

SHRI BHUPESH GUPTA: You are there to guide us. -Most unfortunately I was not allowed when I got up to support Mr. Praaab Mukherjee.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Reported Cheating of Air-India by more than Rs. 1 crore by its Agents in the Philippines, Iran and within the Country

SHRI DINESH GOSWAMI (Assam). Sir, I rise to call the attention of the Minister of Tourism and Civil Aviation to the reported cheating of Air-India by more than rupees one crore its agents in the Philippines, Iran and within the country and the action taken by Government in this regard.

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI A. P. SHARMA): Mr. Deputy Chairman, Sir, in Philippines, Air India has an off-line office. The revenue generated by Air India prior to dealing with Odyssey in 1976/77 in Philippines was Rs. 1.80 lakhs. Air India was not dealing with any agent at that time. In the first

quarter 1977, movement of labour traffic commenced from Philippines to the Gulf and Odyssey Corporation was a main supplier of the traffic.

Thereafter in early 1977, Air India East Asia Office, started dealing with this organisation. During 1977, Odyssey produced Rs. 5.08 lakhs of business. During 1978-79, the business rose to Rs. 36.39 lakhs and in April, 1979 to September, 1979, the sales increased to Rs. 37.98 lakhs. The total monies received from this organisation in two and half years from April, 1977 to September, 1979 was Rs. 80 lakhs. The credit period given to the party was sixty days as given by Philippines Airlines. In June, 1978, Air-India headquarters seeing the sales increase, asked their East Asia region to reduce the credit of 45 days so as to reduce the risk of the financial liability. The organisation, however, did not agree. In order not

to jeopardise good revenue from, this source. Air India's Philippines office continued dealing with party monies were received without any default. It was only in September, 1979 the first default took place, the outstanding amount being Rs. 12.29 lakhs in respect of sales in August-September, 1979. In view of this, sales Odyssey, were disallowed from October, 1979, and all arrangements were terminated in December, 1979. Owing to Air India's pressure, the organisation gave a cheque for the outstanding amount in January, 1980 which was not honoured. Civil and Criminal proceedings have been initiated against Odyssey for recovering the outstanding money. Disciplinary proceedings against the Regional Director, East Asia, Manager, Hongkong and Sales Manager, Philippines have been instituted.

Ajanta Travel has been Air India's General Sales Agent, and handling Agent, for Air India flights at Tehran until February, 1981. They were originally appointed in 1966. Till the end of 1977, the working arrangements with this organisation, was smooth except for a dispute regarding the handling charge for Air India's flight, since the GSA was overcharging. Air India using a higher rate of exchange between the pound sterling and Iranian Rials. However, all payments were received more or less by due date; till the end of 1977.

Due to the delay Hon. In the IATA Agents delayed making payments on sales made by them to the GSA who also started delaying payments to Air India. The total sales generated through the GSA was Rs. 2.5 lakhs per month from mid-1977

The total outstanding is Rs. 45.28 lakhs. This outstanding will in fact come down to approximately to Rs 30 lakhs after making legitimate adjustments in respect of claim made by the GSA. The outstanding has arisen in view of the unauthorised claims from 1978 made by the GSA.

Air India's legal Advisers were not until recently in favour of the terms-

nation of the GSA agreement or legal action being taken, in view of the lack of adequate legal machinery in Teheran. They had advised Air India to reach a negotiated settlement with the GSA. Since there has been no payment received from the GSA. Air India Legal Adviser in Teheran has now advised the termination of GSA agreement and launching of legal proceedings. This has been done by Air India.

Air India could not terminate the agreement earlier as GSA was needed in Teheran to cover the wide sales Area as Air-India did not have adequate establishment and no other party could be considered as GSA due to the political turmoil. With the cancellation of the GSA agreement Air India has now decided to strengthen its own establishment.

Polaris is an IATA approved agent located in Baroda. The default to Air India is in respect of sales for the period November 15, 1980 to January 10, 1981.

The agent made remittances on fortnightly basis for the preceding fortnight. Payments for the second fortnight of November, (Rs. 9.22 lakhs) and for the first fortnight of December ("Rs. 12.77 lakhs), payment were made by cheques on 15th and 30th December respectively. These cheques were not honoured.

For the second fortnight of December, and for the period from 1st to 10th January, 1981, no payment was made. Thus the total outstanding was Rs. 25 lakhs. On Air India constantly pursuing the matter, the agent paid Rs. 4 lakhs on 14th January, 1981 and Rs. 6.8 lakhs by the end of January. This reduced the outstanding from Rs. 36 lakhs to Rs. 25.64 lakhs. No further payment has been made by the Agent. Criminal and Civil proceedings have been launched against him. This agent also owes Rs. 18 lakhs to other airlines.

Investigations are being made to establish if any Air India's officials are responsible for this default.

At Air India's instance, IATA has declared this Agent 'in default' and Air India and other airlines are not dealing with the agent now.

Happy Travels is an IATA approved agent located in Bombay. This agency defaulted for Cargo sales made during the period May 16th to May 31st, 1980 the net sales amounted to Rs. 6.60 lakhs.

The agency also defaulted to the extent of Rs. 5 lakhs due to the other airlines. On the advice of Air India this agent was declared 'in default' by IATA. The agent has been given time till 31st March, 1981 by IATA to settle the outstanding amount to all airlines, failing which the agency will be removed from the IATA approved list and carriers can institute legal proceedings against them. Air India will institute legal proceedings if payment is not received by 31st March, 1981. The bank guarantee of Rs. 2.50 lakhs has been encashed by Air India.

