

MR. DEPUTY CHAIRMAN: Now, we shall take up the Airports Economic Regulatory Authority of India (Amendment) Bill, 2019. Shri Hardeep Singh Puri to move a motion for consideration of the Bill.

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### GOVERNMENT BILLS

#### **The Airports Economic Regulatory Authority of India (Amendment) Bill, 2019**

THE MINISTER OF STATE OF THE MINISTRY OF HOUSING AND URBAN AFFAIRS; THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION AND THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI HARDEEP SINGH PURI): Sir, I move:

That the Bill to amend the Airports Economic Regulatory Authority of India Act, 2008, be taken into consideration.

Sir, I may be permitted to say a few words while moving the Bill. Sir, the Airports Economic Regulatory Authority of India (Amendment) Bill follows from the AERA, which was introduced as legislation, in the year 2008. Sir, it will be recalled that the world prior to 2008 was one which preceded the era of privatisation of Airports. Prior to that, the Airports Authority of India performed the role of the airport operator as well as regulator. The privatisation of two major airports during that period, which necessitated the coming into being of AERA in 2008, resulted in the need to establish an independent regulatory to fix basic issues like aeronautical charges, tariffs for aeronautical services, protection of reasonable interests of users and operation of efficient and usable airports. Sir, in the year, 2006, the total number of passengers which Indian airports had by way of traffic was in the range of approximately 1.5 million passengers per annum. Therefore, a regulatory was required to fix these charges. Since the year 2006, in fact, in 2009, the number of major airports which had this kind of traffic of 1.5 million passengers per annum was two. In the year of 2011, this had gone up to 16 and in the year 2016, this went up to 24. Today, as we speak, Sir, the passenger throughput at the Airport Authority of India airports is in the vicinity of 344.69 million. So, the limited purpose of this Amendment, Sir, is to substitute the figure 1.5 million, which defined a major airport, which reflected 1.3 per cent of the passenger traffic at that point of time, by the figure 3.5 million which accurately reflects the state of traffic today. But, it would maintain proportionality in it that the figure would still be 1.5. Today, the number of airports, which are carrying this kind of traffic, has increased considerably. Now, what

we are hoping to do is that it is a cumbersome process whereby the regulator, every five years, had to undertake a very cumbersome process of fixing the tariff by looking at costs, returns, estimates, etc., and then we found that in a five-year period, it was in the second half of the five-year period, either in the third year or towards the end of the five-year period, that this tariff would come into being. With the advent of privatization and increasing number of airports being privatized, we are now in the situation wherein all that we are seeking to do is to substitute the figure ‘ 1.5 million’ by ‘ 3.5 million’ . In addition, we also seek to introduce a small additional change where it will be said that the Airports Authority shall not determine the tariff or tariff structures in the case of airports which are privatized because the tariff structure is part of the bid, which is offered at the time of the privatization where different people, different economic entities, bidding for the contract, offer the tariff rates as part of their bids.

With these limited words, I would like to say that this is a very limited change of substituting the figure ‘ 1.5 million’ with ‘ 3.5 million’ to reflect the traffic today. It would still retain the proportionality of 1.3 per cent, and also incorporate the changed circumstances on account of privatization of airports. I would be happy to respond to the specific questions or clarifications that hon. Members might have. But, as I mentioned initially, this Amendment seeks to do something extremely limited in terms of reflecting the passenger traffic today. Thank you, Sir.

*The question was proposed*

**श्री उपसभापति:** श्री विवेक के. तन्खा, आपकी पार्टी से दो वक्ता हैं, 24 मिनट समय है, आप आपस में तय कर लें।...**(व्यवधान)**...

**SHRI VIVEK K. TANKHA (Madhya Pradesh):** Sir, let me thank the hon. Minister for bringing out certain facts and figures, but I start with a caveat that it is not a Bill which is protecting the interest of 344 million people, rather it is a Bill which is now going to deeply enter the pockets of 344 million people. Why? In India, today, there are 18 international airports, 7 customs airports, 78 domestic airports and 26 civil enclaves and Defence airports. I could be wrong with one or two figures. From the regime of the Airports Authority of India, we shifted to the next regime of this AERA. Now, this is a regulator. Why did we shift? We shifted because the Airports Authority of India was doing a dual function. It was an operator and a regulator. Now, when an operator also becomes a regulator, there is problem because there is a mismatch and there are conflicts. So, in 2003, when the Government started thinking of privatization, that was the time this process also began, and finally resulted in a regulator being born. But, the problem that

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we face is that by amending the definition of a major airport, you are reducing the reach or jurisdiction of a regulator, and handing it over to private entities. Now, how do you hand it over? You hand it over through a bid which is for 20 or 25 years. Now, as a public, as a consumer, I am not aware of what provisions are being made to govern recovery of tariff and recovery of fee in a bid document because the bid document is between the Government or the Airports Authority, and the private operator. Now, the question is: why did you bring a regulator? You brought a regulator to regulate the money to be taken from passengers who enter the airport, and this money is under two heads, what you call the aeronautical charges and what you call the fee. If you are going to recover money and these two charges, and, Sir, these charges are also variable, and, these charges also need to be reviewed every five years, who is going to do this in public? If you hand it over to a private entity, I do not know, for 25 years, that private entity is going to be the master of that airport. Sir, fee means *quid pro quo*. They will charge whatever they are going to spend. So, 25 years before hand, you are going to decide as to how much they are going to charge for 25 years and who regulates. A regulator is by nature an independent body. Why do you have regulators everywhere? What I am saying is that a regulator is not an anti-thesis of privatisation. In fact, a regulator helps privatisation because you have to have a level-playing field. If you do not have a level playing field, then, people in authority, would do what they want to do. Today, so often, in courts, we see cases being filed by consumers, by commuters who go there and say this fee is excessive, this is the service they are not rendering, or this could not have been charged. Now, if it is part of the bid document, then, you are rendering the entire Act otiose for major number of airports.

Today, about 31 airports come under the category of major airports. Out of those 31, I think, because of this change of definition, immediately, there will be only 14 major airports. Rest of the airports, you are leaving to the dictates of either the Airports Authority or private operators because where there is no private operator, there would be Airports Authority. Now, Airports Authority was diluted by this Act only because you did not want the Airports Authority to do that function. That is a separate function. There is a dichotomy in this provision that either you are leaving it to a private operator or you are leaving it to Airports Authority, both of which are against the objects of this Act. So, Sir, I feel that this amendment, by itself, does not subserve the interests of the consumers, at least. I can give more arguments. Why can't we improve the capacity of AERA? Instead of saying that AERA will not be able to do its job in so many airports,

why can't you improve the capacity of AERA so that they can do a better job in all the airports? Rather than improving their work, we are diluting the entity.

There is one more thing. Suppose, a particular airport, as per the existing definition, is not a major airport today. Suppose, tomorrow, it becomes a major airport, after five years. Earlier, the definition prescribed 15 lakhs, now it is 35 lakhs footfalls. Now, from 20 lakhs, if an airport goes to 35 lakhs tomorrow, day after tomorrow, or, after two years or four years, then, you will again change the regime. So, I do not know how many times you are going to change the regime. Why can't we have one regulator for all airports? What does he do? Let us look at Section 13. It is not a question of definition. It is dilution of Section 13. Section 13 says, 'Functions of the Authority'. The authority shall perform the following functions in respect of major airport. So, by diluting that you are reducing the number of airports. What are the functions? The functions are, (a) to determine the tariff for the aeronautical services taking into consideration, (i) the capital expenditure incurred and timely investment in improvement of airport facilities; (ii) the service provided, its quality and other relevant factors; (iii) the cost for improving efficiency; (iv) economic and viable operation of major airports; (v) revenue received from services other than the aeronautical services; (vi) the concession offered by the Central Government in any agreement or memorandum of understanding or otherwise; (vii) any other factor which may be relevant for the purposes of this Act.

Further it says, (b) to determine the amount of the development fees in respect of major airports; (c) to determine the amount of the passengers service fee levied; (d) to monitor the set performance standards relating to quality, continuity and reliability of service as may be specified by the Central Government (e) to call for such information as may be necessary, and, (f) to perform such other functions relating to tariff.

Sir, as we all know, fee is a *quid pro quo*. You cannot charge more than what you serve. You cannot charge more than what you give. If under a bid document, you are determining a fee, is it a *quid pro quo*? Where is the measure? When it increases, how will it increase? We don't know that. That is a private agreement. What you have actually done is this. By taking away a regulator from the majority of airports, you are handing over the task to either a private agency or to an airport authority which earlier maybe used to do it but was a mismatch and its interest conflicted as an operator and as a regulator. I am strictly of the view that looking at the objects of this Act, this amendment actually goes against the objects of the Act. What you are doing is that you are reducing and diluting the role of a regulator. And nowhere in the world, the role of a regulator is being diluted. In fact, everywhere it is being enhanced whether it is



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electricity or whether it is water or whether it is anything else. Regulators are today regulating most of the commodities or most of the services because it has to be done by an independent agency. If you don't do that and if you carry on with this Bill, you are, in fact, finishing this Act and bringing a new regime where this Act will have no value and we will have no control over what is going to be charged as fee and what is going to be charged as tariff is something which will be beyond our control. Thank you.

