punishment being provided in this Bill is very light.

Our friends from opposite benches had expressed doubts that the poor people would be harassed and some people would try to take undue advantage of the Act. In this connection, I want to say that when ever any work is done in the national interest, some or the other disadvantage is always. I insist that this Act should be implemented promptly.

Aircraft are not in sufficient number in our country. Therefore, we do not get proper air service. It is clear that any harm to aeroplanes affects the air services adversely and even the air service running smoothly is disturbed. I want to apprise the hon. Minister that one of the aeroplanes operating between Delhi and Bihar remained off the air for two days and the other plane the operation of which is very useful for going to Ranchi via Lucknow and Patna has lost its utility due to its delayed flights. It creates difficulty for the air passengers from Ranchi and a lot of their time is wasted.

SHRI HARISH RAWAT (Almora) : In this connection, I want to tell the hon. Minister that Indian Airlines have neglected the Patna Sector.

SHRI YOGESHWAR PRASAD YOGESH : On the other side, the aeroplane operating from Calcutta omits Ranchi on the pretext of bad weather. It happens on 3-4 days in a month. You can understand the extent of difficulty being faced by the passengers in utilising this air service.

Another thing is that the Vayudoot service started in Bihar recently is irregular and is not systematic. It is a matter of

great pleasure that the Vayudoot service has been started between the industrial area like Dhanbad in Bihar which is famous for its cooking coal in the whole country and only where cooking coal is available and Bokaro where there are many centres of scientific research. People fly from there to other places but this service is not regular, it should be made regular.

Secondly, the Gaya airport is an airport where there is no bus service and the passengers have to face a lot of inconvenience due to the long distance from the city. The followers of Buddhism have a keen interest in Gaya and it is also a big centre for the people of other faiths. But they cannot utilise the Vayudoot service. Keeping this fact in view why bus service is not being started there? It is requested that the hon. Minister may kindly start Vayudoot service linking Palamau, Daltenganj, where there is a national park, Bhagalpur and other important places in Bihar.

SHRI SURESH KURUP (Kottayam) :

In the statement of this Bill, the Minister says that bird strikes to aeroplanes near aerodromes have been quite frequent. Everybody knows that in the vicinity of almost all the major airports there are slums and jhuggis. Garbage dumping areas of the major cities are nearby these airports. That creates a serious problem. I do not know the Government can prevent slums, dumping grounds nearby the airport by bringing a legislation only. What is needed is Proper coordination between the airport authorities and local civic bodies. This was a common hapening in Trivandrum airport because nearby the airport, city corporation's major garbage dumping ground was there. So till two years back this bird hitting was quite regular. With the result, the flights were delayed and the time schedule of the aircrafts was also got upset. So, instead of bringing this sort of a legislation, what is needed is proper coordination between the municipal corporation and the local civil bodies.

I want to get one clarification or one point which is mentioned here *i.e.* polluted and obnoxious matters. What does he mean by obnoxious matters? As it is, this is a general statement. It has to be defined properly. Another point is about "within

a radius of ten kilometres". I think, that also is going to create problems because an airport like Cochin which is very much inside the city, if you specifically say that nothing can be dumped or nothing can be done within a space of 10 kilometres, it will cause immense difficulty. So, that has to be reconsidered and in this connection I would like to mention about some aspects of the airports in Kerala. Sir, even though it is not connected with this Bill, I would like to mention a few points because we get a very rare chance to mention such things. Sir, it has been the constant demand of the people of Kerala that Trivandrum airport should be made an international airport. Whenever this question was raised in this House, flimsy excuses were given. Moreover, there is a complaint from the people of Kerala regarding the enormous charges collected by Air India from the passengers from Kerala. I think the ruling party members from Kerala would also agree with me.

15.00 hrs.

MR. DEPUTY SPEAKER : You are discussing about the Air India charges which is not the subject matter of the Bill.

