

there will be no shunting operations at night and yet they are being done.

**SHRI S. V. RAMASWAMY:** I am not aware of any such assurance but shunting will go on, night or day.

**SHRI DAHYABHAI V. PATEL:** Is it not the duty of the Railways to provide fencing where there is a railway line passing through a residential area? Why has fencing not been provided in this area?

**SHRI S. V. RAMASWAMY:** Sir, the delay in fencing is due to the fact that the exact boundary has not been determined. In the meantime, the Municipal Council has been trying to sell away that land. We said "Let us first determine the boundary and then we start the fencing."

**SHRI DAHYABHAI V. PATEL:** May I know how long it will take to determine the boundary in that area and how long the life or safety of the people residing there is going to be exposed to the tender mercies of this type of Railway Administration?

**SHRI S. V. RAMASWAMY:** May I request my learned friend to use his good offices to see that this dispute is settled so that we can start fencing straightway?

**SHRI DAHYABHAI V. PATEL:** Yes, you would have got it immediately.

**SHRI B. K. P. SINHA:** May I know if the Railway Administration realises that because of these disputes between the Corporation and the Railway Administration the lives of the people living there near those fenceless and hedgeless sidings are being endangered?

**SHRI S. V. RAMASWAMY:** There is no such danger, Sir. The danger is being exaggerated. It is a small place. The moment the Municipal Council comes to an understanding with regard to the boundary this will be taken up immediately.

**SHRI B. K. P. SINHA:** It may be a small place. Are there living houses near these sidings or not? In a small place the small man's life is in danger.

**SHRI H. C. DASAPPA:** May I add, Sir, that we are only too anxious to provide fencing and obviate any danger, to which my friend has referred? But the fault certainly is not ours. The moment they demarcate the boundary we will go through it as early as possible, much sooner than expected.

#### ESCAPE OF MR. DANIEL WALCOTT FROM SAFDARJUNG AIRPORT

{ **SHRI B. D. KHOBARAGADE:**  
 † **SHRI BIREN ROY:**  
**SHRI P. K. KUMARAN:**  
 \*5. { **SHRI A. M. TARIQ:**  
**SHRI A. B. VAJPAYEE:**  
**SHRI R. K. BHUWALKA:**  
**SHRI S. C. KARAYALAR:**

Will the Minister of TRANSPORT be pleased to state:

(a) whether it is a fact that Mr. Daniel Walcott flew out of Safdarjung airport, New Delhi in his Piper plane without permission of the airport authorities;

(b) if the answer to part (a) above be in the affirmative, whether any enquiry has been made in this connection and if so, what are the findings of the enquiry; and

(c) what action has been taken against the concerned officials?

**THE DEPUTY MINISTER IN THE MINISTRY OF TRANSPORT (SHRI AHMED MOHIUDDIN):** (a) to (c) I lay a statement on the Table of the Sabha giving the requisite information.

†The question was actually asked on the floor of the House by Shri Biren Roy.

## STATEMENT

(a) Yes, Sir. An order by the Commercial Sub-Judge, Delhi dated 31st January, 1963 restrained Mr. Walcott from taking out of India his aircraft. A police guard was also provided. On Mr. Walcott paying the penalty imposed on him for violation of Customs regulations, the said order was vacated on 25th September, 1963. On the same day, i.e. 25th September, 1963, an order was passed by Sub-Judge, Delhi, in a private suit filed by Tata Sons Private Limited on Mr. Walcott to the effect that the aircraft should not be removed from the Safdarjung airport. A copy of this order was furnished to the Aerodrome Officer on 25th September, 1963. In view of this order clearance was not given for a flight by the aerodrome authorities when Mr. Walcott approached them on 26th September, 1963. Despite the refusal, Mr. Walcott made an unauthorised flight on 26th September, 1963 at 12 hours 17 minutes.