**श्री महेश पोदार (झारखंड):** उपसभापति महोदय, मैं इस प्रस्ताव के समर्थन में बोलने के लिए खड़ा हुआ हूँ। महोदय, वर्ष 2008 से पहले या वर्ष 2014 से पहले, हम याद करें कि हमारे एयरपोर्ट्स की क्या स्थिति थी और टोटल aviation sector की क्या स्थिति थी। हमें एक-एक टिकट लेने के लिए सरकारी दफ्तरों के चक्कर लगाने पड़ते थे, एम.पी. की सिफारिश लेनी पड़ती थी। हमने ऐसे दिन भी देखे हैं, लेकिन उसके बाद हमने देखा कि जब से यह आकाश उन्मुक्त हुआ है, तब से हमने देखा है कि बड़ी तेज़ी से aviation sector में विकास हुआ है और बहुत तेज़ी से नए एयरपोर्ट्स बने, नए एयरपोर्ट्स का विस्तार हुआ। इन सारी चीज़ों के पीछे एक बड़ी सोच थी, जैसा हमने कहा कि हवाई चप्पल वाला व्यक्ति भी हवाई यात्रा करेगा। यह कोई छोटा-मोटा स्टेटमेंट नहीं है, यह बहुत बड़ी सोच है कि एक common man भी air travel करेगा। हमारे यहां common man की संख्या बहुत ज्यादा है तो यह fact है कि हमारे पास number of passengers travelling by air, सारे एयरपोर्ट्स पर उनकी संख्या भी बहुत तेज़ी से बढ़ेगी।

महोदय, वर्ष 2008 में जब यह AERA का कानून बना था, जब एयरपोर्ट्स को regulate करने के लिए एक authority बनायी गई थी, उससे पहले ये सारा कुछ सरकारी था और विभागों का काम कैसे चलता है, मुझे यह बोलने की आवश्यकता नहीं है। हम सब उसके मुक्तभोगी हैं कि किस तरह से एयरपोर्ट्स पर अव्यवस्थाएं होती थीं, वहां पर कोई पूछने वाला नहीं था और passenger comfort और सुविधा was the last priority, लेकिन उसके बाद, जब से निजी क्षेत्र aviation sector में आया है, तब से हमने काफी कुछ कानून बनाए, कुछ पैमाने बनाए और उन पैमानों के अनुसार सेवाएं दे रहे हैं और मैं समझता हूँ कि हम सब इसका लाभ उठा रहे हैं। महोदय, वर्ष 2008 में 11 एयरपोर्ट्स थे, जो कि इस AERA के कानून के अंतर्गत आए थे, जो अब बढ़कर 31 हो गए हैं। महोदय मैं इसमें वर्ष 2014 की बात नहीं करना चाहूंगा कि वर्ष 2014 के बाद कितने बढ़े हैं, क्योंकि वर्ष 2008 से 2014 तक बहुत कम बढ़े थे और वर्ष 2014 के बाद काफी बढ़े हैं, passenger ट्रैफिक काफी बढ़ा है। यह एक background है, जिसके अंतर्गत आने वाले समय में ज्यादा तेज़ी से विस्तार होगा, अभी जो 31 एयरपोर्ट्स हैं, जिसे तेज़ी से ट्रैफिक बढ़ रहा है, तो बहुत जल्दी इनकी संख्या 50 के ऊपर पहुंच जाएगी। इसके लिए सरकार ने यह सोचा है कि हमें कुछ बड़े एयरपोर्ट्स पर नियंत्रण करना चाहिए। उसके बाद हम बाकी को कुछ अपने आप रेगुलेट करने के लिए छोड़ दें।

महोदय, इस प्रस्ताव में प्रावधान रखा गया है कि जो 15 लाख सालाना ट्रैफिक वाले थे, जो पुराना कानून था, उसको बढ़ाकर 35 लाख कर दिया जाए और आज के दिन में ऐसे करीब-करीब 31 एयरपोर्ट्स हमारे पास हैं।

महोदय, एक-दो अन्य चीज़ें हुई हैं, यह भी प्रावधान किया गया है कि सेवा शुल्क या विकास की फीस का निर्धारण प्राधिकरण नहीं करेगा। केवल उन एयरपोर्ट्स पर, जहां बिडिंग के समय ही प्राधिकरण से consult करने के बाद यह तय कर दिया गया हो और नोटिफाई भी कर दिया गया हो, सिर्फ उन एयरपोर्ट्स पर AERA का कानून लागू नहीं होगा। अर्थात् bidding होने के बाद जो तय किया गया था और जिस डॉक्यूमेंट के आधार पर, जिन शर्तों के आधार पर bidding हुई थी, उसके बाद में यह AERA वहां पर interfere नहीं करेगी। महोदय, इसलिए यह आवश्यक है और हम सब मानते हैं कि इस क्षेत्र में निजी निवेश होना चाहिए, इसके अच्छे परिणाम निकले हैं और आगे इसकी आवश्यकता भी है। यदि हम चाहते हैं कि लोग bidding करें, तो उनको एक निश्चितता चाहिए, एक confirmation चाहिए, एक assurance चाहिए कि वे किन शर्तों पर आगे tariff का revenue करेंगे, चूंकि जिस तरह से हम याद करें कि नोएडा का ब्रिज बना था one of the firsts जो कि बना था, जिसमें कि tariff को toll बेसिस पर चालू किया गया था और एक नोएडा टोल कंपनी बनी थी, जिसके शेयर के दाम इंडिया के one of the highest शेयर्स के दाम थे। महोदय, यह भी एक दुखद पहलू है कि उस टोल टैक्स को बंद करने के लिए सुप्रीम कोर्ट को interfere करना पड़ा था। समय बीत गया था, उसके बाद भी वह कंपनी टोल लिए जा रही थी, लिए जा रही थी।...**(व्यवधान)**...

**श्री उपसभापति:** महेश जी, आपका माइक, जहां आप बैठे हैं, वह अलग ऑन है, आप वहां से बोलें।

**श्री महेश पोद्दार:** महोदय, क्षमा करिए। नोएडा का जो अनुभव हुआ, उसके बाद मैं समझता हूं कि ये जितनी regulatory चीज़ें हैं, ये थोड़ा ज्यादा कड़ी हो गई हैं। अब वैसा कोई प्रावधान नहीं है, लेकिन यह फैक्ट है कि इसके बाद बहुत सारी रोड़ज़ बनीं, बहुत सारे पुल बने, जिनमें टोल का प्रावधान किया गया और सारे देश में बहुत successfully यह मॉडल काम कर रहा है, जहां कि 20, 25 या 30 साल के लिए उनको एक एग्रीमेंट के तहत विधि के प्रस्ताव के साथ एक एग्रीमेंट किया जाता है, जिससे कि वे निवेश करते हैं और धीरे-धीरे करके अपना पैसा वसूल करते हैं और उसी आधार पर फाइनेंशियल इंस्टीट्यूशन्स, बैंक भी उनको फाइनेंस करते हैं। तन्खा साहब ने जो आशंका व्यक्त की, वह सही है कि आगे 25 साल तक कैसे टैरिफ होगा। यदि आप ध्यान से पढ़ें, तो इसमें there is a provision very clearly specifying that it is linked to some kind of inflation, etc., और यह कोई नई चीज़ नहीं कर रहे हैं। बहुत सारे क्षेत्रों में यह होता आया है, बल्कि बहुत सारे खरीद-बिक्री के long-term contracts होते हैं, उनमें भी इस तरह की inflation index के साथ price linking की जाती है।

महोदय, अभी यदि हम फीस की दर inflation के साथ तय कर देते हैं और उसमें पहले ही हम consultation इस रेग्युलेटरी अथॉरिटी के साथ ले लेते हैं, तो हमारी बहुत सारी आशंकाएं,

[श्री महेश पोदार]

जो तन्खा साहब ने व्यक्त की, वे खत्म हो जाती हैं। महोदय, नगर विमानन मंत्रालय की राष्ट्रीय नागर विमानन नीति, 2016 के अनुसार मंत्रालय ने अक्टूबर, 2016 में क्षेत्रीय संपर्क योजना RCS UDAN का जो काम चालू किया, मैं इसका इसलिए उल्लेख कर रहा हूँ कि हो सकता है कि आने वाले दिनों में जो बहुत छोटे-छोटे एयरपोर्ट होंगे, जिनको कि हम अभी मानकर चलते हैं कि viable हैं, वैसे जब छोटी-छोटी जगहों पर भी, एयरपोर्ट पर निजी निवेश आएंगे और उनको हम छूट नहीं देंगे कि इन शर्तों पर तुम्हें 10 साल, 20 साल तक काम करना है, तो शायद इन छोटी जगहों पर निवेशक नहीं आएंगे। महोदय, इसलिए आवश्यक है कि इस तरह का प्रोविज़न किया गया है और रेग्युलेटरी अथॉरिटी को अलग कर दिया गया है, जो केवल बड़े एयरपोर्ट को करेंगे और उसके बाद भी मेरे ख्याल से ऐसा नहीं है कि वे मनमानी करेंगे। आज जिस तरह की सुविधाएं हमें कुछ प्राइवेट एयरपोर्ट्स पर मिल रही हैं, यदि उन्हें मनमानी करने की छूट होती, तो काफी कुछ बढ़ गया होता, काफी कुछ विसंगतियां इस सदन में भी आ गई होतीं, लोग ध्यान में और चर्चा में भी लाते, मीडिया में भी लाते।

महोदय, मैं अंत में इतना कहूंगा कि इस बिल के संशोधन में ये जो दोनों प्रस्ताव आए हैं, ये काफी दूरगामी सोच के साथ आए हैं और इसकी आवश्यकता है। विशेषकर निवेशकों को आमंत्रित करने के लिए उन छोटी जगहों पर जहां एयरपोर्ट बनाना और चलाना viable नहीं है, उनको एक assured and guaranteed प्रावधानों के तहत काम करने के लिए आमंत्रण देने की व्यवस्था इस बिल के माध्यम से की जा रही है और मैं समझता हूँ कि जब हम एक आम आदमी के लिए, एक साधारण व्यक्ति के लिए उड़ान की व्यवस्था कर रहे हैं, तो ये सब कदम हमें उठाने पड़ेंगे, धन्यवाद।

SHRI N. GOKULAKRISHNAN (Puducherry): Hon. Deputy Chairman, Sir, there are two amendments in the Bill. One of the amendments under Section 2 of the Act envisages a change in the definition of the major airports, thereby only airports with a passenger flow of 3.5 million per annum will be classified as major airports as against the existing 1.5 million. As a result, only 14 airports would remain under the regulatory provisions of Airports Economic Regulatory Authority. Another amendment under Section 13 of the principal Act, which enables fixing of fees for landing, parking and other charges under these airports. The remaining 17 airports will now come under the purview of Civil Aviation Ministry. There is a view that instead of strengthening the role of the regulator, its purview is being reduced.

AERA was actually criticized for following a model which led to high airport charges which measured up to 15 per cent of the airlines cost of operations. Now, owing to the proposed amendment, the Government can lease out airport projects on the basis of pre-determined tariff. Because of this, the Government can now award projects after fixing

the airport tariff. With a people friendly policy, it is expected that there will be a respite on such charges.

The Civil Aviation Ministry has a policy declaration that expects wider airport connectivity taking the flight to interior parts of India. Now, that the regulation is restored to Civil Aviation Ministry, with concessional approach to tariff structure, the passengers will stand to benefit. I also request for bringing Karaikal, one of the four enclaves of Puducherry, under the air connectivity ambit and it can also increase the air traffic since Karaikal region is identified as a spiritual hub of South India.

Now, Puducherry is connected only to Bangalore and Hyderabad. The Government should consider connecting it to more places like Rajamundry which will serve to Yanam which is one of the four enclaves of Puducherry. In the same way, a flight to Calicut will link Puducherry to Mahe which is another enclave of Puducherry. I learnt that there is a proposal to link Delhi to Puducherry *via* Hyderabad. But I am afraid this circuitous route may not be advantageous to the passengers in terms of the flight duration. Therefore, I request you to consider the shortest route through Chennai. This will definitely increase the tourism potential of Puducherry which is a major source of income to the Government. With the hope that the hon. Civil Aviation Minister will consider my request favourably, I support the Amendment. Thank you Sir.