SHRI SURESH KURUP : Because I got this opportunity I am mentioning this point. Sir, this question has been raised repeatedly in this House. Whenever this question is raised the Minister gives a standing reply that this fare is fixed by the IATA and nothing can be done. Our request is that the Ministry or the Air India Authorities should take up this matter with IATA and must reduce the charges to Gulf passengers because Gulf-Trivandrum sector is monopolised by the Air India and they are charging more. If you allow some international airlines to operate—many International airlines have given application for operating flights from Travandrum—they are prepared consider this point. But the Air India is not willing to allow any international airlines. Therefore, I would request that other international airlines should be allowed to operate flights from Trivandrum or else you should reduce the charge in the Gulf-Trivandrum sector.

Sir, the passengers who are coming to Calicut airport face a lot of difficulties.

[Shri Suresh Kurup]

Most of the people who have gone to Gulf countries are mostly from Malabar and these passengers prefer to come to Calicut airport from Bombay. Almost all the times, the airlines authorities do now allow the passengers to carry their baggage along with them. So this baggage comes after three or four days. Sometimes, these passengers have to go back to Bombay and again bring their baggage to Calicut. I am bringing this difficulty faced by the passengers to the notice of the hon. Minister so that he will take action suitably.

SHRI KAMAL CHAUDHRY (Hoshiarpur) : Hon. Deputy Speaker, Sir, I welcome the Aircraft (Amendment) Bill, 1988, which is to amend the Aircraft Act, 1934. I support whole-heartedly this Bill and I am thankful to you for having giving me this opportunity to speak on a subject on which I will be speaking as a professional. I am also thankful to the Minister who is going to put into practice what I had suggested more than 15 years ago. When I was in a fighter cockpit I had carried out survey as Unit Flight Safety Officers, Station Flight Safety Officer and as a Flight Commander and I have covered upto 150 to 200 Kms. around the air-field by air and upto 50 Kms. around the air-field on ground. I would like to clarify a few points which have been raised by the hon. Members here. One is regarding 10 Kms. limit. This is the zone where the speed of the aircraft is very low, the manoeuvrability is very less and the aircraft is most vulnerable. The height is very low and safety margin is very less. The pilot cannot take evasive action. Of course, I would like to increase this limit to thousands of Kilometres where we can have cleaner India, where we do not want to see what we saw in New Delhi after the recent rains. A point was raised regarding rubbish garbage and obnoxious materials, what is meant by this is the left-over food-stuff which are thrown by the 'rebrwalas' 'hawkers', etc.

Secondly, the slaughter houses and the open areas where the animals are skinned and flesh is removed and finally the carcasses are left in the open which attract vultures who eat the flesh. These vultures are the ones which create damage to the aircraft.

Some points are raised about the punishment to the birds and human beings. This point was raised by the Indian Air Force to use flam shooters to kill vultures. Dr. Salim Ali who was a famous world ecologist, had recommended that this should not be done because this will upset the ecological balance in the country. Next point was about the bird-free areas. There are bird free areas like the deserts and less populated areas. But I am sure we will not like to shift our air fields to the deserts. The Air Force had tried to solve this problem by flying above two kilometres height and flying during dawn and dusk at low level. I am sure you would realise that this cannot be done in the case of civil aircraft.

Next point was on the VVIP flying. The world has changed from Dakota to Supersonic Concorde and from a single engine to twin engine to 4 engines, also from piston engine to turbo prop to jets. Therefore, we would like to give the best possible aircraft to the Prime Minister both from the security angle and also from the angle of prestige of the country. Those of us who are either in the Defence Committee or who have visited any of the Defence establishments would have noticed how good treatment is given to a VIP. So, if there is one car for a VIP, another car is kept standby. In the same way, the Prime Minister must get the best aircraft available both from the security angle and from the question of prestige of the country, also a standby aircraft must be kept available.

I would love to have this 10 kilometres limit increased to thousands of kilometres to have a cleaner India so that we can avoid what happened last month in Delhi due to garbage and rubbish.

