

a new train? It needs no mention, the hon. Minister of Railways knows it pretty well that lakhs of Indian and foreign pilgrims and tourists visit Varanasi. From industrial point of view also, Varanasi is a big centre of carpets and sarees. Therefore, when the government have announced that Delhi will be connected with important cities by trains, why do you not help Varanasi, so that Indian as well as foreign tourists could visit the city? May I know the reason why the hon. Minister does not want to extend such facility to Varanasi?

**SHRI MADHAVRAO SCINDIA :** Sir, there are three daily trains from Delhi to Varanasi. In addition to that two super-fast trains also go to Varanasi thrice a week. It will not be proper to give more trains because the track between Allahabad and Varanasi is somewhat weak and is not electrified. Besides, I would also say that for the Capital, there are a number of connecting trains from Mughal Sarai which is quite near to Varanasi, perhaps 17 miles or Kilometres.

**SHRI SHYAM LAL YADAV :** Sir, the hon Minister has stated that Varanasi—Allahabad track is weak. Therefore, I want to know whether trains cannot be run to Varanasi via Mughal-Sarai's loop line which has a double-track and does not touch Mughal Sarai?

The second point is that the distance between Mughal Sarai and Varanasi is 17 Kilometres, but the train service there is highly inadequate. Repeated requests have been made that a shuttle service of 1 hour frequency should be run there, but you are not prepared for that on the plea that road transport will take care of this service. But, sometimes due to traffic jams, it takes hours to cover this distance and the people often miss their trains. Therefore, in view of all these things, will the hon. Minister reconsider this demand?

**SHRI MADHAVRAO SCINDIA :** Both of your suggestions shall be examined.

**SHRI UMA KANT MISHRA :** The hon. Minister has stated that new trains

cannot be started. Therefore, if one of the three Super-Fast trains is run daily from Delhi in the evening, it will serve the purpose. The Super Fast train should start from here in the evening and reach there in the morning. Similarly, the same train may start from Varanasi in the evening and reach Delhi in the morning. If you give facility, it will serve the purpose

**SHRI MADHAVRAO SCINDIA :** Not three, but two Super Fast trains run between Delhi and Varanasi and they run thrice a week. This frequency is adequate.

[English]

#### Compensation to relatives of Kanishka Crash Victims

\*460. **PROF. MADHU DANDAVATE :** Will the Minister of TRANSPORT be pleased to state :

(a) whether the nearest kith and kin of the victims of the accident of Air India Boeing Kanishka on 23 June, 1985 have been offered compensation by Air India;

(b) if so, what are the norms for the payment of compensation;

(c) whether the nearest kith and kin of the victims who were foreign nationals have been given compensation of 75000 U. S. dollars per victim whereas the amount of compensation to the kith and kin of Indian victims is sought to be settled through bargaining and negotiations;

(d) if so, the reasons for this discrimination; and

(e) whether this discrimination will be removed?

**THE MINISTER OF STATE IN THE DEPARTMENT OF CIVIL AVIATION (SHRI JAGDISH TYTLER) :** (a) Air India have invited claims from members of the families of the victims 'Kanishka' crash for the purpose of compensation payable to them under the Carriage by Air Act, 1972.

(b) A limit of US \$ 20,000 per

passenger has been laid down as compensation payable under the Carriage by Air Act, 1972. Some major airlines, including Air India, however, have increased this limit of liability upto US \$ 75,000. Actual amount of compensation payable within this limit in each case is determined in accordance with the general principle of law based on the assessment of the pecuniary loss sustained by the family members as defined under, under Carriage by Air Act taking into account the age, earning capacity, status and the number of dependents of the victims. The crew covered under the Corporation Self Insurance Scheme to the following extent :—

- (i) Commander—Rs. 2,25,000/-
- (ii) First Officer—Rs. 2,00,000/-
- (iii) Flight Engineer—Rs. 1,75,000/-
- (iv) Cabin Crew—Rs. 1,20,000/-

In the case of death by accident while on duty, the crew are eligible for additional compensation at the rate of sixty times the basic pay.

(c) No, Sir.

(d) and (e) Does not arise.

