

It may be seen that the Government has provided increase at an average rate of 28% per annum to the Central Plan Outlay during Eleventh Five Year Plan.

Compensation for Mangalore air crash victims

*169. PROF. P. J. KURIEN: Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether kins of all the victims of the Mangalore air crash of 21 May, 2010 have been paid compensation as admissible to them;

(b) if so, the details thereof;

(c) whether the compensation has been calculated on the basis of guidelines framed under the Montreal Convention and other international laws;

(d) if so, the details thereof and if not, the reasons therefor;

(e) whether any complaints of disparity in the amount of compensation, delay in making the payment and method of calculating the compensation have been received from kins of victims; and

(f) if so, the details thereof and action taken by Air India/Government?

THE MINISTER OF CIVIL AVIATION (SHRI VAYALAR RAVI): (a) and (b) As of date, claims of compensation in 62 cases has been settled completely and in 6 cases partially, for a total amount of Rs. 50.96 crore (including interim compensation). There are 98 cases yet to be resolved, most awaiting the judgement mentioned at reply to part (e) below.

(c) and (d) The settlement of claims is being done as per the provisions of the Carriage by Air Act, 1972 wherein the Montreal Convention, 1999 has been legislated.

(e) and (f) Some references had been received regarding delay and disparity in disbursement of compensation. These were examined by Air India and it was informed that the claims are being settled as per the provisions of the carriage by Air Act, 1972. Relatives of one of the victims of Air India Express flight IX-812 had filed a Writ Petition in Kerala High Court regarding the amount of compensation payable. The Kerala High Court has disposed off the Writ Petition *vide* its order dated 20.7.2011 declaring that the petitioners are entitled to have a 'Minimum of 1 Lakh SDR' as compensation payable under the statute, based on the Montreal convention, treating the matter as 'No fault liability' which can in no case be absolved or limited by the carrier under any circumstance. The order of the Court is being examined by Air India.