I have a few suggestions to make :

- (1) To remove rooster trees within 10 kilometres of the airfield. These are also called ghost trees.
- (2) Some time should be given on Doordarshan firstly, for slogans against bird menace, secondly for pilots to speak on bird menace and thirdly, films could be shown on bird hazard to flying.

(3) The third suggestion is involvement of the Station Flight Safety Officers with the District administration so that they can inform the District Administration, Municipal Corporation etc. about such areas where immediate action must be taken.

(4) Punishment should be increased from 3 months to 3 years and not one year of imprisonment and a fine from Rs. 1000 to Rs. 10,000 and not Rs. 2000. This is what was suggested to the Ministry of Home and Ministry of Law earlier.

MR. DEPUTY SPEAKER : Now, the hon. Minister.

MR. DATTA SAMANT. (Bombay South Central) : Sir, I am waiting to speak. This is an issue on which I would very much like to speak. I have given my name.

MR. DEPUTY SPEAKER : No, today is the day of Private Members Bills. There is no time, I am very sorry.

DR. DATTA SAMANT : This is an issue pertaining to Bombay. Ten kilometres..

MR. DEPUTY SPEAKER : The Minister will take care of it, don't worry.

(Interruptions)

DR. DATTA SAMANT : The Minister cannot afford to take 20 minutes. Sir, I have given my name.

MR. DEPUTY SPEAKER : You have given and everybody has given. You are Independent Member. I cannot allow the time for you. Already one Member spoke.

DR. DATTA SAMANT : I can finish in five minutes.

MR. DEPUTY SPEAKER : No, no.

DR. DATTA SAMANT : Sir, you know that you are getting down in Bombay, in the airport five lakh serpents are there touching the aerodrome and you are not

giving them any amenities, you are rushing through such bills.

MR. DEPUTY SPEAKER : He will take care of it. Nothing will go on record.

*(Interruptions)***

MR. DEPUTY SPEAKER : I will not allow you. Nothing will go on record.

(Interruptions)

THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION AND TOURISM (SHRI SHIVRAJ V. PATIL) : Sir, I would like to thank all the hon. Members who have participated in this debate.

PROF. SAIFUDDIN SOZ (Baramulla) : Including Datta Samant.

SHRI SHIVRAJ V. PATIL : Of course, I include the hon. Member from Bombay, Dr. Datta Samant also, my good friend.

Some Members have really appreciated the work done by the Indian Airlines and other airlines and we are thankful to those Members. The good words they have uttered about the airlines will certainly encourage those who are working in the airlines. Some Members have criticised also and given some suggestions too. We have noted the suggestions and we have noted the criticism also and we will try to act upon the suggestion and try to make use of the advice given by the hon. Members in order to see that the efficiency and the service given by the Airlines is better and better every day.

There are two sets of points made by the hon. Members. One set of points relates directly to this Amending Bill and the other set relates to the aviation activity as such. First of all, I will deal with the points which have a direct bearing on the amending Bill.

One of the Members wanted to know as to how a bird can be a menace or hazard to the aircraft. It is the speed with

**Not recorded.

[Shri Shivraj V. Patil]

which the aircraft flies and bird flies which is important and when an object with great speed hits any other object, the impact is very powerful very forceful and it causes damage. I can give you the facts and figures on bird strikes.

In 1982, about 147 bird strikes took place. In 1983, the number was 291; in 1984—183; in 1985—184; in 1986—189; and in 1987—171. These are the figures. The bird strikes have damaged the aircrafts and also sometimes it has become very difficult also to fly them safely. One Member wanted to know what other steps have been taken. This is a matter which is causing great concern to the Civil Aviation Ministry as well as the Defence Ministry and from both these Ministries, steps have been taken. Studies were done in this matter. Reports have been submitted and on some of the reports, actions have been taken in both the Ministries. The local self-government, the local authorities and the State Governments also have been approached and they have been requested to see what steps are taken to remove the garbage and waste materials on cities which attract the birds, Scientists also have been asked to find out some method, some means, some chemicals which can help us in these matters. Now, there are so many other steps which have been taken.