(b) and (c) The enquiry conducted by Civil Aviation authorities reveals that Mr. Walcott by his unauthorised flight has violated the following provisions of the Indian Aircraft Rules, 1937, viz:—

- |                                    |  |
|------------------------------------|--|
| (1) Rule 25-A                      | Fuelling of aircraft.  |
| (2) Rule 15                        | The requirement to have Certificate of Air-Worthiness.   |
| (3) Schedule IV<br>Para 3, 5, 1, 1 | Compliance with Air Traffic Control Clearance.   |
| (4) Schedule IV<br>Para 3, 2, 6, 2 | Prior authorisation by Aerodrome Control Tower for manoeuvre preparatory for Association with taxiing or take-off etc. |
| (5) Schedule IV<br>Para 3, 2, 2, 5 | Take-off requirement to avoid apparent risk of collision.  |
| (6) Schedule IV<br>Para 3, 2, 6, 1 | Requirement for operation on and in the vicinity of an aerodrome.  |
| (7) Rule 6                         | Licensing of personnel   |
| (8) Rule 21                        | To avoid dangerous flying.   |

He has also violated rules relating to Customs clearance and rules relating to immigration clearance, in particular rules under the foreigners Registration Act.

The enquiry report is still under examination by Government.

SHRI BIREN ROY: My question in respect of the findings of the enquiry has not been answered. It has only been stated that the enquiry report is being examined by the Government. What are that findings?

SHRI AHMED MOHIUDDIN: I have already stated in the statement that as far as the pilot's responsibility is concerned, the finding has been given in the statement. As far as the administrative aspects are concerned, they are being examined because they are not so simple. They are very complicated and they require consultation with the other concerned Ministries.

SHRI BIREN ROY: There are certain questions involved regarding the violation because these violations are only given in the rules but the violations could not take place unless and until there was some misdemeanour on the part of certain officials of the aerodrome and it is a very serious thing and therefore we wanted the findings of the enquiry. The findings are being suppressed because they are against certain officials; and what is the purpose of suppressing the findings from the Members, when these findings are being enquired into by the Government?

SHRI AHMED MOHIUDDIN: I may state that this question has many aspects and in the first instance there was an order by the Court attaching the aircraft and at the time when that order was enforced attaching the aircraft, there was, on behalf of the Customs and other Departments, a regular guard, armed guard, placed at the hangar to protect the aircraft because it was attached on behalf of the Government. You must appreciate this

difference. On the last day, on the 25th of September the order was vacated and the guard was withdrawn as the Government case ended. The Court ordered the release of the aircraft and the guard was withdrawn. On the evening of 25th, there was an order by the Court addressed to Mr. Walcott not to take away the aircraft. Only a copy was sent to the Aerodrome Officer for information. Now, as far as the private dispute is concerned, whether a guard should be there or not, that is of course a very disputable question and that administrative aspect is under consideration. That is why I said that we were consulting the other Ministries in this respect.

**SHRI A. B. VAJPAYEE:** According to the press reports, efforts were made to bring down Mr. Walcott with his plane. May I know whether any efforts were really made and, if so, they did not succeed?

**SHRI AHMED MOHIUDDIN:** Bringing down is a very complicated question and, of course, it is not for me to answer on behalf of the Defence Ministry. It is for the Defence Minister, if the hon. Member wants to find out but I may say . . .

**SHRI A. B. VAJPAYEE:** I wanted to know whether any efforts were made.

**SHRI AHMED MOHIUDDIN:** As far as the aerodrome authorities are concerned, the unauthorised departure of the plane was communicated. Whether any effort was made and what efforts were made on behalf of the I.A.F., I am not in a position to say.

**SHRI A. B. VAJPAYEE:** On a point of order. The Government functions on the principle of joint responsibility. How can the hon. Minister say that I should address my question to the Minister of Defence?

**SHRI AHMED MOHIUDDIN:** That

**SHRI RAJ BAHADUR:** So far as this particular incident is concerned, the main question relates to the enquiry and the results thereof which have been given in the written statement as replies to parts (b) and (c). So far as the question by the hon. Member is concerned, the airport authorities, who were on the spot on duty, as soon as they came to know of this unauthorised flight, which in the beginning did not appear as going to be undertaken because of so many reasons, they gave due information to the only authorities that could intervene in the matter and that was the Air Force and the Air Force did take action but they could not locate the aircraft. That is the whole matter. They could not intercept the aircraft.

**SHRI A. M. TARIQ:** The hon. Deputy Minister said that it was not the responsibility of the Airport Officer because they were only sent a copy. May I know how they refused Mr. Walcott the release of the plane or how they did not allow Mr. Walcott on the 25th morning to take off? I would like to know for how long this plane was in the hangar, how much time it takes to examine the engine, and how much time it takes for the engine to go on the runway and for refuelling with gas, etc? What were the aerodrome authorities doing during all this time?