MR. DEPUTY CHAIRMAN: I would like to request honourable Members that we should conclude by 3, and every Member may kindly be very brief in his observations and ask only relevant questions because a lot of things have already been given by the Minister.

SHRI DINESH GOSWAMI: Sir, I shall be very brief. The reply given by the honourable Minister confirms that there has been a default to the tune of Rs. 1 crore by the various agencies in Philippines, in our own country, and in Teheran by agencies whose names are very attractive; Odyssey, Ajanta, Polaris, Happy Travels, though their performances are not at all happy. The honourable Minister said that he has instituted legal proceedings. We know that whenever you take legal proceedings; it is not only time-consuming and in the legal proceedings a lot of money has to be spent: Air India shall have to spend a lot of money in the proceedings, and even in ultimately the amounts are recovered, the expenditure in the proceedings also will have amounted to

[Shri Dinesh Goswami] z

the same. However, some of the questions remain unanswered. Sir, as you have put a time-limit on me. I shall straightway go to those questions. The fact remains that so far as Happy Travels is concerned, in spite of the fact that it defaulted Rs. 6.60 lakhs, we could recover only Rs. 2.50 lakhs by way of securities. So far as their securities are concerned, ni Jdyssey, Ajanta, Polaris, their security was much less than the default which has taken place. I have come to know that the security is much less because the security is only calculated on the basis of the booking that they handle. Discounts are not taken into account. As a result, the business handled by the travel agents, the quantum of money involved, is much more than the security which you take from them. In fact, if the security had been taken on the basis of business handled, today Air India would not have been facing this difficulty, because it would have been in a position to recover the amounts I understand in Teheran the Legal Adviser advised, against legal proceedings, termination of the contract. The firm at Teheran, Odyssey defaulted from September, gave two cheques which were not honoured. In any country if a cheque, once given, is not honoured, it is a criminal offence. So why did you not at that point of time terminate the contract? Because, ultimately if the contract had been terminated, the firm would have to approach the court of law saying that the contract had been terminated. And I am sure in any country of the world in the court of law, if you are in default and if you give a cheque which is not honoured, then you are undoubtedly not in a position to press your claim. So I would ask the Minister, firstly, why is it that knowing fully well that such defaults are taking place not only in our Airlines but in other Airlines also, the Minister or Air India did not take steps to see not only in security taken on the basis of the amount handled but also on the basis of discounts? Because, otherwise, in my submission, I feel this has become a

very artificial way of doing things. In our own country, Baroda, which is right under your nose, so far as Polaris is concerned, the Minister admitted that an amount of Rs. 36 lakhs is yet to be recovered from these agents. He has defaulted other Airlines to the extent of Rs. 15 lakhs.

So far as Polaris is concerned, there are some fundamental questions which Air India will have to answer. The Minister has stated that Polaris is an IATA agent. I am to mention that they are not permitted to give incentives and discounts. If that is the position, how is it that Polaris was given incentives. In this country there is a definite law against undercutting. When we travel we have seen that Air India does not give you tickets on the same lines as the other airlines do. Undercutting is not permitted. Not only that, there is a law which probably goes to the extent of punishing with imprisonment any person indulging in undercutting. How was it that undercutting and discount were allowed so far as Polaris was concerned? The agency Polaris does not have even the requisite staff. Air India endorses the ticket in the name of its agent. The consumer does not get the benefit of the discount offered but a percentage also goes to some of the officers in the Air India. I would like the hon. Minister to examine this question. In the case of discount, the customer ultimately does not get any benefit. If the customer gets a discount, I can understand the logic of it. In spite of the fact that there is a law against undercutting in this country, how is this permitted? How is it that it is being allowed under your very nose, in front of your headquarters, when the benefit thereof has not gone to the customers. This is shared between the staff and sometimes the travel agents. You have allowed them to default to the extent of Rs. 36 lakhs and secondly their cheque has not been honoured. Is it a fact that in the Air India there is lot of corruption in the appointment of these agents? In Canada and in America we had heard about this earlier. There was a case in Bangkok also where the

Air India staff objected. In America you tried to give it to somebody against Government regulations. In this House I recall a number of references to that. Is it also a fact that the Air India is in a bad shape because of lack of modernisation? You have tried or taken some *ad hoc* measures to improve the situation. In the recent past for Airlines coming from America to Delhi was cut off and Bombay was put with the result that staff at various capitals did not know which Aircraft of Air India will go where...

MR. UPEUTY CHAIRMAN: That does not come under this. It is about the working of the Airlines.

SHRI DINESH GOSWAMI: A large number of Air India routes were diverted. Since we are short of time, I will straightaway put my questions. "Why undercutting and discounts were allowed? In this country in spite of a definite law you have permitted undercutting and tilis it? Is it a fact that traffic has been diverted from Air India to various Airlines of other nations in the recent past because of mismanagement in the Air India? Will you kindly give specific answers to these questions?

SHRI A. P. SHARMA: I am grateful to you for your remark in the beginning that the information given in this statement made by me is so much in detail that as a matter of fact there is practically no scope for giving any further information regarding the whole thing. I have explained what has happened in this case and I have also explained the position as to what measures Air India is taking to remedy the situation in these places. Sir, my friend has raised certain points which do not concern this Calling-Attention Motion. For example, Sir, he has raised the question of America and Canada; as a matter of fact, he has raised the question of the working of Air-India; and he has also raised the question of diversion of traffic.