**श्री उपसभापति:** माननीय सदस्यगण, मैं पुनः आप सबसे यह निवेदन करना चाहूंगा कि रूल्स के अनुसार चर्चा शुरू होने से आधे घंटे पहले नाम आने चाहिए। लगातार, प्रायः यह देखा जा रहा है कि चर्चा बिल्कुल बीच में पहुंच जाती है और तब नाम आते हैं। इसलिए मेरा सभी माननीय सदस्यों से निवेदन है कि वे इस बात का ध्यान रखें।

**डा. के. केशव राव** (आंध्र प्रदेश): बिल भी एक दिन पहले आना चाहिए, लेकिन नहीं आ रहा है।

**श्री देरेक ओब्राईन** (पश्चिमी बंगाल): सर, जो बिल्स अमेंडमेंट के लिए आते हैं, उनमें हमें दो दिन का समय मिलता है, लेकिन आज वह दो घंटे का भी नहीं है - कृपया इस बात को भी देख लीजिए।

**श्री उपसभापति:** उसकी व्यवस्था माननीय चेयरमैन ने की है। आपने देखा होगा कि इस बारे में भी उन्होंने व्यवस्था की है।

**SHRI AHAMED HASSAN** (West Bengal): Sir, thank you for giving me this opportunity to speak on the AERA (Amendment) Bill, 2019. Before I move to the Bill, I would like to draw the attention of the House to the fact that even though the present Civil Aviation Minister may be new, but his Government is solely to be blamed for the mess

[Shri Ahamed Hassan]

that the Indian aviation sector is in. Apart from Make in India, Standup India, this Government also has a policy called “Sell India” , under which the Government has taken the shortcut by selling loss-making Government enterprises like Air India without even genuinely attempting to revive it. Not only could the Government not save Air India, they failed to save Jet Airways too. Without bailing out the owners, the Government could have easily saved the jobs of 22,000 Jet Airways employees with the help of a presidential promulgation but the Government chose to turn a blind eye. Last five years of mis-governance, Government apathy and negligence have made the Indian aviation sector un-lucrative for investors. Some serious thinking on the part of the Civil Aviation Ministry is urgent and overdue.

Another issue that concerns us all is the way this Government has been bypassing Standing Committees by not sending Bills for scrutiny. In this Session, seven Bills have been passed by both the Houses of the Parliament and not a single Bill has been sent to the Standing Committee. The Government is, in effect, rendering Standing Committees irrelevant. Why is the Government afraid of legislative scrutiny? Why is it creating a mockery of the Parliament and its procedures? The Government must assure the House that they will not bypass legislative scrutiny just because they have a majority.

Sir, moving onto the Bill, the Airports Economic Regulatory Authority (AERA) Act was enacted in 2008 to regulate tariff and other charges for the aeronautical services rendered at airports and to monitor standards of their performance.

I would like to dwell a bit on the two major amendments in the Bill: The new Bill seeks to change the definition of a “major airport” by increasing its threshold to 3.5 million annual passengers from 1.5 million currently. The explanation given for the change is that with increasing passenger traffic, too many airports are now under the purview of the AERA and, hence, the authority is not able to perform their job efficiently. The Bill will, therefore, reduce the ambit of the AERA as the new Government rule would leave only very few airports under the ‘major airports’ classification.

It is interesting to note then when the original Bills was being passed in this very House, the then Civil Aviation Minister, Shri Praful Patel, had said that the aim of the Bill is to include more and more airports under the ambit of regulatory framework over a period of time. However, with these amendments, the Government is instead reducing the number of airports under the Airport Economic Regulatory Authority and going against the spirit of the original Bill.



Sir, further, the fact that this amendment has been introduced essentially means that the Airports Authority is unable to keep up with the expansion of aviation market in the country and is, therefore, trying to reduce its burden. Sir, this raises the question: Why isn't the authority trying to solve the problem of efficiency by increasing their human resource capacity? What will happen when after 5 to 7 years, when these airports cross even the 3.5 million annual passenger threshold? Would the Government then amend the Act again to revise the definition?

Sir, the second amendment to the Bill involves amending Section 13 of the AERA Act, 2008 which allows for a predetermined tariff model under which the Government will fix the fee to be charged by the prospective private airport operator, which will be linked to inflation for any future increase. This amendment is a welcome step as it will assure some amount of certainty for the investors with respect to potential revenue and, hence, attract investors to construct and operate airports in India. The move will also eliminate frequent fluctuations in charges levied on the passengers. Thank you, Sir.

**श्री सुरेन्द्र सिंह नागर** (उत्तर प्रदेश): उपसभापति जी, इस हाउस ने अब तक सात बिल पास किए हैं और यह आठवां बिल है, जो zero scrutiny के बगैर यहां आया है। इससे पहले 70 परसेंट से ज्यादा बिल scrutiny के बाद यहां पर आते थे, लेकिन एक नई परंपरा शुरू हुई है कि zero scrutiny के बाद बिल आ रहे हैं, लेकिन हाउस काम कर रहा है और बिल पास भी कर रहा है। मेरा आपसे अनुरोध है कि आप इसका आगे से ध्यान रखेंगे।

माननीय उपसभापति जी, जो यह amendment bill है, जो केंद्र की सरकार है, उसका एक सपना और एक योजना थी कि चप्पल पहनने वाला व्यक्ति भी हवाई जहाज में यात्रा करे। इस तरह की योजना सरकार की है। जिस तरीके से एयरपोर्ट्स का privatisation किया गया है, जिसे तरीके से बिडिंग सिस्टम लाया गया है, जिस तरीके से टिकट महंगे हो रहे हैं, जिस तरीके से यात्रियों से एयरपोर्ट शुल्क बढ़ाकर लिया जा रहा है, मैं निश्चित रूप से कह सकता हूँ कि आम यात्री और जो यात्रियों की ग्रोथ रेट है, वह निश्चित रूप से घटेगी और आम व्यक्ति का, चप्पल पहनने वाले व्यक्ति का हवाई यात्रा करने का जो सपना है, वह इस बिल के बाद सरकार की, Civil Aviation Ministry की, जो योजना है, उससे वह सपना पूरा नहीं हो सकता है। इससे आम आदमी प्रभावित होता है और चप्पल पहनने वाला व्यक्ति तो हवाई अड्डे में घुसने से वैसे ही डरता है।

माननीय उपसभापति जी, अभी हमारे एक साथी ने डीएनडी के टोल ब्रिज की बात कही थी और यह पहला प्राइवेट सेक्टर का दिल्ली और नोएडा के बीच का ब्रिज बना था। आज जिस तरीके से एयरपोर्ट दिए गए हैं और उनकी बिड में क्या शर्तें हैं और वे कितना शुल्क वसूलेंगे, आम यात्री को उसके बारे में कुछ भी पता नहीं है। इसी तरीके से जब वह डीएनडी ब्रिज बना था, जब यह प्राइवेट कम्पनी को दिया गया था, तो इसमें ऐसी शर्तें रखी गई थीं कि उनसे नोएडा



[श्री सुरेन्द्र सिंह नागर]

अथॉरिटी अगले 30 साल भी वह टैक्स वसूल करती, तो वह टोल पूरा नहीं हो सकता था। प्राइवेट सेक्टर को जो एयरपोर्ट्स दिए गए हैं, उनके ऊपर कोई रेगुलेटरी बॉडी नहीं है, उनको बिड में यह अधिकार है कि वे स्वयं तय करेंगे कि शुल्क कितना होगा। अगर हम दूसरी तरफ देखें, पावर सेक्टर की तरफ देखें, तो प्राइवेट सेक्टर उसमें भी है, लेकिन बिजली की दर तय करने के लिए रेगुलेटरी बॉडी वहां पर है। इसी तरीके से इस सेक्टर में भी रेगुलेटरी बॉडी होनी चाहिए, जिससे यात्रियों से मनमर्जी का शुल्क प्राइवेट कम्पनियां उगाह न सकें और आम यात्री इससे प्रभावित न हो सके।

दूसरी तरफ सरकार सामाजिक न्याय की बात करती है। अगर प्राइवेट सेक्टर को एयरपोर्ट्स दिए जाएंगे, तो नौकरियां कम होंगी। अगर कोई सबसे ज्यादा प्रभावित होगा, तो वह रिजर्वेशन होगा। इसमें जो ओबीसीज़ हैं, जो पिछड़े वर्ग के लोग हैं, जो शैड्यूल्ड कास्ट के लोग हैं, उनकी नौकरियां कम होंगी, इसलिए उनका भी ध्यान सरकार को रखना चाहिए।

इसके अलावा महंगाई निश्चित रूप से बढ़ेगी। अब टिकट्स बहुत महंगी होती जा रही हैं। जब यात्री शुल्क बढ़ा दिया जाता है, तो टिकट महंगा हो जाता है। यात्रियों को तो पता ही नहीं होता है कि उनसे कितना टैक्स टिकट्स पर लिया जा रहा है। निश्चित रूप से इसके बारे में यात्री को जानकारी होनी चाहिए कि उसे जो सुविधाएं मिल रही हैं, उन सुविधाओं के लिए उससे कितना टैक्स वसूला जा रहा है। यह आम यात्री का अधिकार है। यात्री शुल्क बढ़ा दिया जाता है, जिसकी वजह से टिकट का दाम बढ़ जाता है, परन्तु यात्री को पता ही नहीं होता है कि कितना शुल्क बढ़ गया है।

उपसभापति महोदय, मैं माननीय मंत्री को बताना चाहता हूं, हालांकि यह इससे अलग विषय है, जिस तरीके से आज सिविल एविएशन सेक्टर का हाल है, जिस तरीके से आज एयरलाइन्स घाटे में जा रही हैं, जिस तरीके से आज एयरलाइन्स घाटे में जा रही हैं, जिस तरीके से एयरलाइन्स बंद हो रही हैं, निश्चित रूप से सरकार का जो सपना है, जो 10-11 परसेंट ग्रोथ रेट की बात है, वह सपना पूरा होने वाला नहीं है। माननीय सभापति महोदय, आज इस देश में जो सिविल एविएशन सेक्टर की हालत है, वह सबसे खराब है। इस पर भी सरकार को कुछ न कुछ विचार करना चाहिए। एयर इंडिया जैसी कंपनी भी आज संकट के दौर से गुजर रही है। सरकार उसका disinvestment करना चाहती है। मुझे पता नहीं कि इसका लाभ किन लोगों को मिलेगा, लेकिन मेरा मानना है कि सरकार को यह कंपनी के disinvestment से बचना चाहिए, ताकि उसके कर्मचारी और एयर इंडिया पर आधारित जितने लोगों का रोजगार निर्भर है, वे उस संकट से बच सकें और उनके हितों की सुरक्षा हो सके।