**SHRI RAJ BAHADUR:** Although most of the information is contained in the statement, I may say that the first time, this gentleman—Mr. Walcott—was restrained from removing the aircraft was as far back as 31st January 1963. At least since then the aircraft had not been flying. He was restrained because there were certain dues against him from the Customs Department. He paid them off on or about 25th and got a release order for the plane. He could have flown in the plane right that afternoon on 25th without any let or hindrance but on 25th evening there was another order in a civil suit filed by Tata Sons.

only an order served on Mr. Walcott not to remove the aircraft. Only a copy of it was supplied to the Airport Officer. Before that particular order was served, during the period from 31st January to 25th September, there was a regular police guard on behalf of the Court. This police guard was not reappointed when this "not-to-remove" order was served or the second restraint order was imposed. So, the aerodrome authorities said that they had got no police power and the police should come into it. Let that be made fully clear that the previous police guard had already been removed. The next question that my hon. friend has asked is, how much time was taken for fuelling and all that. He was permitted, even under the restraint order under the particular action that the Customs had taken in the Civil Court, he was allowed, to come, do servicing and attend to his aircraft. He used to come, he used to attend because, otherwise an aircraft would become absolutely useless. So, he was allowed that. Under the pretext of doing all that, he suddenly took the aircraft out. Although it was absolutely foolish on his part to do so in the sense that the aircraft had not flown for six to eight months and it could have resulted in his death. He suddenly took off from a runway which was out of use, to the surprise of everybody else.

SHRI N. SRI RAMA REDDY: In the statement it is stated:

"Despite the refusal, Mr. Walcott made an unauthorised flight on 26th September, 1963 at 12 hours 17 minutes."

I would like to know whether the Aerodrome Officer had any means to effectively prevent the aircraft being taken away by anybody. That is the crux of the problem. What means were provided to the Aerodrome Officer and whether any means were provided at all to prevent Mr. Walcott from misusing the berties that were given to him? What has

the Government done in this particular respect?

SHRI RAJ BAHADUR: Let me humbly suggest and clarify the position. The function of the airport and the aerodrome staff is to prevent collision among aeroplanes and also to regulate the aircraft and planes' taking off and landing so that due precaution is taken in regard to safety. That is the limited function of the airport. In this particular case when the restraint order was there for the first time, the police was deputed but on the second occasion the police was not deputed. The airport authorities are not police authorities as such. What the hon. Member is asking is how he was refused permission to fly on the morning of 26th. That is true because he could do that since there was no attachment. So Mr. Walcott could fly but because we had got information, that permission was refused but the permission to attend to servicing the aircraft was never denied to him all these eight or nine months. After all the only claim was through the civil suit by a private party. Unless the private party went to the Court and got an order to provide a police guard, we could not replace the police guard at our expense. That was the whole thing.

SHRI A. M. TARIQ: Sir...

MR. CHAIRMAN: You have had your turn.

SHRI RAJENDRA PRATAP SINHA: The hon. Deputy Minister remarked that the civil aerodrome authorities informed the I. A. F. to intercept the plane and to bring it down. This was the information given by the Deputy Minister and also by the Minister.

SHRI RAJ BAHADUR: Not to bring it down.

SHRI RAJENDRA PRATAP SINHA: This is what he said just now.

SHRI AHMED MOHIUDDIN: I said that the information was given that

there was an unauthorised flight. The information was given to the I. A. F. authorities that there was an unauthorised flight from the Safdarjung airport. That was the information.

**SHRI RAJENDRA PRATAP SINHA:** I would like to know what was the purpose of giving this information to the I.A.F. authorities? What was the purpose behind it?

**SHRI RAJ BAHADUR:** If any rule was violated—and there were certain rules which were violated in this case—and there was an unauthorised flight, it might constitute a hazard to the other flying aircraft. And the only power we had was to ask the Air Force to intervene in the matter. So, we brought this to their notice, that an unauthorised flight had taken place.

**SHRI RAJENDRA PRATAP SINHA:** But at what point of time?

**SHRI RAJ BAHADUR:** Immediately.

**SHRI RAJENDRA PRATAP SINHA:** 'Immediately' means after how many minutes? And also, the hon. Minister said that there was a guard posted under the order of the Court and that guard was removed. When that guard was removed, may I know whose duty it was to reimpose the guard? And secondly, when there was an unauthorised flight—and according to the statement of the hon. Minister, so many other things were involved, for example, hazard to other flying aircraft and so on—why did not the authorities inform the I. A. F. and tell them straightway: 'You intercept the aircraft'?