DR. DATTA SAMANT : It is a hypothetical discussion. 5 lakh people are living surrounding Bombay airport. You cannot do anything here. This is a hypothetical discussion. There are about 90 buffaloe stables touching aerodrome. (*Interruptions*).

SHRI SHIVRAJ V. PATIL : These are some of the steps which have been taken. One of the Members wanted to know as to what we are doing about the slums which are around the aerodrome. And the hon. Member is also very agitated and he wants to know as to what has been done by the airlines in India to see that the slum is not there. For you information, I would like to say that we have taken steps to see that people living in the slums are also helped in this regard. We have contributed Rs. one crore to see that they are removed to other places and rehabilitated.

DR. DATTA SAMANT (Bombay South Central) : You are not giving them permission for constructing latrines for the last 10 years. Government of Maharashtra has written in this regard. It is an important matter.

SHRI SHIVRAJ V. PATIL : That is something different. We will discuss this matter. Please don't interrupt me. (*Interruptions*). If you have any problems, I can discuss with you.

About 10 KM radius, hon. Member Shri Kamal Chaudhry has given the explanation. There were two hon. Members who wanted to know what is the definition of obnoxious material and obnoxious substance. I would like to read a rule which is very pertinent in this respect. A part of the rule says : 'Obnoxious matter is that which attracts or is likely to attract vultures or other birds and animals within the radius of 10 kms.' That means, a substance which is obnoxious to the olfactory glands and which attracts the birds will be treated as obnoxious substance and for the definition of the word "obnoxious", for this law, this kind of interpretation would be helpful. Of course, in order to find out what is exactly the meaning of 'obnoxious', the law itself will be useful and other parts of the law will also help in this respect. This is a very very simple Bill. It was not necessary for this august House to discuss this Bill for such a long time.

There are two things which are expected to be done. One is to make the offence cognizable. When the offence was non-cognizable, the police could not take action against the offenders. We have made this offence cognizable and now it is possible for the police or any other authority to take action without obtaining the warrant from the Courts against the offenders. This is one important aspect of this Bill. The second important aspect of this Bill is that the punishment is enhanced from three months to one year now the fine from Rs. 1000 is increased to Rs. 2000. The punishment is made a little more stringent and we expect that those who throw the garbage, those who throw obnoxious substances in the open, on the road and which attracts the birds and which

causes danger and hazard to the aircraft flying over that area will be reduced. This is the intention. We are hoping to provide the punitive method to stop this kind of hazard as well as we are taking promotive steps also. Some assistance is also provided by the State Governments to the Municipal authorities and some other methods are also adopted to see that this does not happen.

I come to the other points. Some Members wanted to know whether we are going to have any increase in the capacity to the extent of 12 per cent or not—i.e. from 8 per cent to 12 per cent. This is a matter on which discussion is going on and it would be possible for the Planning Commission and our Ministry also to discuss this matter and take a decision. The Seventh Five Year Plan is about to come to an end. Within the short period, whatever can be done will be done. In the Eighth Five Year Plan proper decisions may be taken in this respect. Then, so many hon. Members have spoken about the delay and I would like to say. . .

SHRI VAKKOM PURUSHOTHAMAN (Allepey) : May I seek one clarification? In how many cases, how many persons were convicted so far under the provisions of the law?