महोदय, मैं माननीय मंत्री जी के ध्यान में लाना चाहता हूं कि वे इस देश में नए एयरपोर्ट बनवा रहे हैं। मेरे पास के क्षेत्र जेवर में नया एयरपोर्ट बना रहा है। उसके बारे में रोज नई स्टोरी आती है। यह बात सही है कि हमारे देश में एयरपोर्ट बनने चाहिए और आप नए-नए एयरपोर्ट बनवाएं, हम सभी इससे सहमत हैं, लेकिन जिसकी जमीन आप एक्वायर करते हैं, उसे उसका उचित मुआवज़ा भी मिलना चाहिए। मुझे मालूम है कि आप कह देंगे कि यह स्टेट सम्बैजैक्ट है। यह बात ठीक है कि यह स्टेट सम्बैजैक्ट है, लेकिन इसी पार्लियामेंट ने कानून बनाया था कि

यदि ग्रामीण क्षेत्र की भूमि जनहित के विकास कार्य हेतु अर्जित की जाएगी, तो उसका बाजार मूल्य से चार गुना मुआवज़ा किसानों को दिया जाएगा और यदि शहरी क्षेत्र की जमीन अर्जित की जाएगी, तो उसका दो गुना मुआवज़ा दिया जाएगा, लेकिन जेवर एयरपोर्ट की जमीन अधिग्रहण करने के लिए सरकार ने नियम बदला और नोएडा के ग्रामीण क्षेत्र को शहरी क्षेत्र घोषित कर दिया। इस प्रकार से जेवर एयरपोर्ट के लिए अधिग्रहण की जाने वाली जमीन का, जहां चार गुना मुआवज़ा किसानों को दिया जाना चाहिए था, वहां शहरी क्षेत्र मानकर केवल दो गुना मुआवज़ा देकर किसानों की जमीन हड़पने का काम वहां की सरकार कर रही है। मुझे विश्वास है कि आप इसका निश्चित रूप से संज्ञान लेंगे।

महोदया, मैं चाहता हूं और इस सदन के सभी माननीय सदस्य चाहते हैं कि एयरपोर्ट बने, लेकिन किसानों की जमीन का उन्हें उचित और नियमानुसार चार गुना मुआवज़ा मिलना चाहिए। मैं कहता हूं कि जो किसान आपको सुविधा देते हैं, जो किसान अन्नदाता हैं, उनकी जमीनों को विकास के नाम पर सस्ती दर पर हड़पने का काम न करें। सरकार से मेरा आग्रह है कि हमारा कानून जो कहता है, उसके अनुसार उन्हें उनकी जमीनों का चार गुना मुआवज़ा दिया जाना चाहिए। इन्हीं बातों के साथ मैं अपनी बात समाप्त करता हूं, बहुत-बहुत धन्यवाद।

SHRI AMAR PATNAIK (Odisha): Mr. Deputy Chairman, Sir, I thank you for giving me this opportunity. This Amendment to the Act, which has been brought in, had passed through a Standing Committee, when the Bill was initially introduced in 2007. I would like to refer to the Standing Committee's Report in 2008. One of the recommendations was "that the Committee does not find any valid reason to limit the role of AERA to these airports, that is when the limit was only 1.5 lakh million, and recommends that they should regulate all airports used for the operation of commercial flights irrespective of size and ownership." I would like to flag this particular aspect (ownership) since we are talking about private and Government airports. So, ownership, or throughput of the passengers. This was the recommendation of the Standing Committee in 2008. Now, once this has been done, to pass an amendment at this stage to take more airports outside the regulatory regime, defies the real logic.

The second aspect is, once you have certain number of airports under regulatory regime, and a large number outside the regulatory regime, you will have a differential structure. Now, when you have such a differential structure, does the Government think that in future, there will be another regulator to manage those airports which are outside the regulatory framework? For example, those who are coming, let us say, under the private sector. Now, I also have the CAG's Performance Audit Report on the DIAL. The DIAL introduced the bid document, but, did not talk about development fees. But, the DIAL charged the developmental fees and the Government subsequently sanctioned it. This was there in the Report. Now, if this could be done by the private operator, how

[Shri Amar Patnaik]

do you regulate such kind of stuff? Since we are inviting private sector in a large scale into the airport sector, it is welcome, I think, it is a good step, but, there is a need for a regulator to ensure that the bid provisions are also monitored, and in case it is required, it should be revised. I understand the concern expressed by the hon. Member that once you have bid process, you can't really complicate it by putting it under a regulator. But, I am sure, it can be structured in such a manner, because you are giving a bid for thirty years, and in some cases, thirty plus thirty sixty years as in case of DIAL. So, I am sure, it can be put under a regulatory regime. Otherwise, the Government, I am sure, will be faced with a situation of having different structures at different points of time. More importantly, how can you say that the conflict of interest will be addressed only in certain kind of airports and will remain in the other airports? The main object of the Act is that you will not have a conflict of interest between the Airports Authority of India and the regulator, which cannot act as both. Now, in this situation, when you are putting a certain number of airports under the regulator, you are leaving out a large number, who are still facing this conflict of interest, with the AAI or the Private operator. The third point that I would like to bring out is the definition of the aeronautical services under the OMDA. I think that should have been addressed because that was also indicated in the CAG's performance audit report. However, considering the fact that Bhubaneswar which is now under the 15 and 35 lakh airport annual traffic and might graduate into this particular coverage, I would like to draw the attention of the hon. Minister, through the Chairman, that hon. Chief Minister of Odisha had made a request that from Bhubaneswar to Dubai there should be a direct flight of Air India or some other airlines that would increase the traffic at Bhubaneswar and will come out of this regulatory regime. Thank you.

**श्री राम चन्द्र प्रसाद सिंह (बिहार):** उपसभापति महोदय, आपका बहुत-बहुत धन्यवाद कि आपने मुझे बिल इस पर बोलने का अवसर दिया है। मैं इस बिल का समर्थन करता हूँ। मैं सिर्फ एक चीज़ के लिए मंत्री जी से अनुरोध करना चाहूँगा, क्योंकि इसमें लिखा हुआ है कि प्रभावी कब से होगा। यदि इसकी डेट की जानकारी भी मिल जाएगी तो अच्छा होगा, क्योंकि इसमें हमारे प्रदेश का interest है। हमारे प्रदेश की राजधानी पटना का जो एयरपोर्ट है, मैं लगभग तीन महीने से देख रहा हूँ कि उसका ट्रैफिक 40 लाख के आस-पास है। इकतीस में उसका inclusion है या नहीं, यह डेट पर निर्भर करेगा, इसलिए मैं चाहूँगा कि इसको देख लिया जाए। इसके साथ ही, अभी चूंकि हिन्दुस्तान सिविल एविएशन में दुनिया में थर्ड लार्जस्ट सेक्टर है, लेकिन हमारे यहां एक सबसे बड़ी विडंबना भी है। अगर आप देखेंगे, तो पाएंगे कि प्राइवेट सेक्टर में इतनी नयी-नयी एयरलाइन्स आती तो हैं, लेकिन वे सब एक-एक करके बंद हो जाती हैं। पहले पटना से सिर्फ सहारा एयरलाइन्स चलती थी, उसके बाद Air Deccan आई, किंगफिशर बंद हुई, अभी जेट एयरलाइन्स भी बंद हो गई है, इसलिए हमें इस पर गहराई से सोचना चाहिए कि इसमें कैसे स्थिरता आए और लोगों में भी certainty रहनी चाहिए कि आगे हमारी सिविल एविएशन

में कैसे और किस तरह के प्लेयर्स आएंगे। हमें इसके बारे में पता होना चाहिए। महोदय, मैं कहना चाहता हूँ कि इसके पीछे कुछ और कारण नहीं हैं, इसके पीछे कारण यह है कि हमारे यहां एयरक्राफ्ट्स बनते नहीं हैं, ये सभी लीज़ एग्रीमेंट पर आते हैं। किस प्रकार का लीज़ एग्रीमेंट होता है, कितने वर्षों के लिए लीज़ एग्रीमेंट होता है, उस लीज़ एग्रीमेंट का ठीक से पालन होता है या नहीं होता है, मुझे लगता है कि अगर इसकी ठीक से monitoring की जाएगी, तो जो स्थिति रहती है, उसमें निश्चित रूप से सुधार होगा।

महोदय, इसके अलावा मुझे बिहार के बारे में दो-तीन बातें कहनी हैं। आप जानते हैं कि गया सभी लोगों के लिए एक बहुत ही important destination है। कई बार वहां से international flights शुरू करने की बात तो होती है, लेकिन हो नहीं हो पाई है। आप दरभंगा से शुरू करने जा रहे हैं, मैं आपके इसके लिए बधाई देता हूँ। हमारा भागलपुर क्षेत्र भी बहुत important है, वहां से भी flights शुरू की जानी चाहिए। पटना में हमारा नया एयरपोर्ट बनने वाला है, पर वहां पर बहुत सारी समस्याएं आएंगी, क्योंकि ट्रैफिक बढ़ रहा है, इसलिए उस पर भी तत्काल संज्ञान लिया जाना चाहिए।

महोदय, इसके अतिरिक्त वाल्मीकि नगर, जो एक tiger reserve है, वहां बहुत अच्छा एयरपोर्ट है। वहां पर बाहर से बहुत लोग आते हैं। अगर आप उस पर भी ध्यान देंगे, तो हमारे जो बाहर से टूरिस्ट्स आएंगे, वे और आएंगे।

महोदय, मैं आपको बताना चाहता हूँ कि पहले पटना सीधे काठमांडू से connected भी था, काठमांडू से फ्लाइट आती थी, बहुत लोगों का तो रिश्ता भी बिहार से है। अगर आप इस पर भी विचार करेंगे, तो निश्चित रूप से इससे हमारे पूरे इलाके का फायदा होगा, पूरे देश को फायदा होगा। मैं अंत में इतना ही अनुरोध करना चाहूंगा कि जो यह सबसे बड़ी समस्या है कि जो प्राइवेट प्लेयर्स आ रहे हैं, इनके बारे में जनता को कैसे पता चले कि इतने वर्षों तक काम करेंगे? पता चला कि उन्होंने दस साल काम किया, फिर बंद हो गई। इसकी monitoring के लिए भी कोई न कोई mechanism जरूर होना चाहिए। आपने मुझे इस विषय पर बोलने का अवसर दिया है, इसके लिए आपका बहुत-बहुत धन्यवाद।

DR. BANDA PRAKASH (Telangana): Respected Deputy Chairman, Sir, I thank you very much for giving me this opportunity.