PROF. MADHU DANDAVATE : Sir, the hon. Minister has given a reply on the basis of information given by the office. I am asking supplementaries on the basis of the information given to me by the parents of those who died in this accident. I have been told by the parents—at least three families—whose sons and daughters died in this accident, that when they themselves approached the authorities for compensation, they found out from so many other guardians of foreign nationals that in almost all the cases without much scrutiny maximum amount of 75,000 dollars was given to those who were actually the relatives of foreign nationals who had died in the accident. As far as those who were Indian nationals, when they approached, they were given of course given this reply, "Actual amount of compensation payable within this limit in each case is determined in accordance with the general principle of law based on the assessment of the pecuniary loss sustained by the family members as defined under Carriage by Air

Act, etc., etc." What I want to ask the hon. Minister is : will he personally look into the cases of those who have already sent letters to the authorities bringing to the notice of the Ministry that this is the discrimination, that is being made while paying compensation to the Indian nationals and the foreign nationals and if he finds there is a discrimination, will he come before the House correcting his answer and assuring this House very clearly that no discrimination will be made between Indian nationals and foreign national as far as compensation is concerned ?

SHRI JAGDISH TYTLER : I would like to inform the hon. Member that first of all no foreigner has been paid anything as yet because most of the foreigners are waiting for the outcome of the Kripal Commission. We have received till today 95 claims and, out of these, 36 claims have been disposed of, and the remaining 56 claims are under discussion with them. And as I said that no foreigner has been paid compensation.....

PROF. MADHU DANDAVATE : Are you referring to the Commission that is going into the accident or, are you referring to the Claims Commission ?

SHRI JAGDISH TYTLER : There is no Claims Commission. I am referring to the Commission going into the accident. Most of the foreigners are waiting for the outcome of that, so that they could go to their own courts or they could ask for a better compensation. So, there is not a single complaint in the Ministry which we have received on the basis of the things you have just mentioned. Rather, we have been in touch with all the next of kin of the people who have died.

As I have told you, we have paid to 36 people and about the rest of them, there have been problems. We are not in receipt of the vital information from the next of kin. We also have to get the net income of the deceased. We are also trying to find out whether any or more of the members of the family were dependants of the deceased passengers for

their maintenance at the time of their death.

Then I come to admissibility of the claim, excepting the claim amount offered by the Insurance to the claimants. Now, I would like to tell you, that I am myself very much concerned that a full compensation under the Act, under the Law, should be given to them. I have not received—my Ministry has not received—any complaint. But if some complaints have come to you, you may pass them to me. I will be too happy to go into them personally and see that things are done.

PROF. MADHU DANDAVATE : I would like to clarify that as far as the Commission which is trying to investigate into the causes of the accident is concerned, that has nothing to do with the claims for compensation. For instance, when railway accidents take place, i.e. while the accident takes place, who are responsible for it is a different proposition.

MR. SPEAKER : He is speaking about the other thing, viz. that the foreigners are waiting for compensation.

PROF. MADHU DANDAVATE : No; I would like to ask him, rather than give clarification. I would like to ask : is it not a fact that the work of the Commission that is investigating into the causes of the accident has nothing to do with the quantum of compensation? As far as compensation is concerned, once a passenger dies, and it is confirmed that he is dead and you have no doubt about it, you need not worry about what the Commission does, because the Commission will enquire about who is responsible for the accident. As far as compensation is concerned, if there are any conditions, try to liberalize them, and as far as Indian nationals are concerned, I am prepared to hand over the letters of certain parents. If you have not received them, as you say, I would be prepared to hand over to you the letters from the concerned persons who have this complaint. And these conditions should be made as liberal as possible. Once people die, you need not worry as to who is responsible for their death.

SHRI JAGDISH TYTLER : I have not for a moment said that the outcome of the Commission is in any way related to the compensation being paid. But somehow or the other some lawyers in the foreign countries have given us the impression that on the outcome of the Commission, they will be able to get us more. We are ready, for everybody. Not even for one person we say that we are waiting for it. We have already been in touch with all the next of the victims who had died in the Kanishka.