All these things do not come within the purview of this Calling-Attention Motion. But I would like to assure my friend that so far as India is concerned, Air-India will never be interested in diverting traffic to other airlines because, you see, Sir, it will be at their own cost, at the cost of their own existence. No airline would like to do that, Sir; so, what to talk of Air-India? Therefore, this answers the point so far as diversion of traffic is concerned.

SHRI DINESH GOSWAMI: I did not say that. I said that passengers are diverting themselves to other airlines because of lack of proper management in Air-India.

SHRI A. P. SHARMA: That question is again regarding the working of Air-India only. Sir, if he wants to discuss this point, separately, we will definitely discuss. But he has raised certain other points in connection with this Calling-Attention Motion and, in this respect also, I would like to ask: Today, when all the efforts have failed to realise the moneys that were due to Air-India, what other remedial measure is here which could be taken than ultimately to launch proceedings against these agents and terminate their agencies? My friend has also said that the legal proceedings are time-consuming and expensive. But, Sir, there does not appear to be any other alternative. If my friend could suggest any other alternative, perhaps we will be happy to adopt that. He has further said that these agencies were not terminated and he has asked why these agencies were not terminated. Sir, if you go through the statement, if my friend goes through the statement, it will be seen that it has been explained in such detail...

MR. DEPUTY CHAIRMAN: Mr. Minister, your statement is very badly typed and such a statement has been circulated.

SHRI A. P. SHARMA: Yes. Sir. I will see that in future it does not

[Shri A. P. Sharma]

happen. That was perhaps due to j a bad machine. I do not know. What I am saying is ----- ,

SHRI DINESH GOSWAMI: It is just like the functioning of Air-India.

Sir, the functioning of Air-India and this typing ar_e the same'

SHRI A. P. SHARMA: Sir, where-a_s I hsve agreed with your remark li the tying of the Statement, I do not thine I can agree with my friend, Shri Dir.esh Goswami, in respect of his observations about the functioning of Air-Ind>a because, every day, I am receiving a number of letters—of course, I am receiving a number of complaints also—and I am receiving a number of letters of appreciation for the services that Air-India and Indian .(Airlines have been rendering to the yeople.

Sir, hi i has also raised the point as to why the agencies were not terminated. Sir, the reasons have been given. Now, in one case, the payment WAS on a fortnightly basis. Now, fifteen nays' earnings of that agency were to be remitted to Air-India in the nest fortnight. Now, Sir, if this was being regularly received, then, where <ra_s the question of termination? It is only when, you see, all persuasxms have failed—one or two rases h-nve come in as pari of this Calling. Attention Motion—and when we have no\ received the payment in lime that we have not only terminated the agencies but also we have institute3 legal proceedings.

SHRI U. R. KRISHN^AN (Tamil Nadul: What about under-cutting

SHRI DINESH GOSWAMI: Sir. I have itu'sed the question about un- \dercutti ng.

MR. DEPUTY CHAIRMAN: You have raised too many questions and he can lot answer all of them. If you pud two or three questions, he can aiU'Ver. Tf you raise too many quests r<. nobody can answer.

SHRI A. P. SHARMA: Sir, re garding the question raised by him about some of the practices adopted g by th_e airlines in several places-----

SHRI DINESH GOSWAMI: By Air-India in India.

SHRI A. P. SHARMA: . . . Air-India has not adopted any practice different from that of the other airlines.

SHRI DINESH GOSWAMI: Sir, this is no answer.

MR. DEPUTY CHAIRMAN: Yes Mr. Nanda.

SHRI NARASINGHA PRASAD NANDA (Orissa): Sir, because a news item appeared in the Press on the 28th February 1981 regarding this default by these agents in the various places, which came to th_e notice of the Members of Parliament, we had to call the attention of the Government to this particular aspect of the matter. It is not that alone. This onfined only to Philippines and Teheran and certain agents in our own country. But Air-India has a large number of agents everywhere in the world. And we have been informed that apart from what has been disclosed in the Press, there are ^ many cases of defaults and, therefore. Sir, I would like th_e hon. Minister to lay a statement on the table of the House for the satisfaction of the Members on the following points. Firstly, how many agents do the Air India have all over the world; whether there is any amount outstanding against these agents of Air-India elsewhere, apart from th_e places which have been revealed to Ufi because the attention of th_e Minister has been drawn to these particular places. Third: whether the antecedents of these agent_s are verified and their financial soundness checked before they are appointed as agents on behalf of Air-Tndia. I_n other words,

Sir, -whether any criteria or basis has been laid down for the appointment of these agents, or simply because someone's name appears in the list approved by the ITA, he is appointed? Is there any checking of the financial soundness of those who carry on transactions running into lakhs of rupees? Then, Sir, I would like to know whether any commission or discount is allowed and, if so whether the rate of commission varies from place to place, depending upon the particular Regional Director appointed by the Air-India or Directors? Has any standard been laid down for giving commission? You will notice, Sir, that this question is frequently in dispute. Sir, I am not going into the details. But I would like to know whether any 9 guidelines have been issued by the Ministry, so far as the commission or discount is concerned, or is the discount given on *ad hoc* basis on the overall principle of commercial advantage. (*Interruptions*). I have not yet finished. Sir.