The present Bill redefines ‘major airport’ as a civilian airport with annual passenger traffic of over 35 lakhs. This Bill deals with tariff, tariff structures or the development fees in cases where these amounts were a part of the bid document on the basis of which the airport operations were awarded.

Sir, under the proposed Bill, the executive and private operators must remember that they are only custodians of public assets on behalf of the people of India. This, in some sense, defines their primary responsibility.

The model, however, suffers from one basic drawback. It tries to achieve equilibrium between administered pricing and some free market pricing rights. This is caught between these two opposite forces resulting in citizen rights, inevitably, suffering the most.

[Dr. Banda Prakash]

Sir, the model says the concessionaire can price certain services outside the administered pricing regime, but subject to regulation. For example, passenger and staff entry charges or vehicle entry and parking charges, revenue from restaurants, retail outlets and duty-free shops will be free from any pricing regulation.

This is also true for all real estate activities outside the aeronautical area, such as hotels and malls. What is left unclear is what regulation means or what shape it will take in practice. This is where the model plants seed and gives elbowroom for future legal liabilities.

Lack of clarity on the desired regulatory framework or a clear demarcation between concessionaire and citizen rights could end up generating the kind of debates that currently bedevil multiplexes. The current overpricing of food inside multiplex cinemas skirts the core principle of how many States providing multiplex promoters with significant tax breaks.

Sir, going back to the aviation sector, two fundamental points need consideration. One is, the regulator regime referred to in the model will presumably be governed by the AERA which is an independent regulatory body established through an Act of Parliament to protect the interests of airports, airlines and passengers. Setting up of AERA in the Act or subsequent amendment Bill aims to prioritize citizen rights over operator rights is not at the core of this legislation. This is vital and brings up the second point. All airports are built on public land and any agreement or PPP arrangement, allowing a private sector company to build and operate on that land, has to keep in mind the hierarchy of rights in relation to the ownership of that land.

While concentrating on big airports, I request the hon. Minister to please take note of UDAN projects where small airports of the country are totally neglected. I wish to bring to the notice of the hon. Minister that before formation of my State, even in the Hyderabad State or in united Andhra Pradesh, we have airports. Sir, even during Nizam's regime, we were having airports in Telangana area. So, I request the hon. Minister to kindly revive Mamoor, Adilabad, Nizamabad, Ramagundam, Kothagudem and all other airports which provide air facility to the people of Telangana. I am saying this because every airport that I mentioned has a distance of about 180-240 kms from our capital. So, I humbly request the hon. Minister, along with major/big airports to also concentrate on small airports of the country. Thank you.

SHRI ELAMARAM KAREEM (Kerala): Sir, this Bill aims to amend the Airports Economic Regulatory Authority of India Act, 2008. It has given reasons, in the Statement of Objects and Reasons, behind the proposed amendment. It states, ‘ it felt that if too many airports come under the purview of the Authority, it will be difficult on the part of the Authority to efficiently determine tariffs and monitor service standards of major airports with limited resources available with the Authority.’ What is the meaning of this ‘ limited resources available?’ Who is responsible for that? Why cannot the Government strengthen the Authority to give better service to people? Instead of that, you are handing over Authority’s activities to private hands! That is what is going on. Our country is the fastest growing economy. But, the Government says that it is not in a position to serve the people and hence it is giving a part of it to US or a part of it to UK! It is like this. You are privatizing the prestigious public sector undertakings and all the assets of this nation built through decades of hard work are being sold at throwaway price to private entities! That is what is happening here. The AERA will not be having any say in determining the tariff or service that will be provided by the private entities. The fees will be determined by the market forces. Ultimately, the moto of private investment is only the return on investment, not the service of the people. Even drinking water is a profitable thing for the private entities. In such a situation, our valuable airports are being given in the hands of private entities! Not only are we giving airports, related real estate assets and built up area, which had been developed by the Airport Authority by spending crores of rupees, are also being given to the private entities. This will lead to shooting up of all the service charges. Many of the airports are being privatised. The Air India is also planned to be sold. Even the last Government also invited bids for selling the Air India. But, it did not find any bidders. Now, again, you are trying to sell it. In the name of modernisation, you have also decided to privatize the Railways. The Railway manufacturing units, like, the Chittaranjan Locomotive Works, Raebareli Coach Factory, are being closed.

Under these circumstances, it would be a burden on the people. Please do not give these assets to the private entities.

With these words, I conclude, Sir.

PROF. MANOJ KUMAR JHA (Bihar): Mr. Deputy Chairman, Sir, in aviation, there is a concept called ‘ clear air turbulence’ . And, hon. Minister must be aware that there is turbulence in the aviation sector, which has been caused by high landing charges, high parking fees, costly aviation turbine fuel, and not to forget, the depreciating rupee.



[Prof. Manoj Kumar Jha]

Sir, we are all familiar with the ‘King of Good Times’. Now, he is emperor without clothes. We are familiar with what happened with Jet Airways. In just a few years, dozens of airlines have disappeared in thin air, in the clear air turbulence. They impact families. They leave with bleeding images. And, why is it happening? We are seeking solution from a source, which is the cause of the problem, that is, blatant, brazen privatisation. I stand against it. I know the Bill will be passed. But, I want my voice to be recorded for posterity. This is my second concern.

Sir, the teachers are using in business ethics class in business schools, the case studies how not to lend loans to some of these airlines which faltered subsequently. Can’t the Government have some kind of wisdom, derived from those business ethics class, and then apply it in their policy framework?

I am told that there is a commitment to private airlines. Why not the same commitment to public sector undertakings, including Air India? The other day, I was coming from Imphal. महोदय, एयर इंडिया के जो महाराजा हैं, लगता था कि वे हाथ जोड़कर कह रहे हैं कि मुझे बचा लो। ...*(व्यवधान)*... मुझे बचा लो। ...*(व्यवधान)*... महाराजा को बचाना, सिर्फ विपक्ष की ही नहीं, सत्ता पक्ष की भी जिम्मेदारी है। वह आपका एक नेशनल कैरियर है, आपका एक pride है और हम उसे प्रतिदिन नया नाम देते हैं, ताकि उसका कत्ल किया जा सके, उसका जिबह किया जा सके। मैं आग्रह करूंगा माननीय मंत्री महोदय से, ...*(व्यवधान)*... सर, एयर इंडिया को बचा लीजिए, हाथ जोड़कर कहता हूँ कि महाराजा को बचा लीजिए। वह common man का महाराजा है।

Sir, I wish to tell you that the AERA was created to look after the interests of the consumers as well as the interests of the airlines. It has summarily failed to protect either—either the consumers or the airlines. What I wish to say is that when it happens, you rename, you reclassify, you say 1.5 to 3.5, all these appear as an *alibi*. I say it an *alibi* for going for privatisation. Hon. Minister, Sir, a time will come when you would realise that though the House agreed to your Bill—I also might join in—the fact is, this has not proved to be in the national interest subsequently. Sir, nobody is asking.. *(Time-bell rings)* सर, मैं एक आखिरी टिप्पणी कर देता हूँ।

सर, मेरी आखिरी टिप्पणी यह है कि हमारी प्राथमिकताएं कोई और तय कर रहा है। सरकारें आती हैं, सरकारें जाती हैं, लेकिन सर, सरकारों की प्राथमिकताएं सरकार के ही लोग तय कर रहे हों, ऐसा नहीं है। मैं इस सदन में पहले ही कह चुका हूँ कि *crony पूँजी* के हाथ बहुत लम्बे हैं। वे इधर भी दिखते हैं, वे उधर भी दिखते हैं। उस हाथ से हम सब को डरना चाहिए।

राष्ट्र की सम्पत्ति के नाम पर, नेशनल कैरियर के नाम पर कुछ नहीं बचेगा। अतः मैंने जो शुरु में कहा कि महाराजा की आंखों में आंसू हैं, उसे पोंछ दीजिए, उसे बचा लीजिए, शुक्रिया।

SHRI V. VIJAYASAI REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir, the Airports Economic Regulatory Authority of India (Amendment) Bill, 2019, when it was originally passed in 2008, the threshold limit was 15 lakh passengers. At that point of time, when the Bill was passed, 11 airports came under the purview of this Bill, the AERA Bill. Subsequently, in the last 10 years, 17 more have been added. Now, as of today, before this Amendment Bill is passed, the total number of airports that come under the purview of the AERA is 28, as per the records. Sir, under this Bill, the hon. Minister proposes to increase the threshold limit to 35 lakh passengers. The point here is whether increasing the threshold limit is the solution for the problem. What is the problem? Why has this problem cropped up? The Minister's statement is that because of the exponential growth in the aviation sector, there has been a manifold increase in the workload, which has caused the problem; further, the AERA is not in a position to withstand this increase in the workload. This is the reasoning which has been given. If that is the case, the ideal solution is, improve the infrastructure and increase the manpower so that the 28 airports which are there under the purview of the AERA could be maintained. This is the real solution. Sir, in this regard, I have two suggestions to be made to the hon. Minister. One is, you can classify them under two categories. Category-I should have the airports where the passenger traffic is between 15 lakhs and 35 lakhs. Category-II should have passengers over and above 35 lakhs, that is, the airports which have got more than 35 lakh passengers. So, it can be classified in two categories. There can be less intensity of monitoring in case of airports where passenger traffic is 15 to 35 lakh. More intensive monitoring can be made in case of airports where the passenger traffic is more than 35 lakhs. These are my suggestions to the hon. Minister. Thank you.