SHRI SHIVRAJ V. PATIL : This is the statistics which has to be collected from the State Police; this has to be collected from the Municipal authorities and this has to be collected from other bodies also. About the delays, I would like to say. . . (Interruptions) Hon. Members will appreciate that the Vayudoot is having only 19 aircraft with them and the Indian Airlines is having only 50 aircraft with them. With 50 aircraft, they have to take passengers from one corner of the country to the other corner and the number of passengers they are transporting is one crore. If there is a delay at one place, then, it gets accumulated and it becomes very difficult. So, I would request that in this background, I would request the hon. Members should appreciate how stupendous and difficult is the task. It does not mean that we are insensitive to the feelings of the Members on the floor of the House. On the contrary, we would like to do all our best, we

would like to stretch ourselves machinewise and man-powerwise and in any other respect in order to see that the delays do not occur.

One of the important points is to increase the capacity of the airlines in order to see that the cushioning time is available so that delays are reduced. We are taking steps. We are trying to procure and acquire and get on lease also aircraft, if possible, to add to the capacity which is available with the airlines and to reduce the delays.

I would like to say that we are sorry for the delay. It is not possible for us to defend very boldly standing on the Floor of the House that delays are not occurring. That is not our stand. We are quite sensitive to this aspect. But at the same time in a very humble manner I would like the Hon. Members to appreciate the difficulty that we have 50 aircrafts and we are transporting one crore of people. Vayudoot is having only 19 aircrafts and they are touching about 90 points.

SHRI HARISH RAWAT (Almora) : We appreciate your difficulty. What we request is that you may please purchase some more aircrafts.

SHRI SHIVRAJ V. PATIL : That is what exactly I have said. Probably you were thinking about your own questions.

Some Members have spoken about starting new routes and having more flights. We would certainly be very happy to meet the demands made by the Hon. Members. I would like to make it very specific and clear that this does not mean any assurance given on the floor of the House. That is our wish, that is our desire to meet their demands and we are taking steps also. As Mr. Rawat said why don't we acquire aircrafts, we are in the process of acquiring the aircrafts. Already we have contracted to acquire a few aircrafts and a few more aircrafts also we propose to acquire. Not only that, on lease also we want to take them at least on trial first and we want to increase the capacity and we want to provide them. Those points are under consideration and we would like to do that.

MR. DEPUTY SPEAKER : Why can't you recruit some maintenance staff? In the night at least they can work and keep them ready.

SHRI SHIVRAJ V. PATIL : I would like to say that machines are stretched to 95%

SHRI S.B. SIDNAL (Belgaum) : There are some flights to our side. But they never come to Belgaum and we have to halt every alternate day. Out of three sometimes two are grounded.

SHRI SHIVRAJ V. PATIL : The only one point on which I would like to say a few words is about the VVIP flights. I would like to bring to the notice of this august House that when the Prime Minister visited last time the foreign countries, the flights which were operative in that period are 428 flight pairs and out of 428 flight pairs only 19 were cancelled. When these 19 were cancelled, alternative arrangements were made for those whose flights were cancelled.

SHRI SURESH KURUP : Can you give the statistics about how many flights were cancelled when the former Prime Minister visited foreign countries?

SHRI SHIVRAJ V. PATIL : Some people mentioned that about Rs. 7 crores were spent and all those things. It is not a fact.

SHRI SURESH KURUP : There were other Prime Minister also. When they visited foreign countries, how many flights were cancelled? (*Interruptions*)

SHRI SHIVRAJ V. PATIL : I would like to say that last time when the Hon. Prime Minister went abroad. . . (*Interruptions*). . .

MR. DEPUTY SPEAKER : When the Minister is on his legs why all of you are speaking? I never called upon all of you to speak. Order, please.

(*Interruptions*)

SHRI SHIVRAJ V. PATIL : he went in an aircraft having two engines only. It

was not a Jumbo aircraft. It was not 747 aircraft as is reported in some newspapers. We had not kept any spare Jumbo aircraft-747 aircraft. He had travelled only by the 737 aircraft having two engines which is not allowed for VIPs. Now, we don't want to take the risk with respect to the security other VVIPs. When long distances are covered, this is not allowed. At the instance of our Prime Minister himself, this was done. (*Interruptions*) When Mrs. Indira Gandhi was travelling, she was also travelling in a four-engine aircraft. (*Interruptions*)

MR. DEPUTY SPEAKER : Please order. Listen to the Minister's speech. (*Interruptions*)

MR. DEPUTY SPEAKER : It shows that you are not interested in listening to him.