**SHRI RAJ BAHADUR:** I have already stated that. May I repeat what I have said, for the sake of clarity?

**SHRI A. M. TARIQ:** Sir, may I...

**MR. CHAIRMAN:** After going the round, I will come back to you.

**SHRI P. K. KUMARAN:** The hon. Minister is stressing the point that only a copy of the second order was given to the aerodrome authorities. But what was the purpose of giving

them a copy? Why did not the aerodrome authorities inform the Government to see to it that some guard was posted there? What was the purpose of giving them a copy of the order? Should they not have asked the Government to take action?

**MR. CHAIRMAN:** This is comment. He gave you the facts.

**SHRI RAJ BAHADUR:** May I seek your permission to clarify the point? This is rather important. I say that so far as the posting of the guard is concerned, it was an act on the part of the Court the Sub-Judge's Court, in the first instance. It was removed on the 25th morning. After that there was no restraint to say that he should not fly. The second order was not an attachment order. In the case of an attachment order, the thing should be entrusted to somebody. The aircraft was not entrusted to our custody as such. This order was served on Walcott that he should not remove the aircraft. An order against removal should be distinguished and differentiated from an attachment order. We were only informed of the order of restraint against removal. The plaintiff should have got the Court to post a police guard, but this was not done and the responsibility for an action which lay on the plaintiff should not be sought to be shifted to the aerodrome authorities.

**شری پیارے لال کرپل : مطالبہ :**

کہا میں یہ جان سکتا ہوں کہ جیسا کہ آنریبل منسٹر صاحب نے کہا ہے کہ والکٹ کو جہاز تک جانے کی اجازت دی گئی جانے کی اجازت میںٹیلنس اور اڑان کی اجازت—اور وہاں تک وہ بڑی آزادی کے ساتھ آ جا سکتا تھا تو جب کہ والکٹ کے خلاف سوریس چارجز تھے ایسی حالت میں ایسی

پروٹوکول دیلنے کے لئے کون ذمہ دار ہے؟  
اس کے علاوہ عدالت کے آرڈر کے بعد کیا  
یہ کوشش کی گئی کہ اس کو جہاز  
تک جانے سے روکا جائے؟

†[**श्री प्यारेलाल कुरील 'तालिब' :** क्या मैं यह जान सकता हूँ कि जैसाकि आनरेबिल मिनिस्टर साहब ने कहा है कि वाल्कट को जहाज तक जाने की इजाजत दी गई—जाने की इजाजत, मेन्टेनेंस और उड़ान की इजाजत—और वहाँ तक वह बड़ी आज़ादी के साथ आ जा सकता था, तो जबकि वाल्कट के खिलाफ सीरियस चार्ज थे, ऐसी हालत में ऐसी परमिशन देने के लिये कौन जिम्मेदार है ? इस के अलावा अदालत के आर्डर के बाद, क्या यह कोशिश की गई कि उस को जहाज तक जाने से रोका जाय ? ]

**श्री राज बहादुर :** जो सीरियस चार्ज बताये जाते हैं उन का मुझे पता नहीं है । जहाँ तक मैं जानता हूँ, एक तो उस ने कस्टम ड्यूटीज़ पे नहीं किया था, लेकिन उस ने वह पे कर दिया और देखभाल के लिये उस को आने जाने की इजाजत पहले मिल गई थी । दूसरे एक दीवानी का दावा हुआ जिस में खाली यह आर्डर था कि वह प्लेन को हटाये नहीं । किसी तरह का कोई अटैचमेंट आर्डर नहीं आया । ऐसी हालत में मैं नहीं समझता कि हमारे ऊपर क्या जिम्मेदारी आती है ।

**شری پھارے لال کوریل مطالبہ :**

ان اتھارٹڈ فلائٹ ہوئی اور آپ نے کوئی  
پابندی لگائی نہیں پیر بھی آپ کہتے  
ہوں کہ آپ کے اوپر کوئی ذمہ داری  
نہیں آتی ؟

†[**श्री प्यारे लाल कुरील 'तालिब' :** अन-आथराइज्ड फ्लाइट हुई और आप ने

कोई पाबंदी लगाई नहीं, फिर भी आप कहते हैं कि आप के ऊपर कोई जिम्मेदारी नहीं आती ?]

