

The House may stand in silence for a short while while to express its sorrow.

The Members then stood in silences for a short while.

ORAL ANSWERS TO QUESTIONS

Harassment of Gulf-Passengers by Customs Officials at Trivandrum Airport

*840. SHRI SKARIAH THOMAS : Will the Minister of FINANCE be pleased to state :

(a) whether Government have received complaints from the Gulf-passengers about the harassment at the hands of the Customs officials at Trivandrum airport; and

(b) if so, the steps being taken to remedy the situation ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI S.M. KRISHNA) : (a) No, Sir. However, a few complaints have been received against the assessment of duty on goods in excess of the free allowance admissible under the Baggage Rules in respect of passengers cleared through Trivandrum Airport. The number of such complaints is insignificant compared to the volume of passenger traffic handled by this Airport.

(b) Since such complaints relate to quantum of free allowance and the rate of duty as chargeable under the statutory rules, and both of these aspects had received the Government's attention only recently when the allowances were liberalised and rate of duty lowered from 1.3.1983, no immediate remedial steps are called for.

SHRI SKARIAH THOMAS : The hon. Minister has agreed that some complaints have been received regarding charging of duty on excess baggage. The Minister says that he has received only a few complaints, but the fact of the matter is that almost

all the passengers who landed at Trivandrum airport have made this sort of complaint. Trivandrum customs is a nightmare for the Gulf-passengers. The news of harassment has created a scare amongst Gulf Malayalees. Most of them are poor labourers who earn a lot of foreign exchange for the country. We should, therefore, be more sympathetic towards them. In this connection, I would like to know what action has been taken against the officials involved in the complaints received, and whether the Minister has issued any instructions to the customs not to harass the innocent Gulf passengers.

SHRI S.M. KRISHNA : It is only with references to some of the complaints which were received that with effect from 1.3.1983, we have provided for some liberalisations :

- (a) Limit of free allowance for adults raised from Rs. 1,000 to Rs. 1250.
- (b) Electronics goods permitted duty free within the free allowance.
- (c) Duty charged only on value in excess of the unutilised free allowance.
- (d) Highest slab of 33% reduced to 235% (now 240%).

A new rule has also been added particularly for the benefit of the passengers from Gulf who return after termination of employment after one year allowing duty free entry of personal effects used for six months upto Rs. 5000/-.

This action was taken taking into account the complaints that were received by the Government.

It is however, a fact that there is a congestion at Trivandrum airport, and there is bound to be some delay when a passenger comes from the Gulf; he has to pass through the Immigration formalities, and the Immigration authorities also take some time for clearance. We will also have to bear in mind that the baggage has to

come from the aircraft to the terminal building. We have to calculate all the time that is taken. It is not the Customs alone, the Immigration authorities are involved, the transhipment of the baggage from the aircraft to the terminal building is also involved. So, taking this into consideration and also the inadequate facilities in the infrastructure that is available in Trivandrum, all these things have got to be reckoned with, before we come to some objective conclusion.

SHRI SKARIAH THOMAS : Sir, the fact is that the Customs officials enjoy a lot of discretionary power in the matter of charging duties, which leads to corruption. So, I want to know what steps the Government will take to see that the Customs Officials exercise their discretion in such a way that innocent passengers are not put to much hardship?

SHRI S.M. KRISHNA : The officers don't have the kind of discretion that the hon. member is talking about. There is a red channel and there is a green channel and for every article, a specific duty has been fixed and the officers go according to that only.

PROF. P.J. KURIEN : The Minister's contention that the complaints from Trivandrum are insignificant, is not correct. May be, he might have seen only a few complaints. But we are getting hundreds of complaints. If you compare the number of passengers coming to Bombay and the number of passengers coming to Trivandrum, you can find out that the number of passengers coming to Bombay are much higher than Trivandrum. But the complaints from Trivandrum are much more, compared to the number of complaints from Bombay. This is the point to be noted.

AN HON. MEMBER : That is why they are going to Bombay.