The other point is, what is the amount of realisation by these defaulters. The Minister has said in the statement that legal proceedings have been started and if it is not possible to realise the amount through legal proceedings some other things will be found out. I am not going into that question. But what is the regular basis for realisation? Do they try to realise the amounts from the agents every week-end, or every fortnight or every month-end? What is the mode of realisation? Or is the amount realised on the sale of tickets? Or is it on ticket-to-ticket basis realisation? Or is it at the end of the season? You have stated that they have defaulted to the tune of lakhs of rupees. There may be many other agents who might be defaulting which may not have come to your notice. If he is not in possession of all the information he can collect this information later on and place it on the table of the House.

SHRI A. P. SHARMA: My hon. friend, Mr. Nanda ...

SHRI NARASINGHA PRASAD NANDA: Not 'Panda' but 'Nanda'. I find you have correctly pronounced my name today. At least today you have correctly pronounced. (*Interruptions*)

SHRI A. P. SHARMA: My hon. friend, Mr. Nanda, has raised several questions. One of the questions is how many cases of defaults have been there in Air-India, Sir, so as we are concerned, as on date, the cases of defaults have not been brought to our notice and I am not in a position to tell him how many other cases of defaults are there. He wants me to lay a statement on the Table of the House. I do not know whether he wants a statement regarding the whole position of Air India or he wants to know something else. That is also not clear. If his intention is that I should lay a statement on the Table of the House regarding the working of Air India. I do not think it will be possible because there is always the Annual Report on the Table of the House and at that time my friend can discuss it.

SHRI NARASINGHA PRASAD NANDA: Let me explain to him my intention. I said very categorically ...

SHRI A. P. SHARMA: At the time of the Ministry's Annual Report or the Demands of the Ministry, he can comment.

MR. DEPUTY CHAIRMAN: The Demands will not be discussed in this House. Your Ministry also may not be discussed. Who knows?

SHRI A. P. SHARMA: He can read the report.

MR. DEPUTY CHAIRMAN: He wants all the list of General Agents of Air India. If you don't have you can give later on.

SHRI NARASINGHA PRASAD NANDA: He is referring to the Annual Report.

SHRI A. P. SHARMA: This is a very wide question and we have to collect information in this regard. About the working of the Air India, it will be stated in the Annual Report and my friend can go through it. He wanted to know the criteria. Sir, it is decided by the IATA itself. So, we do not decide any criteria. So far as the Sales Agents are concerned, he must fulfill two conditions. They must have financial soundness and the experience that they have of doing this business, how much understanding they have, how much traffic they can generate, etc. All these things are considered. There is no hard and fast criteria or rule laid down for this purpose. It is a business concern and this practice is followed all over the world by other Airlines also. This is not a new thing that only Air India is doing. So far as the appointment of General Sales Agents is concerned, he wanted to know about the commission paid. As far as I know, 9 per cent commission is paid to the agents and 12 per cent, i.e. 3 per cent more is paid to the General Sales Agents.

SHRI NARASINGHA PRASAD NANDA: How did you allow 30 per cent in Philippines?

SHRI A. P. SHARMA: I do not know from where he has got it. I said that in Philippines Air India is doing what the other Airlines in that country are doing. I have not said anything else. He wanted to know about the mode of payment. As I stated in the statement, the payments are released by cheque and on a fixed periodical basis. In the case of non-IATA agents, it is settled between the two parties. Here it is 60 days. We wanted to reduce it to 45 days. From this he can understand that there is no fixed time limit. It is discussed and

decided between the two parties. In the case of IATA agents, the time limit is fixed. I have said just now that the payments was made on fortnightly basis. These questions have been answered and I do not think that I can add anything more to what is given in the statement.

SHRI NARASINGHA PRASAD NANDA: How much more do you pay to the General Sales Agents?

MR. DEPUTY CHAIRMAN: Three per cent more.

SHRI NARASINGHA PRASAD NANDA: I am not asking about the commission. What is the mode of realisation? What is the basis? Is it by specific agreement?

MR. DEPUTY CHAIRMAN: He said it is 15 days.

SHRI A. P. SHARMA: That is in the case of IATA agents. In the case of non-IATA agents, it is settled between the parties.

श्री शिव चन्द्र झा (बिहार) : उपसभा-पति जी, माननीय मंत्री जी के जवाब से साफ है कि दाल में कुछ काला है एयर इंडिया की फकेशनिंग में ।

श्री अनन्त प्रसाद शर्मा : जांटिस वाले को सब पीला ही नजर आता है ।

श्री शिव चन्द्र झा : जब सवाल यहाँ रखा गया तो उन्होंने एक्सेप्ट किया कि हाँ दो तीन केसेज हैं जिन के बारे में प्रोसीडिंग्स चल रही हैं और फिर जब सवाल किया गया तो कहा कि जब कोई बात आयेंगी तो हम देखेंगे । इस लिये मेरा पहला सवाल है कि सारे एयर इंडिया का मनेजमेंट मिसमनेज हो रहा है और उस के मार्टिनाइजेशन की बात भी कुछ हुई है और उस के आधार पर हम कह सकते हैं कि वहाँ गड़बड़ी है । हम लोग न्यूजीलैंड जा रहे थे एयर इंडिया के प्लेन में—