**श्री राज बहादुर :** उस की जिम्मेदारी हमारे ऊपर नहीं है ।

**SHRI A. D. MANI:** Sir, the hon. Minister stated that an order of the Civil Court was served on Mr. Walcott, not to remove the plane. But Mr. Walcott stated in Karachi to the press that no order was served on him, that he had not signed such an order. So I would like to ask the hon. Minister whether he has found out if the order of the Civil Court had been received by Mr. Walcott and acknowledged by him?

**SHRI RAJ BAHADUR:** Our information is that the order of the Civil Court was served on him in the evening. He might have stated this at Karachi perhaps as a proposed defence in case a suit is instituted against him.

**SHRI K. SANTHANAM:** May I know if the position regarding the rules and procedures in this matter has been reviewed with a view to preventing the recurrence of such a thing in the future?

**SHRI RAJ BAHADUR:** That is exactly what we are engaged on now, and I am grateful to the hon. Member for this question.

**SHRI A. M. TARIQ:** Sir, . . .

**MR. CHAIRMAN:** I have you very much in view, Mr. Tariq. I will call you, but not just yet.

**SHRI ARJUN ARORA:** May I know, Sir, if the Government proposes to publish the report of the enquiry committee or lay it on the Table of the House?

**SHRI RAJ BAHADUR:** We have already given a summary of it; but if

the House so desires in course of time and after the examination is over—some part of it is still under examination, especially the departmental investigation from the point of view of the technical rules and the Manual—we may consider the question.

SHRI A. M. TARIQ: Sir, the replies of the hon. Minister have made this matter a very serious one. Now he says that a *Diwani* order was there for which the aerodrome authorities were not responsible. Well, if that is so, on what authority or ground was the Indian Air Force asked to chase this plane? That is number one. Secondly, after how much time were they asked to do so? And further, may I ask the hon. Minister, if Mr. Walcott had shot one of our planes, whose responsibility would it have been? Was it not the responsibility of the Government? Who asked the Indian Air Force to chase this plane and after how much time? And who is responsible?

SHRI RAJ BAHADUR: I think the written reply gives a complete answer to this question. Even so I would say, because certain rules had been violated and certain traffic regulations had been violated, it was our duty to inform the Air Force, which is the only power which could have helped us. So we informed them. That is all I have to say on this question.

MR. CHAIRMAN: That will do. Next question.

SHRI BIREN ROY: Are we to understand any pilot violating any rule, the Air Force would be alerted?

(No reply)

REVISION OF PAY SCALES OF A.S.Ms.

\*6. SHRI ABDUL GHANI: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the grade of pay for the Assistant Station

Masters has not been raised since 1947; and

(b) if so, what are the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI SHAH NAWAZ KHAN): (a) No, Sir.

(b) Does not arise.

شرقی عبدالغنی : کیا منسٹر

صاحب سے میں یہ جان سکتا ہوں کہ اے - ایس - ایم کا جو گریڈ ہے وہی گریڈ چیف کنڈس کلرک کا ہے ؟ اگر ایسا ہے تو کیا منسٹر صاحب یہ بتائیں گے کہ اے - ایس ایم جس پر ساری ذمہ داری ہوتی ہے - تمام اسٹیشن کی ہر طرح کی ذمہ داری - اس کا اور چیف کنڈس کلرک کا گریڈ ایک ہونے سے کیا ایسا اثر نہیں پڑتا کہ وہ اپنی ذمہ داری کو اچھی طرح سے سر انجام نہ دے پائے -

†[SHRI अब्दुल غانی : क्या मिनिस्टर साहब से मैं यह जान सकता हूँ कि ए० एम० एम० का जो ग्रेड है वही ग्रेड चीफ गुड्स क्लर्क का है ? अगर ऐसा है, तो क्या मिनिस्टर साहब यह बतायेंगे कि ए० एस० एम० जिस पर सारी जिम्मेदारी होती है—तमाम स्टेशन की हर तरह की जिम्मेदारी—उस का और चीफ गुड्स क्लर्क का ग्रेड एक होने से क्या ऐसा असर नहीं पड़ता कि वह अपनी ड्यूटीज को अच्छी तरह से सरअंजाम न दे पाये ?]

श्री शाहनवाज खाँ : जो तनख्वाहें तय की जाती हैं वे अलग-अलग अफ़राद की ज़म्मेदारियों को मद्देनज़र रखते हुए तय की जाती हैं। स्टेशनों पर असिस्टेंट स्टेशन