**श्री सुरेश प्रभु** (आंध्र प्रदेश): सर, मैं इस बिल के समर्थन में आपके सामने खड़ा हूँ और आपको धन्यवाद देता हूँ कि आपने मुझे इस पर बोलने का मौका दिया है।

सर, हम सब जानते हैं कि नागर विमानन क्षेत्र में पिछले पांच सालों में सही मायने में क्रांति हुई है। हम सब जानते हैं कि एक जमाना ऐसा था कि हर बच्चा आसमान छूने की बात सोचता था। जब मैं बच्चा था, तो मैं भी ऊपर आसमान की तरफ देखता था, जब कोई हवाई जहाज आसमान में जा रहा होता था, तो मैं भी सोचता था, आसमान को छूने की बात तो छोड़ दीजिए, कि कम-से-कम हवाई जहाज को छू सकूंगा या नहीं। ऐसी स्थिति में आज हम देख रहे हैं कि जैसा प्रधान मंत्री जी ने कहा था, हवाई चप्पल पहनने वाला हर आदमी आज हवाई सफर कर रहा है। यह जो क्रांति हुई है, इसके कारण पिछले पांच सालों में हमने देखा है कि हर कोई,

[श्री सुरेश प्रभु]

जो हवाई सफर करने की चाहत रखता है, वह हवाई सफर करने में सफल हो पाया है। इसका कारण यह है कि हवाई क्षेत्र में बड़ी मात्रा में बदलाव लाए गए हैं, जिसके कारण इसका विस्तार हुआ है। इसका सबसे बड़ा लाभ यदि किसी को मिला है, तो देश के आम आदमी को मिला है। हमने देखा है, जब कभी भी connectivity आती है, वह चाहे किसी भी तरह की हो, उसके कारण जो विकास होता है, वह सबसे ज्यादा प्रभावी होता है। देश में ज्यादा से ज्यादा विकास करने के लिए, ज्यादा से ज्यादा connectivity की जरूरत होती है। पिछले पांच साल में air connectivity का विकास, सरकार की एक बहुत बड़ी उपलब्धि रही है। इसके लिए मैं सरकार को बधाई देना चाहता हूँ।

सर, हम जानते हैं कि air connectivity को बढ़ाने के लिए 'उड़ान' नाम की एक नई योजना शुरू की गई है। 'उड़ान' के माध्यम से आदमी 2,500 रुपये से भी कम कीमत में air ticket निकाल सकता है और हवाई सफर कर सकता है। हमारे सभी मित्र इस बात को जरूर मानेंगे कि आज यदि हम सब यहां बैठे हैं, तो आम लोगों के कारण ही बैठे हैं। यह House of People तो नहीं है, House of States है, लेकिन यहां हम सभी लोग भारत के लोगों को ही represent करते हैं। यदि आज भारत का आम आदमी किसी योजना के कारण आसानी से हवाई सफर करने में सफल हुआ है, तो उसके पीछे का कारण जो भी रहा हो, हमें उसे धन्यवाद देना चाहिए, उसकी सराहना करनी चाहिए। इसके लिए मैं 'उड़ान' नाम की इस योजना की सराहना करता हूँ, क्योंकि इसी योजना के कारण यह काम हुआ है।...**(व्यवधान)**...

**श्री उपसभापति:** प्रो. राम गोपाल यादव जी, कृपया सीट पर बैठ कर न बोलें।

**श्री सुरेश प्रभु:** इसके साथ-साथ 'उड़ान' ने अभी एक और नई उड़ान ली है। केन्द्र सरकार ने असम सरकार के साथ मिलकर यह तय किया है कि असम से international flights शुरू होंगी। असम से नेपाल जाने के लिए, असम से बंगला देश जाने के लिए international उड़ानों की शुरुआत भी कर दी गई है। साथ ही हमें इस बात की भी खुशी होनी चाहिए कि एक नई योजना और बनाई गई है, जिसके ऊपर मैं अभी आ रहा हूँ। इसी के कारण हम आज यह चर्चा कर रहे हैं। हम सोचते हैं कि जहां airport ही नहीं होगा, वहां हवाई जहाज़ कैसे उतरेगा? ऐसे में तो हवाई जहाज़ हवा में ही घूमता रहेगा, क्योंकि हवाई जहाज़ को उतरने के लिए एयरपोर्ट तो चाहिए ही चाहिए, जहां वह land कर सके। इसके लिए हम लोगों ने एक नई योजना बनाई है। हवाई जहाज़ अब सिर्फ एयरपोर्ट पर ही नहीं, पानी पर भी उतर सकता है। देश में यह पहली बार हुआ है। समुद्र हो, तालाब हो, नदी हो, जहां भी पानी का स्रोत है, वहां-वहां हवाई जहाज़ उतर सकता है।

सर, हमारे देश में 13 ऐसे राज्य हैं, including Union Territories, जिनको हम coastal States कहते हैं। पुदुचेरी भी इसमें शामिल है। ऐसे राज्यों को एक बहुत बड़ा लाभ होगा। land-locked राज्य भी है। हमारे उत्तर प्रदेश के एक मित्र अभी बात कर रहे थे। वैसे भी ओडिशा तो एक coastal State है, लेकिन उत्तर प्रदेश है, बिहार है, ऐसे राज्यों में भी हवाई जहाज़ उतर

पाएगा और लोगों को इसका बहुत बड़ा लाभ मिल सकेगा। मैं यह बात इसलिए कहना चाहता हूँ, क्योंकि आज पूरे विश्व में भारत third largest aviation sector बन गया है। US और चीन के बाद, तीसरा क्रमांक हमारे देश का आता है। अगर हम इसी रफ्तार से आगे बढ़ते रहेंगे, तो अगले पांच सालों में शायद हम उनसे भी आगे तरक्की कर पाएंगे। तरक्की करने के लिए हमारा जो हवाई सेक्टर है, हमें उसको viable रखना चाहिए, क्योंकि जब तक हमारे Airports develop नहीं होंगे, तब तक सही मायने में हमारी हवाई सेवा develop नहीं हो पाएगी। अभी हम passengers की बात कर रहे थे, उसमें मैं एक और पहलू जोड़ना चाहता हूँ। हमारे प्रधान मंत्री जी ने किसानों की आमदनी दोगुनी करने का प्रधान लक्ष्य रखा है और उस लक्ष्य को हासिल करने के लिए, सही मायने में एक बहुत बड़ा कदम उठाया गया है। इसके लिए सरकार ने एक 'कृषि निर्यात नीति', 'Agriculture Export Policy' बनाई है। अभी passengers की संख्या बढ़ने की बात हो रही थी, लेकिन इस पॉलिसी के माध्यम से air cargo भी बहुत बड़ी मात्रा में बढ़ेगा। आसान connectivity के कारण आम आदमी को इससे लाभ होगा, इसलिए मैं समझता हूँ कि इस सेक्टर का holistic development होना चाहिए।

इसके बाद ड्रोन की बात भी कही गई। ड्रोन भी बढ़ेंगे, लेकिन जिसे हम ground reality कह सकते हैं कि इन सभी चीज़ों के लिए, ultimately अच्छे airports भी होने चाहिए। मैं मानता हूँ कि हमारे देश में अलग-अलग लोगों के पास एयरपोर्ट थे, डिफेंस के पास थे, कुछ लोगों के पास निजी थे, सरकार ने कुछ बनाए, राज्य सरकारों ने भी कुछ बनाए। दरभंगा वह जगह है, जहां पर एयरपोर्ट शुरू करने के लिए हमने काम शुरू किया है। इसके साथ ही साथ अलग लोगों के पास भी थे, जैसे कुछ पब्लिक सेक्टर अंडरटैकिंग के पास भी थे, पहले कुछ राजा-महाराजाओं के पास भी होंगे, ऐसे सभी एयरपोर्ट्स को कार्यान्वित करके आज देश में 130 से ज्यादा हवाई अड्डे कार्यान्वित हो चुके हैं।

सर, आज का जो यह बिल है, इसमें regulation की बात है। मैं मानता हूँ कि aviation sector को बढ़ाने के लिए यह एक बहुत बड़ा उपाय हो सकता है, क्योंकि 2008 में इसी सदन में इस विधेयक को पारित करते हुए उसको कानून का स्वरूप दिया है। वह कानून इसीलिए बनाया गया, क्योंकि हम सबने सोचा कि यदि regulation नहीं होगा, तो इस सेक्टर का विकास नहीं हो सकता और यह सही भी है। जैसा कि हमारे कुछ मित्र बोल रहे थे कि पब्लिक इंटरेस्ट को प्रोटेक्ट करना चाहिए। यह तो मैं मानता हूँ कि कोई भी पब्लिक पॉलिसी का सबसे अहम उद्देश्य यह होना चाहिए कि public interest should be protected first by any public policy, and to protect the public interest, sometimes, it is also better to involve the private sector. The private sector can be involved; Public-Private Partnership models can be developed. Public interest should not only be promoted and protected, but also enhanced. If more airports come up, more people can fly. That is public interest. But for more airports to come, you need investment and for investment you obviously need a regulation. Otherwise, who is going to invest if someone is uncertain about anything that is going to happen? Jairam Ramesh also has been championing that regulation was



[श्री सुरेश प्रभु]

important when he was the Minister of Power, he was my successor. Therefore, we believe that regulation is important. Therefore, rightly so, in 2008, the Regulation was passed by this Parliament. Subsequently, we realised that regulation has two components today in India. One, Airports Authority itself decides the tariff for the airport. It is like judge and the jury at the same time. I am deciding the tariff and I am also running the airport. If I say, to increase my profit you pay me more, how is the public interest protected? Therefore, it was decided that to promote public interest there should be an independent authority and, therefore, this authority was created. There is also an appellate body which was created. In case there are aggrieved parties, who feel that they need to prefer an appeal, they could go there. This particular Bill has a limited application. One, it says that earlier अगर कोई एयरपोर्ट 15 लाख लोगों तक का है, तो उसको regulatory body देखती है, आज उसकी सीमा 35 लाख तक बढ़ाई गई है। सर, यदि हवाई क्षेत्र इतनी तेजी से बढ़ गया है...(व्यवधान)...

दूसरी बात यह है कि pre-determined tariff, यह हम लोगों ने एक नई पहल की है कि यदि एयरपोर्ट की bidding होती है, तो इसमें पहले से ही tariff बता कर चलना है। कोई योजना इतनी transparent नहीं हो सकती है जो पहले बताएं कि किस तरह से tariff तय किए जाएंगे। इसका लाभ हवाई सफर करने वाले लोगों को होगा। मैं समझता हूं कि यदि यह क्षेत्र आगे बढ़ता है, तो इससे सबको लाभ होगा। मैं एक बात और कहना चाहता हूं कि कुछ लोगों जो बात कही, वह सही भी है कि सफर करने वाले जो आम लोग हैं, उनके हित की रक्षा किस तरह की जाएगी। सर, मैं यह कहना चाहता हूं कि सरकार ने passenger charter भी बनाया। इसमें सभी लोगों का क्या हक है, उनको क्या मिलना चाहिए, उनके अधिकार क्या है, इन सब पर पहल की गई है। इसलिए मैं मानता हूं कि आज इस बिल के कारण एक नया अध्याय शुरू होगा, जिसमें we will be able to strike a right balance between public interest and private sector participation which, in turn, will promote public interest. Therefore, I feel that this is a very good Bill. I welcome and support it. In fact, there is no Member who would like to oppose it. ...*(Interruptions)*... Why would anybody like to oppose a Bill which, in turn, is going to bring more and more people to fly? And who are the people who are going to fly? They are people who voted for us. So, we feel that we all must support this Bill to make sure that we really move forward and make flying a memorable, pleasurable experience for all the common people of India. Thank you very much, Sir.