श्री उपसभापति : आप प्रश्न पर आइये ।
जनरल डिस्कशन मत करिये ।

श्री शिव चन्द्र झा : आप घड़ी देखिये । एक मिनट में मैं अपनी बात करना चाहता हूँ और उतने समय में ही कह दूंगा । आप घड़ी देखिये । तो जब हम लोग हांगकांग तक गये तो वहाँ जा कर हम को दूसरा प्लेन लेना था । मिथी साहब हमारे साथ थे । मैंने उन से कहा कि अच्छा होता कि हम लोग बैलगाड़ी से हांगकांग आते इस लिये कि उस में बहुत सी खामियां थीं । तो मेरा पहला सवाल है कि यह जो एजेंट्स एजेंसी लिये हुये हैं और डिफाल्टर्स हैं, पेमेंट में गड़बड़ियां करते हैं और और बातों को लेकर और जिन को आप भी फील करते हैं लेकिन कहना नहीं चाहते हैं तो क्या इस की जांच के लिये आप कोई उच्चस्तरीय कमेटी बिठायेंगे, संसदीय कमेटी बैठे तो अच्छा है, नहीं तो दूसरी कोई कमेटी बिठायेंगे ताकि वह इन सब बातों की जांच कर सकें, उन के अंदर जाय और आप को सुझाव दे कि एयर इंडिया का मनेजमेंट कैसे होना चाहिए ।

दूसरी बात, आप के एजेंट्स आप के ट्रैफिक को डाइवर्ट नहीं करते है ऐसा उन्होंने कहा, लेकिन फिर वही बात आ जाती है कि उन की अपनी ही कार्यवाही से उन का ट्रैफिक डाइवर्ट हो जाता है . . .

श्री उपसभापति : इस से यह प्रश्न उठता नहीं । आप दूसरा प्रश्न पूछिये ।

That part will not be replied to, Mr. Jha.

SHRI SHIVA CHANDRA JHA:
Then he should not reply to any part of my question, and I am walking out.

(At this stage, the hon. Member left the Chamber)

श्री अनन्त प्रसाद शर्मा : जितना उन्होंने प्रश्न किया उस का तो मैं जवाब दे दूँ । उन्होंने कहा कि जब यह सवाल इस प्रकार का यहां 1904 RS—7.

आया या कुछ दिन पहले अखबार में जब यह समाचार छपा इस के संबंध में तो यह कार्यवाही आरम्भ हुई जो स्टेटमेंट में दिया है उस से स्पष्ट है कि उन पर क्या ऐक्शन लिया गया और उन लोगों से किस प्रकार से जवाब मांगा जा रहा है । उन्होंने कहा कि सवाल आने के बाद ही उन पर कार्यवाही शुरू हुई । लेकिन स्टेटमेंट से ही पता चल जाता है कि हम सवाल के इंतजार में नहीं थे । इस के संबंध में पहले ही कार्यवाही की गयी है और इस से उनको संतोष होना चाहिए । जहां तक उच्चस्तरीय कमेटी बनाने की बात है उस का प्रश्न बिलकुल नहीं उठता ।

श्री राम लखन प्रसाद गुप्त (बिहार) :
उपसभापति महोदय, मैं तीन, चार सवाल पूछूंगा दो तीन मिनट में ।

श्री उपसभापति : बहुत धन्यवाद ।

श्री राम लखन प्रसाद गुप्त : धन्यवाद की कोई बात नहीं है । चूंकि आप बहुत जल्दी कर रहे हैं इस लिये मेरा पहला सवाल है कि जो गोलमाल के मामले सामने आये हैं क्या उसमें आप को यह आभास होता है कि इस में आप के सरकारी अधिकारियों की भी साजिश है । . . .

श्री उपसभापति : एयर इंडिया के अधिकारियों की कहिये ।

श्री राम लखन प्रसाद गुप्त : जी हां, एयर इंडिया के अधिकारियों की भी क्या इस में साजिश है ? दूसरा प्रश्न यह है कि जो मुकदमों की बात कही गयी है कि आप ने अपने स्टेटमेंट में कहा है कि मुकदमें किये गये सिविल और क्रिमिनल, तो यह कितने हैं और किस किस के खिलाफ किये गये हैं । यह प्रश्न हमारे दो तीन स्पीकर्स ने उठाया है, लेकिन उस का जवाब साफ नहीं दिया गया है । मुझे इस में संदेह है कि जो समाचार टाइम्स आफ इंडिया ने छपा है, उस में उन्होंने लिखा है :—

“According to Mr. Raghuraj, legal proceedings are being initiated.”

[श्री राम लखन प्रसाद गुप्त]

ed to recover the amount. The Airlines sources, however, say that there is little likelihood of the recovery."

इसलिए मुझे शक है और स्टेटमेंट में भी इसके बारे में कुछ नहीं है। इसलिए इस पर साफ साफ बताइये।

तीसरा प्रश्न यह है कि इस विषय में 24-7-80 को लोक सभा में भी प्रश्न उठाये गये थे माल प्रैक्टिस के बारे में और उसमें यह भी कहा गया था कि एजेंटों के साथ साथ जो आफिसर्स हैं वे भी टिकट में डिस्काउंट लेते हैं। आपने आश्वासन दिया था कि इसकी जांच करायेंगे। तो कृपया इसके बारे में बतायें कि क्या हुआ :

चौथे, 5 अगस्त, 1980 को इसी राज्य सभा में इस प्रश्न को उठाया गया था जिसमें श्री जगदीश माथुर और लाडली मोहन निगम ने आपको बहुत से उदाहरण दिये थे कि दिल्ली, फरीदाबाद और ब्रिटन में किस तरह का गोलमाल होता था। उस समय भी आपने कहा था कि आप इसकी जांच करेंगे। इस विषय में भी जानकारी दें।