SHRI SHIVRAJ V. PATIL : The 707 aircraft is four-engined aircraft. Mrs. Indira Gandhi used to travel in four-engine aircraft-707 aircraft. This is phased out. And now 747 aircraft is four-engine aircraft. Other aircraft, that is 737 aircraft, is two-engine aircraft. Other Prime Ministers and VVIPs from India have been using Chartered flights when they go abroad. (*Interruptions*)

For the benefit of the hon. Members, ultimately I would like to say, Sir, it is the prestige and the dignity of the post. It is prestige of the country. Now, when the Prime Minister or the President visit other countries, they talk about so many things which help both the countries for years and years to come. This has to be taken into account. (*Interruptions*)

I would request the hon. Members not to talk about these things for a country like ours. (*Interruptions*) This is not in keeping with the dignity. . . (*Interruptions*)

MR. DEPUTY SPEAKER : The question is :

"That the Bill further to amend the Aircraft Act, 1934, be taken into consideration."

The motion was adopted

MR. DEPUTY SPEAKER : The House will now take up clause by clause consideration of the Bill. The question is :

“That clause 2 stand part of the Bill”

The motion was adopted

Clause 2 was added to the Bill

MR. DEPUTY SPEAKER : The question is :

“That Clause 1, The Enacting Formula and the Long Title Stand part of the Bill.”

The motion was adspctd

Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI SHIVRAJ PATIL : I beg to move :

“That the Bill be Passed.

MR. DEPUTY SPEAKER : The question is :

“That the Bill be passed”

The motion was adopted

15.27 hr.

STATUTORY RESOLUTION RE :
DISAPPROVAL OF ARMS (AMENDMENT)
ORDINANCE, 1988

AND

ARMS (AMENDMENT) BILL

[English]

MR. DEPUTY SPEAKER : The House will now take up items 12 and 13 together. Now, Shrimati Geeta Mukherjee.

SHRIMATI GEETA MUKHERJEE (Panskura) : I beg to move the following Resolution :

“That this House disapproves of the Arms (Amendment) Ordinance, 1988 (Ordinance No. 5 of 1988)

promulgated by the President on the 27th May 1988.”

Sir, actually this Government has passed 36 ordinances in its lifetime, six in the last session. The interesting thing is that the last budget session ended on the 13th of May and this ordinance was issued on the 27th of May. Why was this ordinance passed? It was reported that the terrorists and anti-national elements, particularly in Punjab, have, in the recent past, acquired automatic fire-arms, rockets and rocket-launchers and other sophisticated weapons and ammunition. Is it between the 16th and 27th they understood that the ammunition, automatic weapons, etc., have been collected? If not, why wasn't this thing brought forward in the budget session itself? Why was there an ordinance?

Sir, everybody know in Punjab that automatic weapons were being used by the terrorists for a very very long time. Therefore, it is the habit with the Government to go on with ordinances. This could have been easily by a normal Bill. I may come on Monday but probably, I will not be there. Therefore, Mr. Indrajit Gupta will continue on my behalf because his name is also there. Regarding the ordinance, I challenge and I say that there is no necessity for this Ordinance. This could have been a law much before and could have been given much better opportunity to use this law, if they want to use, against the terrorist activities about which I want to say many more things. It is already 3.30 P.M. I would finish with these words now.

MR. DEPUTY SPEAKER : You may continue on Monday. Now we will pass on to the next item.

15.31 hrs.

COMMITTEE ON PRIVATE MEMBERS BILLS AND RESOLUTIONS

[Translation]

Fifty-Fourth Report

SHRI CHANDRA KISHORE PATHAK (Saharsa) : Mr. Deputy Speaker, Sir, I big to move :