**श्री बी.के. हरिप्रसाद (कर्नाटक):** उपसभापति जी, यह सौभाग्य की बात है कि मंत्री जी ने बिल introduce किया और बाद में पूर्व मंत्री ने पूरा रिप्लाइ दे दिया है।...(व्यवधान)... यह सौभाग्य की बात है।...(व्यवधान)... Sir, while introducing the Bill, the Minister was saying that it is just

a very small, limited amendment in the AERA. Sir, it is not a limited Amendment. As you all know, the entire Civil Aviation Industry is bleeding so badly. Some of the Members have mentioned as to how some of the major Airlines have been closed down. Sir, the other day, I was keenly watching the Finance Minister, while presenting her Budget, when she said that Air India would be disinvested, I don't know what pleasure the NDA Members were just getting, they were all thumping the desks, I don't know what for! Air India is a national carrier.

[THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN) in the Chair]

SHRI B.K. HARIPRASAD: I don't know what pleasure they get by thumping the desk in the Parliament. Sir, it is very unfortunate that the national carrier also has been targeted by this NDA Government. Sir, I still feel, I endorse some of our friends while saying that at all costs, we have to protect Air India, it is one of the oldest Airlines. But, you may say, the public sector because there is a myth especially in the NDA that the private sector is the best sectors for the development of India. Let me tell you, Sir, I come from the Bengaluru City. It is the city which is the hub of the public sector units. Almost about fifty, sixty public sector units are there which have paved way for some of the major developments in Bengaluru City. That is how it is called the second Silicon City of the world. Likewise, Sir, even electronics, we have seen the public sector; how they are working. Sir, as you have mentioned, as of today, there are 110 operational airports in India. This include 74 domestic, 26 international and 8 customs airport, of these 7 are managed by the private operators, that is joint venture. Sir, we are not opposed to PPP model, we are for it. But the way the things are getting privatised, it is very dangerous for this sector because everybody thought that it is only the Air India which makes losses; what happened to Kingfisher, what happened to Jet Airways, what happened to Damania, what happened to ModiLuft? You can name any private airlines, all have been closed. Why don't you protect Air India? Its losses are not that big as compared to what the private sectors have committed. Sir, my point is, in this Amendment, in Para 3, Section 13, it says, "Fees in respect of an airport or part thereof, if such tariff or tariff structures or the amount of development fees has been incorporated in the bidding document, which is the basis for award of operatorship of that airport: provided that the Authority shall be consulted" . Authority may be not consulted; but, ' in concurrence with the Authority', that would be fair enough. Sir, this is my point. Generally, when we have brought this Amendment, it is widely accepted that the Government is not able to handle the pressure of aviation industry with growing demands and the sharp U-turn in the aviation industry. Sir, the most viable event was,



**4.00 P.M.**

[Shri B.K. Hariprasad]

we have seen, the suspension of so many Airlines. Sir, the sharp U-turn in the aviation industry due to the Government's negligence and flip-flop policies towards it and the Government introducing this Bill, relieving all its responsibilities, so that this grand failure cannot be blamed on the Government in future.

It is a sharp U-turn of the Government's own challenges and failures. Sir, there is a monopoly of the airlines. The airlines in India have been appealing in vain to the Government for the reduction of taxes on fuel. The jet fuel is 35 to 40 per cent more expensive in India than in the rest of the world because of relatively high tax rates. The fundamental issues of the business have not been addressed by the Government. India is a price-sensitive market. If the fuel price is low, the airlines can make money even in the current revenue levels. Sir, the Civil Aviation Ministry and the regulator have been allegedly slow in addressing the issues. For example, India was one of the last nations to ground the Boeing-737 planes. Executives speak of old rules called the Route Dispersal Guidelines that mandate airlines to fly certain percentage of flights in smaller unprofitable routes. Sir, my point is that before privatizing these airports or the airlines, you have to be very cautious. Take the example of Bengaluru, which has got the third largest domestic air traffic in the country after Delhi and Mumbai. The State Government of Karnataka has given a lot of incentive for the development of this Airport. Almost 1,400 acres of land has been given to this Airport, but whenever you visit this airport, I would say that a bus stand in Bengaluru is far better than this airport. Though it is a modern airport and they say that it is a world-class airport, but still, the multi-level departure and arrival is not there in this new Airport. Then, Sir, there are some mofussil airports in Karnataka, especially the Mangalore, Hubli and the Belgaum, which is an educational and financial hub. Most of the Air India flights have been cancelled to these routes and the private airlines are operating on these routes. If I travel to Mangalore, it is just about 450 kilometres, but sometimes, I have to shell out about ₹40,000, whereas I can come to Delhi in ₹10,000 to ₹11,000. The privatization of airlines and airports make the customer or the passengers to pay heavy price even for travelling short distances.

Sir, Karnataka has got four important airports. Apart from Bengaluru, we have Mangalore, Hubli-Dharwad, Belgaum and Bellary. As you know, some of them have said that हवाई चप्पल पहनने वाला व्यक्ति भी हवाई यात्रा करेगा I They should not insult people who wear *hawai chappal*. I don't want to name the State, but multi-billionaires also wear

*hawai chappal* even today. Don't insult them. They should not underestimate the people who wear *hawai chappal*. So, the people who do not know the demography, they may say, that हवाई चप्पल वाला व्यक्ति हवाई यात्रा करेगा। Please, for heaven's sake, don't do it. Even some of the Chief Ministers wear *hawai chappal*. Just for the sake of popularity and coining popular slogans, using these kinds of phrases is not good.

Sir, recently, the Government has given away the Mangalore Airport to one of the important corporate houses. Only one company has got six airports. Mangalore Airport is not only a domestic airport; it is an international airport. Highest Gulf passengers, coming from Kerala and Mangaluru, travel from this airport. It was a profit-making airport, and they have still privatized it. I can understand the privatization of airports which are making losses. But I don't understand the logic behind privatizing the airports which are making profits. As I said, the Bengaluru City is the biggest role model in the country. I have heard a lot of people talking about the Gujarat model. Still, after six years, I have not understood what the Gujarat model is. But, the Bengaluru City is the role model for so many things –information technology, bio technology, aviation. You name it and it is there. We have produced results through the support of the public sector enterprises. For heaven's sake, don't underestimate the public sector. Public sector has got the social obligation, social commitment, whereas the private sector only thinks about profit-making. If they do not make profit, they just take huge loans and run away to London or other European countries by degrading the entire system. You have brought this Bill when the entire aviation industry is bleeding. For heaven's sake, keep in mind that some more active participation of the Government is needed. It needs support and there is no doubt about that. I know the Minister personally. He has brought this Bill with a good intention. But the industry is not like that. You may have to pump in a lot of support for Air India.

Sir, Bengaluru is known as the Garden City and there is no dearth of gardens in Bengaluru. As far as Bangalore International Airport is concerned, there is a beautiful garden at the entrance of the airport but after entering the airport, you will find that the facilities at the Bus stand are better than the facilities at the airport. They are building a new airport there. Please see that there are multi-level departure and arrival facilities in this new airport because Bengaluru deserves a better airport of the international standard. Sir, it is no use if the Bills are passed only to be by-passed by the authorities, the mighty people and the capitalists. If this Bill has got a good real meaning, it should help the passengers who are enjoying the travel in the flights. I think, it should continue.

[Shri B.K. Hariprasad]

Sir, my friend from West Bengal is here. I have travelled all over the world, and I have travelled intensively in India and I have seen almost the smallest airports. You say that public sector is not fit for anything. But please go and see the Calcutta Airport. It is one of the best airports in the world, I can say. See the elevation or the facilities which are available in Calcutta Airport, these have been built by Airports Authority of India, not by any private organization. Please respect the public sector. They can provide the best of the best. But you under-estimate the public sector and by under-estimating the public sector, you are under-estimating the real nationalists of this country. With these words, I again urge the Government to please save this bleeding aviation industry. Thank you.

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Thank you. Now, Shri Tiruchi Siva. You have three minutes' time. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, he is insisting me to start with the *hawai chappal*. Sir, the former Minister for Civil Aviation, my friend, Suresh Prabhu, was very proud in telling that this Government is happy that a person wearing *hawai chappal* is able to fly in an aeroplane. Sir, the growth cannot be signified by way of a person wearing *hawai chappal* being able to fly in an aeroplane. It should be ensured that those who are not able to wear even *hawai chappal* is fed with three meals a day. That must be the basic thing which the Government should keep in mind, and, this should be an indicator, whether it is a growing country or a developed country, when all its citizens are properly fed three times a day. It cannot be measured by the figures of people flying in the aeroplanes.

Sir, the hon. Minister, Puri *ji*, mentioned, a new era came which created a necessity for creating AERA. Now, because of the number of passengers counting, the airports under the control of AERA are being reduced, and, again, they are being given to the Airports Authority or some new private players who are going to come in. Sir, the purpose of creating the regulatory authority was that. Earlier, it was maintained by the Airports Authority. It had two obligations, one as regulator and the other as operator. Since there was conflict of interest, this regulatory authority was created. But now when you are reducing the number of airports and giving them back to the Airports Authority, will it not again amount to conflict of interest? And, some private players are also coming in. See, the purpose of this Bill is not just to facilitate

something. It says very clearly that many private players are going to come in, and, so, they are going to be encouraged.

Yes, you encourage them for some green airports. Why do you give existing airports to them? This is my question. Sir, the Statement of Objects and Reasons clearly mentions that the exponential growth of the sector has put tremendous pressure on AERA while its resources are limited. Therefore, if too many airports come under the purview of AERA, it will not be able to perform its functions efficiently.

Sir, yesterday, there was a starred question on a single tribunal for river disputes. The reply clearly says that earlier there were water disputes tribunals for adjudication of water disputes. Now the recent amendment envisages constitution of a single tribunal with permanent establishment so as to obviate the need to set up a separate tribunal for each water dispute which invariably is a time-consuming process. So, there are two standards. At one place, you are dissolving all the river tribunals and creating a single tribunal. You are centralizing powers. And here you are decentralizing the regularity authority. It means whenever a private player is coming in, you will decentralize the powers and distribute it to them. But when necessity is there...We are against that tribunal is not relevant here. I would like to say this that for one thing you have one standard.

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Please conclude.

SHRI TIRUCHI SIVA: For another thing, a different parameter. Earlier this regulatory body decided everything. It was a determining body. But now it is only a consultative body. Consultation, of course, means that it can be only consulted, but consent is not required. Hereafter, the existence of regulatory authority will be only for the sake of it and would not be the purpose for which it was created. We clearly understand that it is to encourage some private players. That is all. But my request is this. Don't reduce the powers of regulatory authority because the purpose of creating or bringing in such an Act is even now in demand. If at all you want to do something...

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Thank you.

SHRI TIRUCHI SIVA: When there is so much growth, instead of diluting that, you strengthen AERA. That will help. That is what we have to do. Instead of strengthening AERA, you are diluting it. That is not a good sign. I again request you to kindly strengthen AERA and establish the purpose for which the Act was enacted. Thank you very much.