अंतिम सवाल यह है कि 14 अगस्त 1980 को श्री ज्योतिर्मय बसु ने बताया कि पब्लिक अंडरटैकिंग कमेटी की रिपोर्ट में यह बात आई है और रिपोर्ट में यह बात लिखी हुई है कि इस तरह की माल प्रैक्टिस चल रही है और श्री ज्योतिर्मय बसु ने मंत्री महोदय को पत्र भी लिखा है कि इस तरह की माल प्रैक्टिस चल रही है यह रिपोर्ट में है तो क्या आप सी० बी० आई० से इस बात की जांच करवाकर उनको प्राजीक्यूट करेंगे? ये पांच सवाल हैं जिनका उत्तर मैं चाहता हूँ।

श्री अनन्त प्रसाद शर्मा : उपसभापति महोदय, आपने कहा है कि क्या इसमें एयर इंडिया के अधिकारी भी शामिल हैं? इसमें वह शामिल हैं या नहीं या उनकी जिम्मेदारी

कहाँ तक है, मैंने इस कालिंग अटेंशन का उत्तर में कहा है कि हमने जो जो कंसर्न अधिकारी थे उनके खिलाफ प्रोसीडिंग शुरू की है, उनसे जवाब मांगा गया है और उसके बाद ही इस बात का जवाब दिया जा सकता है कि कहाँ तक वे इसके लिए जिम्मेदार हैं।

श्री सदाशिव बगईतकर (महाराष्ट्र) : नम्बर बताइये।

What is the number of persons against whom enquiries are being made?

श्री अनन्त प्रसाद शर्मा : जहाँ जहाँ ये अधिकारी हैं

श्री सदाशिव बगईतकर : नम्बर तो बताइये जिनको आपने नोटिस इश्यू किये हैं?

श्री अनन्त प्रसाद शर्मा : जहाँ तक ईस्ट एशिया का सवाल है और जो इंफार्मेशन हमारे पास है उसके मुताबिक तीन आदमियों से जवाब मांगा गया है।

जहाँ तक हिन्दुस्तान में जो आपने बड़ोदा की बात की, उसके सम्बन्ध में मैं कह नहीं सकता हूँ कि कितने आदमियों से की है चूंकि वह यहाँ का मामला था और हैड आफिस से सम्बन्ध रखता है तो वहाँ के जो कंसर्न अधिकारी हैं उनके सम्बन्ध में कितनों से जवाब मांगा जाएगा, यह मैं ठीक तौर से कह नहीं सकता, लेकिन तीन के सम्बन्ध में पक्की तौर पर कह सकता हूँ।

जहाँ तक लीगल प्रोसीडिंग किस किस के ऊपर हमने चलाई है, यह स्टेटमेंट में साफ तौर से लिखा हुआ है कि सिवाय एक के जिसको आयाटा ने 31 मार्च तक टाइम दिया है कि इसको सैटल करो, लेकिन बाकी जितने भी एजेंट हैं उन सब के ऊपर हमने लीगल कार्यवाही करने की बात कही है।

श्री राम लखन प्रसाद गुप्त : किस पर केस किया है, यह स्टेटमेंट में नहीं है कि

सिविल या क्रिमिनल केस किस किस पर किया है ... (व्यवधान)

श्री अनन्त प्रसाद शर्मा : देखिये, मेरे पास यह है, जिनके पैसे नहीं मिले हैं, हम उन्हीं के सम्बन्ध में लीगल प्रोसीडिंग कर सकते हैं, इस में तीन ही एजेंसी हैं और चौथी को टाइम दिया गया है 31 मार्च तक।

श्रीमन् इन्होंने कहा कि आफिसर्स भी कमीशन लेते हैं ...

श्री उपसभापति : डिस्काउंट लेते हैं।

श्री अनन्त प्रसाद शर्मा : डिस्काउंट कहिये या कमीशन, लेकिन मैं कहना चाहता हूँ कि यह गलत बात है। कोई भी आफिसर कमीशन नहीं ले सकता है कानून के मुताबिक और अगर साबित हो कि कोई आफिसर कमीशन लेता है तो उसके ऊपर कार्यवाही की जाएगी और कोई माननीय सदस्य इस तरह के केस को हमारे सामने ला सकते हैं तो उसके विरुद्ध कार्यवाही होगी।

श्रीमन्, इन्होंने एक और सवाल किया कि दिल्ली, फरीदाबाद, लंदन, और किन किन जगहों का नाम लिया मुझे मालूम नहीं, उसका हवाला देते हुए इन्होंने कहा कि मैंने कोई जांच कराने का आश्वासन दिया है। मुझे याद नहीं कि इस तरह का कोई सवाल हमारे सामने आया या हमने इसका कोई आश्वासन दिया है। जी०एस०ए० का सवाल जरूर इस सदन में आया था। जैसे अभी कॉलिंग अटेंशन में चार सवाल हमारे सामने आए और उसके साथ दुनिया भर की बातें कहने लगे उस वक्त भी ऐसी बातें उठी थीं। उस पर काफी हल्ला मचा था। सभापति महोदय ने मुझे याद है कॉलिंग दी थी The question was only regarding USA. और कोई सवाल नहीं था इसलिये आश्वासन देने की कोई बात नहीं थी। उस समय और कोई सवाल हमारे सामने नहीं था। जो सवाल हमारे सामने था उस संबंध में, हमने जवाब

दे दिया था। बाकी कोई जांच कराने का या कोई आश्वासन देने का सवाल नहीं था।

श्री सदाशिव बागाईतकर : इसके पहले कि मैं इसके कुछ अंश मंत्री जी को पढ़ कर सुनाऊं ...