PROF. MADHU DANDAVATE : Why don't you make it clear to the foreign experts that as far as the quantum of compensation is concerned, it has nothing to do with the causes of death? Why don't you make it clear? Your expert knowledge should be more than the expert knowledge of the foreigners.

SHRI JAGDISH TYTLER : I would like to inform you that we have done everything possible. We have offices in Canada. We have created cells in London, and we have advertised in all the newspapers on the compensation paid by Air India to the insurance companies. We have done everything possible.

PROF. MADHU DANDAVATE : Only the payment of compensation is left. Everything else has been done.

SYED SHAHABUDDIN : The hon. Minister has mentioned two facts: first, that no foreign national has been paid any compensation so far. The question is not whether compensation has been paid, but whether it has been sanctioned. So, I would like to know from the hon. Minister whether compensation of \$75,000 has been sanctioned to the foreign nationals. Secondly, he has mentioned the figure of 26 Indian nationals who have been sanctioned compensation.

SHRI JAGDISH TYTLER : I never used the word sanctioned...

SYED SHAHABUDDIN : You have said 26 Indian nationals have been paid or sanctioned. I would like to know the range of compensation that has, in fact, been given to the 26 Indian nationals.

**SHRI JAGDISH TYTLER :** There are 36 claims, not 26. There is no set compensation being paid (*Interruptions*). I just had mentioned ..

**SYED SHAHABUDDIN :** I am not asking for the basis. I am asking for the actual figure.

**MR. SPEAKER :** That is what he is saying. There is no single figure. It varies.

**SYED SHAHABUDDIN :** Let us know the range. (*Interruptions*)

**SHRI JAGDISH TYTLER :** I would like to inform the hon. Member that the rates vary depending on the earning capacity of the people concerned.

**MR. SPEAKER :** Have you got some figures to give ?

**SHRI JAGDISH TYTLER :** I don't have, but I could tell you this : out of these people, three Indians have received, when we were settling claims, \$75,000.

#### Decline in standard of Medical Education

\*461. **SHRI D.N. REDDY :** Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state :

(a) whether Government are aware of the fall in medical education standards due to indiscriminate opening of private medical colleges ;

(b) whether Government are considering to open a Medical University with the affiliation of all the medical colleges in the country with a view to ensure higher and uniform standard ; and

(c) if so, the steps taken or proposed in this direction ?

**THE DEPUTY MINISTER IN THE DEPARTMENT OF FAMILY WELFARE (SHRI S. KRISHNA KUMAR) :** (a) The Medical Council of India which has been statutorily charged with the responsibility of maintaining uniform minimum standards of medical education in the country keeps a vigil and takes necessary action in

order to maintain the prescribed standards in medical education.

(b) & (c) The Medical Education Review Committee has made recommendations regarding setting up of Universities of Health Sciences in order to bring out coordination between educational and training institutions of the modern and various Indian Systems of Medicine, Nurses, Pharmacists, etc. Government are yet to take a final view in the matter.

**SHRI D.N. REDDY :** Is the Minister aware that the decline in the standards of medical education is chiefly due to the capitation fee system which is not only violative of Article 14 of the Constitution, but it is a negative discrimination between the haves and the have-nots ? and the naked aberration of the rich man's influence ? Dr. Sinha, President of the Medical Council of India, has consistently been saying that he is against capitation fee system and the raising of the mushroom medical colleges ; and he has also gone on record by saying that whenever the Medical Council wants to take action, high political pressure is brought upon them.

**SHRI S. KRISHNA KUMAR :** The government are of the very firm view that capitation fee should not be charged. Government have also been trying to tell the State Governments that this practice should be abolished. But, now, we are taking decision to amend the Indian Medical Council Act which will enable us to abolish the capitation fee system. We have so far been handicapped by the absence of any enabling provisions in the Act.

**AN. HON. MEMBER :** You amend the Act. who prevents you from doing it ?

**SHRI D.N. REDDY :** While the government has been consistently against the capitation fee system, the Andhra Pradesh Government is the only Government which has abolished capitation fee system voluntarily promised in Telugu Desam Election Manifesto... (*Interruptions*)

**SHRI A. CHARLES :** There is no