PROF. P.J. KURIEN : I agree. With regard to Bombay Customs, there are not many complaints. You have stated that you are allowing Rs. 5000/- with regard to articles used for six months. But what is the exact position? Electronic goods look

very new even after six months or one year or even two years. People maintain them like that. For such articles, Customs people insist that they appear to be new and then they confiscate the goods. It takes two to three years for them to get back the things. I have seen a number of complaints like that. My contention is that each passenger is treated like a smuggler and not as a passenger. That is the basic attitude of the Customs people and that should be changed. When a bonafide passenger says that he has used the goods for one year or one and a half years, why should the Customs people ask for evidence? What evidence can the passengers give? The articles are confiscated and sold and you know what has happened? The number of passengers in the Trivandrum-Gulf section has decreased. And, there is a feeling that this is done with the connivance of some authorities, that there is some racket going on.

I would like to ask, are you prepared to conduct an enquiry to see whether the general allegation that the Trivandrum passengers are harassed much more than the Bombay passengers is correct? And if such an enquiry is conducted and if you find that there are officers responsible for this state of affairs, are you prepared to punish such officers?

SHRI S.M. KRISHNA : Whenever specific cases are brought to the notice of the Government, we have absolutely no hesitation in taking action, even conducting enquiry. But we also have to remember this fact. On the one hand, there is a demand that harassment to passengers coming from outside has to be minimised. Then again, there is the criticism that smuggled goods are coming into the country. The latest Report of the Public Accounts Committee, 1983-84 says, if I can draw your attention to only one sentence—"The Committee are concerned that after the liberalisation of Baggage Rules in March 1983, a new class of passengers, viz. hired passengers indulging in carrier trade, has come into existence. These persons visit India's neighbouring countries from time to time and bring foreign goods in great demand in this country."

Now, where do we draw the line? I am sure the House will appreciate the plight of the Department of Revenue. You know, we have got to strike a delicate balance between these two points. Ultimately, it is a question of value judgment of the officer concerned. We assure this House that keeping in mind the overall policy of the Government, we would see to it that harassment to passengers is minimised and we would also keep a sharp eye on smuggling of goods into the country. We would like to prevent and contain smuggling. So, within the parameters of this policy, constructive suggestion is welcome.

SHRI XAVIER ARAKAL : To-day, the Customs officials at the airport in Trivandrum are a demoralized lot. I had the opportunity to go to Trivandrum; and there, they met me with a note, saying that they are demoralized on many counts. As I understand it, nearly 50% of the staff is going to be transferred. The names of many of them have been recommended for award for meritorious services rendered. They have detected many smuggled items, and arrested many persons smuggling things. Where is the Minister going to draw the line objectively? On the one side, the Department as a whole is demoralized. At the same time, the passengers are also facing the difficulties which my hon. friends have pointed out.

So, may I know from the hon. Minister what he is proposing to do regarding these two rather riddles? viz. demoralized staff of the Customs Department, as well as frustrated, disappointed, harassed passengers there?

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE) : Sir, I do not agree with this at all. Transfer is a regular policy of Government; and because of transfer, nobody should feel demoralized. It is no use speaking in general terms. If there is any specific case, let him send it to me.

बिमान में बिना टिकट यात्रा

*841. श्री राजनाथ सोनकर शास्त्री :
श्री त्रिलोक चन्द्र :

क्या पर्यटन और नागर बिमानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान 22 मार्च, 1984 के "नवभारत टाइम्स" में "बिमान में भी बिना टिकट यात्रा" शीर्षक के अन्तर्गत हवाई यात्रा में अनियमितताओं के सम्बन्ध में छपे समाचार की ओर आकर्षित किया गया है;

(ख) यदि हाँ, तो इस अनियमितता के लिए दोषी पाए गए व्यक्तियों का विवरण क्या है तथा यह सुनिश्चित करने के लिए कि इस प्रकार की गलतियों और अनियमितताओं की पुनरावृत्ति न हो, उनके विरुद्ध क्या कार्यवाही की गई है; और

(ग) क्या सरकार भविष्य में इस प्रकार की अनियमितताओं को रोकने के लिए इण्डियन एयरलाइन्स के अध्यक्ष से स्पष्टीकरण मांगेगी और क्या तत्सम्बन्धी ब्यौरा सभा पटल पर रखा जाएगा?

THE MINISTER OF STATE OF THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI KHURSHEED ALAM KHAN) : (a) Yes, Sir.

(b) and (c) A statement is laid on the Table of the House.

Statement

The clarification offered by Shri Billimoria, Chairman, Indian Airlines, in brief, is as follows :

Shri Billimoria had asked his Private Secretary to get two tickets in the name of Mrs. Saklat (Shri Billimoria's mother-in-law) and Miss Saklat (Shri Billimoria's