श्री उपसभापति : सवाल पूछिए पढ़ने की जरूरत नहीं। पढ़ा हुआ सबके सामने है।

श्री सदाशिव बागाईतकर : जो पढ़ंगा वह ही समझने के काम आ जाएगा। मेरा पहला सवाल यह है कि आपका यह पब्लिक अंडरटेकिंग है तो क्या जरूरत महसूस होती है इस पब्लिक सेक्टर अंडरटेकिंग को चलाने के लिये एजेंट की नियुक्ति करें? अभी आपने दिनेश गो. धामी जी को कहा कि और कंपनियां जो करती हैं वही हम लोग भी करते हैं। अगर यही आपका जवाब है तो इससे साफ मतलब और निष्कर्ष है कि इंटरनेशनल कंपनियां जो तीर तरीका अपनाती हैं और उसमें अंडरटेकिंग होती है इसका बखान करने की जरूरत नहीं है तो क्या आपने एयर इंडिया को खुली छूट दे रखी है कि वह ऐसा करे ताकि आपका बिजनेस बढ़े? यदि आपके पब्लिक सेक्टर का एथिक्स है तो मैं आपसे जानना चाहता हूँ कि आप इसको चला क्यों रहे हैं? जो सभी बिस्म के एजेंट लोग करते हैं ग्राहक को हासिल करने के लिये वही करने की छूट आप देंगे तो इससे क्या लाभ होने वाला है पब्लिक सेक्टर चलाने में, यही मैं जानना चाहता हूँ। दूसरा मैं यह जानना चाहता हूँ कि क्यों आप इसका फैसला नहीं करते कि यह काम आप अपने डिपार्टमेंट, मिनिस्टरी की तरफ से करेंगे और कोई प्राइवेट एजेंट की नियुक्ति नहीं करेंगे। तसल्ली के लिये मैं आपके लिये पढ़ रहा हूँ :

"Airlines sources say that one of the main reasons for this report was unbusiness like practices followed by the management.

[श्री सदाशिव बगईतकर]

Number two is: Meanwhile it is learnt that the former Regional Director Hong Kong has contested the management's decision to punish him and other officers in charge..."

यह मैं आपसे कहना चाहता हूँ कि आपने जो नियुक्तियाँ की हैं जिन अफसरों को सारा दायित्व सौंपा है वे आज क्लेम चैलेंज कर रहे हैं किसी तरह से पैना-लाइज करने का। जो आपने अन-विजनेस लाइक मैथड अडाप्ट किया है और जिसकी वजह से एयर इंडिया को घाटा हुआ है, एयर इंडिया उससे काफी हद तक बदनाम हो चुकी है। जो गुप्ता जी ने और माननीय सदस्यों ने यहां डिबेट का हवाला दिया उस से मैं आपकी याद ताजा करना चाहूंगा कि उस वक्त इसकी चर्चा हुई थी। माल प्रेक्टिसेज एयर इंडिया में नहीं होनी चाहिये हम लोगों ने इसके ऊपर कोई उपाय नहीं किया है बल्कि यह बढ़ता ही चला जा रहा है। तो क्या मंत्री महोदय हम को आश्वासन दे सकते हैं कि आइन्दा एयर इंडिया इस तरह के एजेन्ट द्वारा अपना कोई बिजनेस नहीं करना चाहेंगे ?

श्री अनन्त प्रसाद शर्मा : उपसभापति महोदय, हमारे मित्र बगईतकर जी यह जानते हैं कि पब्लिक सेक्टर अंडरटेकिंग का जो भी काम चलता है उसके लिये पार्लियामेंट कमेटी है। वह देखती है और जांच भी करती है और कहीं पर कमीबेसी होती है तो वह सरकार के पास आती है। हम जिन सिफारिशों को ठीक नहीं समझते हैं उस पर हम कार्रवाई करते हैं। अभी आपने कहा और एक शब्द का बहुत प्रयोग किया जिसको मैं नहीं करना चाहता था पर शायद किये वगैर उत्तर पुरा नहीं हो सकता इसलिये मैं

जवाब में मैं इसका जिक्र करूंगा। इन्होंने अन्डर कटिंग की बात कही है। अन्डर कटिंग की जो बात चलती है वह मुझे मालूम नहीं है। मैं इसको किस तरह से लोगों के सामने रखूँ ? इनको समझना चाहिए कि एयर इंडिया एक इन्टरनेशनल एयर लाइन है जिसको दूसरे देशों की एयर लाइन्स के साथ मुकाबला करना पड़ता है। जब हम यह कहते हैं कि जो दूसरी एयर लाइन्स हैं, वह भी एपाइन्टमेंट्स करती हैं और हम भी एपाइन्टमेंट्स करते हैं तो इसमें गलती इनको कहां नजर आती है ? अगर इनको कोई गलती नजर आती है तो उसको हमें बताना चाहिए।

श्री उपसभापति : इनका कहना है कि जी० एस० ए० की एपाइन्टमेंट्स मत कीजिये।

श्री अनन्त प्रसाद शर्मा : उपसभापति महोदय, मैं यही कह रहा था कि जी० एस० ए० की एपाइन्टमेंट्स हमें क्यों करनी पड़ती है। वहां पर ज्यादा से ज्यादा बिजनेस करने के लिए और अपने काम को आगे बढ़ाने के लिए हमें यह एपाइन्टमेंट्स करनी पड़ती हैं। हम उनकी एपाइन्टमेंट्स उनसे दोस्ती करने के और मोह्वत करने के लिए नहीं करते हैं। दूसरी एयरलाइन्स के मुकाबले में काम करने के लिए और अपना बिजनेस बढ़ाने के लिए हम उनकी एपाइन्टमेंट्स करते हैं। दूसरी एयरलाइन्स जी० एस० ए० एपाइन्ट करती हैं तो उनका मुकाबला करने के लिए हमें ऐसा करना पड़ता है।

श्री सदाशिव बगईतकर : एरो फ्लोट के पास ऐसी कोई एजेन्सी नहीं है।

श्री अनन्त प्रसाद शर्मा : एरो फ्लोट जिस देश की एयरलाइन्स है,

वह ऐसा नहीं करते हैं तो मैं नहीं जानता लेकिन मैं बहुत सी बातें नहीं कहना चाहता हूँ। इतना ही कह कर खत्म करना चाहता हूँ कि हर देश का अपना काम चलाने का तरीका होता है। एरो प्लोट वालों का अपना तरीका होगा, अमेरिका का अपना तरीका होगा ब्रिटेन का अपना तरीका होगा, लेकिन हमारा अपना तरीका है। उसी तरीके से हम अपनी एयर लाइन्स को चलाते हैं हम किसी की नकल नहीं करते हैं। मुकाबले में काम करने के लिए हमें ऐसा करना पड़ता है जिससे कि हमारा बिजनेस बढ़ सके और उससे हम लाभ उठा सकें। यह कम्पिटिटिव बिजनेस है, इसलिए हमको यह करना पड़ता है। हमने इन्डर वर्टांग का समर्थन नहीं किया है। मैंने इतना कह कर खत्म किया था कि जो दूसरी एयर लाइन्स करती हैं, वह काम हमको भी करना पड़ता है। अपने बिजनेस को चलाने के लिए, इन रस्पेक्ट आफ एपाइन्टमेंट्स आफ जो० एस० ए०, हमें ऐसा करना पड़ता है। यह कोई नई बात हमारे लिए नहीं है। मुझे एक बात और कहनी है जिसका उत्तर देना बहुत जरूरी है और वह यह है कि हमारे किसी रीजनल डायरेक्टर ने हमारे किसी फैसले को चैलेंज किया है, यह बात इन्होंने कही है। कोई फैसला तो हमने अभी तक नहीं किया है। हमने जो कनसर्न व्यक्ति है उनसे यह पूछा है कि इसमें आपकी जिम्मेदारी कहां तक है। वह इसका जवाब देंगे। उसके बाद फिर हम फैसला करेंगे। लेकिन फैसला करने के बाद अगर कोई इसको नहीं मानता है कि हिन्दुस्तान में, भारत में, अपने देश में, हर आदमी को यह हक है कि वह चाहे सरकारी फैसला हो या गैर-सरकारी फैसला हो या व्यक्तिगत फैसला हो, उसको चैलेंज कर सकता है। इसमें आपको

क्यों शिकायत है। कोई हमारे फैसले को चैलेंज करे तो इसमें आपको क्या शिकायत हो सकती है? अगर कोई हमारे फैसले को चैलेंज करता है तो हम उस फैसले को देखेंगे उसकी जिम्मेदारी को देखेंगे कि वहां पर कहां गलती है। चैलेंज करने के बाद जिस अथोरिटी के पास जिस अधिकारी के पास और जिस जगह पर चैलेंज करेंगे वहां पर फैसला हो जाएगा इसमें आपको क्यों परेशानी हो रही है। मैं कहता हूँ कि अगर कोई हमारे फैसले को चैलेंज करता है तो आप इसके लिए क्यों परेशान होते हैं। आए दिन आप हमारी गलती निकालते रहते हैं और हमारे सही निर्णय को भी गलत कहते रहते हैं। हमें उससे कोई दुख नहीं है। हमारे देश में जो तरीका अपनाया जा रहा है वह कोई नया काम हम नहीं कर रहे हैं।

श्री उपसभापति : मैं माननीय सदस्यों को भी धन्यवाद देता हूँ और माननीय मंत्री जी को भी धन्यवाद देता हूँ कि उन्होंने बहुत थोड़े समय में काम समाप्त कर दिया।
Now, we take up Special Mentions. I would request hon. Members to take only five minutes each.

REFERENCE TO THE REPORTED INCIDENTS OF ATROCITIES BY POLICE ON HARIJANS AND BACKWARD CLASSES IN MADHYA PRADESH

श्री प्यारेलाल खंडेलवाल (मध्य प्रदेश) :
उपसभापति जी, हमारे देश के अनेक भागों में हरिजनों और आदिवासियों महिलाओं पर लगातार पिछले साल भर से अत्याचार बढ़ते जा रहे हैं। मध्य प्रदेश में इन अत्याचारों की सीमा हो गई है। अभी कुछ दिन पहले खण्डवा में एक हरिजन विधायक श्री सखागाम पटेल को जो कि भूतपूर्व मंत्री थे, वहां के थानेदार ने खुलेआम मारने की धाँस दी। बीच में एक घटना ग्वालियर में हुई जहां पर 25 जनवरी को रात को स्टेशन पर महिलाओं को