**श्री संजय सिंह** (राष्ट्रीय राजधानी क्षेत्र दिल्ली): उपसभाध्यक्ष महोदय, आपने मुझे इस महत्वपूर्ण विषय पर अपनी बात कहने का मौका दिया, इसके लिए मैं आपका आभार प्रकट करता हूँ। इस संशोधन के तहत सरकार, जहाँ पर 35 लाख यात्रियों की आवाजाही होगी, ऐसे airports को major airports की सूची में लाना चाहती है। Airports Authority of India Limited का 2017-18 का जो आमदनी का आंकड़ा है, वह 2,800 करोड़ रुपए है और जो उनका टोटल reserve का आंकड़ा है, वह 14 हजार करोड़ रुपए का है। इसका मतलब इस नियम के तहत, इस संशोधन के तहत आप सरकार को ही घाटे में ले जाना चाहे हैं और कुछ private players को फायदा पहुंचाना चाहते हैं। आपकी यही नीति हर जगह लागू हो रही है - हर चीज़ को निजी हाथों में देने की आपकी योजना है। इसके तहत अभी तक 27 airports, जो major airports की सूची में आते हैं, उनकी संख्या घटकर 10, 11 या 12 की रह जाएगी। उसमें आप कुछ बड़े players को, private players को लेकर आएंगे, जिसकी शुरुआत आपने कर दी है - 6-8 airports आपने अडानी ग्रुप को दे दिए हैं। आप हर चीज़ का निजीकरण करने की अपनी योजना को बंद कीजिए, इससे कोई फायदा नहीं होने वाला है। आप LIC बेच देना चाहते हैं, कोल इंडिया बेच देना चाहते हैं, एयर इंडिया बेच देना चाहते हैं, BSNL बेच देना चाहते हैं, रेल बेच देना चाहते हैं, बिजली आपने पहले बेच दी, पानी आपने बेच दिया - अगर आप सब कुछ बेचते रहेंगे, निजी हाथों में देते रहेंगे, अगर आपकी यही हालत रही तो धीरे-धीरे देश ही बिक जाएगा। इसलिए देश को बेचने की इस योजना पर आप रोक लगाइए। आप अपने ऊपर भी कुछ विश्वास रखिए, सरकारी कर्मचारियों के ऊपर भी कुछ विश्वास रखिए। जो सरकारी कर्मचारी रेलवे में वर्षों से काम कर रहे हैं, अपनी सेवाएं दे रहे हैं - आज आपने फैसला ले लिया कि आप रेल का निजीकरण करेंगे, उसकी शुरुआत आपने कर दी है, आप 'शताब्दी' को बेच रहे हैं, आप platforms बेच रहे हैं। इसी तरह से जेट एयरवेज़ की क्या हालत है? जेट एयरवेज़ को आज आपने मुखमरी के कगार पर पहुंचा दिया है। आप प्राइवेट प्लेयर्स को जहाँ पर आपकी मर्जी होती है, वहाँ पर मदद करने के लिए आगे आ जाते हैं। आपने पिछले पांच सालों के अंदर साढ़े पांच लाख करोड़ रुपया चंद पूंजीपतियों का माफ कर दिया। जेट एयरवेज़, जिसके कर्मचारी आज मुखमरी के कगार पर हैं और उनके चार कर्मचारी या तो आत्महत्या कर चुके हैं या सदमे से, बीमारी के कारण, उनकी जान जा चुकी है। जेट एयरवेज़ के वे employees जिनकी संख्या 15,000 है और जिनसे जुड़े हुए लोगों की संख्या लगभग एक लाख है, उन लोगों को आपने मुखमरी के कगार पर पहुंचा दिया है। उनको 6 महीने से तनखाह नहीं मिल रही है, वे सड़क पर आंदोलन कर रहे हैं, रो रहे हैं और आपके सामने गिड़गिड़ा रहे हैं, उनकी कोई सुनने वाला नहीं है। आपके अंदर की संवेदना पूरी तरह से खत्म हो गई है। आप इतने बड़े सेक्टर को डूबने दे रहे हैं। एयर इंडिया आज घाटे में कैसे पहुंची है? यहाँ पर बैठे हुए सारे लोग जानते हैं। उनकी जितनी भी important flights थीं, आपने उनके समय बदल दिए, उनकी उड़ानों के टाइम आपने परिवर्तित कर दिए...**(समय की घंटी)**...

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Please conclude.

**श्री संजय सिंह**: आपने उनके टेरिफ अनाप-शनाप बढ़ा दिए, इन कारणों से आपका कहीं नियंत्रण नहीं रहा। आप सब कुछ बेचने की तैयारी में मत रहिए। बेचने से काम नहीं चलेगा।



THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Please conclude.

**श्री संजय सिंह:** आप लोग उस संस्था से निकले हैं, जो स्वदेशी का आंदोलन चलाते थे। मान्यवर, मैं अंतिम बात कह कर अपनी बात खत्म करूंगा। मैंने बचपन में स्वदेशी जागरण मंच के लोगों को गली-गली जाते हुए देखा है, पर्चे बांटते हुए देखा है कि ये तेल इस्तेमाल किया करो, यह साबुन इस्तेमाल किया करो, यह सर्फ इस्तेमाल किया करो।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Hon. Member, please conclude.

**श्री संजय सिंह:** आज आप लोग हर चीज़ निजी हाथों में देने के लिए तैयार हैं, सब कुछ बेचने के लिए तैयार हैं। रेल हो, पानी हो, बिजली हो, एयरपोर्ट हो, कोयला हो, SAIL हो, HAL हो, आप सब बेचने के लिए तैयार हैं, यह ठीक नहीं है। इसलिए इस पर सरकार को पुनर्विचार करना चाहिए और अपनी नीति में परिवर्तन करना चाहिए।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Now, Shri Veer Singh. You have three minutes.

**श्री वीर सिंह (उत्तर प्रदेश):** महोदय, यह अधिनियम भारतीय विमानपत्तन आर्थिक विनियामक प्राधिकरण अधिनियम, 2008 का संशोधन करने के लिए लाया गया है। इसके द्वारा विमानपत्तन की परिभाषा को संशोधित किया गया है, जिसमें यात्रियों की वार्षिक आवाजाही वर्तमान 15 लाख से बढ़ाकर 35 लाख होना प्रस्तावित है। साथ ही प्राधिकरण धारा 13 के अंतर्गत अब टैरिफ, टैरिफ संरचनाओं या विकास शुल्क निर्धारित नहीं करेगा, यदि ऐसे मामले बोली प्रक्रिया का भाग हैं।

महोदय, देश में वर्ष 2030 तक हवाई यातायात 10 प्रतिशत की औसत वार्षिक दर से बढ़ने की उम्मीद है। इसके मुताबिक कुछ वर्षों में, अन्य 10 हवाई अड्डों पर यातायात 35 लाख से अधिक हो जाएगा और वे फिर से प्राधिकरण के दायरे में आ जायेंगे और इन हवाई अड्डों पर नियामक शासन में बदलाव हो जाएगा। महोदय, प्राधिकरण की स्थापना हवाई उद्योग में बढ़ती प्रतिस्पर्धा को विनियमित करने के लिए और विभिन्न श्रेणी के हवाई अड्डों के बीच एक समान स्तर प्रदान करने के लिए की गई थी। विधेयक के खंड 3 के प्रावधान के तहत, प्राधिकरण अब कम हवाई अड्डों पर टैरिफ को विनियमित करेगा। मेरा मानना है कि इससे नियामक की भूमिका कमजोर बनाई जा रही है और इसका दायरा कम किया जा रहा है। ऐसे में क्षमता बढ़ने का सवाल ही नहीं पैदा होता है।

महोदय, पिछले कुछ वर्षों में प्राइवेट भागीदारी ने नागरिक हवाई अड्डों का संचालन शुरू कर दिया है और ये निजी हवाई अड्डे एकाधिकार करना चाहते हैं। शहरों में आम तौर पर एक नागरिक हवाई अड्डा है, जो उस क्षेत्र में सभी वैमानिकी सेवाओं को संचालित करता है। निजी हवाई अड्डा संचालक अपना एकाधिकार का दुरुपयोग न करे, इसी के लिए इस प्राधिकरण की स्थापना वर्ष 2008 में की गई थी, जो प्रमुख हवाई अड्डों पर वैमानिकी सेवाओं, जैसे हवाई यातायात प्रबंधन, विमान की लैंडिंग और पार्किंग, ग्राउंड हैंडलिंग सेवाओं के लिए शुल्क और अन्य शुल्क जैसे विकास शुल्क और यात्री सेवा शुल्क को नियंत्रित करता है।



[श्री वीर सिंह]

महोदय, मैं माननीय मंत्री जी से मांग करूंगा कि प्राधिकरण को बोली प्रक्रिया में ऐसे टैरिफ को शामिल करने से पहले रियायत प्राधिकरण और नागरिक उड्डयन मंत्रालय द्वारा परामर्श आवश्यक रूप से किया जाए और ऐसे टैरिफ को अधिसूचित भी किया जाए। प्राधिकरण को केवल प्रमुख अड्डों पर टैरिफ और निगरानी के मानकों को विनियमित करना चाहिए और भविष्य के विकास के आधार पर, अन्य कार्य बाद में नियामक को सौंपे जाने चाहिए।

महोदय, मैं मंत्री जी से चाहूंगा कि वे दिल्ली और मुंबई में, टैरिफ निर्धारण से आदर्श परिचालन लागत तय करें, जिसे अन्य हवाई अड्डों पर भी लागू किया जा सके। इसी के साथ, इन दोनों हवाई अड्डों का दक्षता अध्ययन भी कराएं और यह देखें कि टैरिफ तय करने के लिए रख-रखाव और श्रम जैसी लागतें उचित हैं या नहीं। यात्री सेवा शुल्क (PSF), उपयोगकर्ता विकास शुल्क (UDF) और विकास शुल्क (DF) यात्रियों पर लगाया जाता है, इसे समीक्षा कर खत्म करने की आवश्यकता है। हवाई अड्डे के टैरिफ में मुख्य रूप से यात्रियों द्वारा भुगतान किया जाने वाला उपयोक्ता विकास शुल्क और एयरलाइनों पर पार्किंग और लैंडिंग शुल्क शामिल हैं, जैसे दिल्ली में प्रत्येक प्रस्थान करने वाले यात्री पर 77 रुपये का फ्लैट शुल्क लिया जाता है, जबकि वाहक लैंडिंग विमान के लिए 171-228 रुपये/मीट्रिक टन और पार्किंग शुल्क 7.40 रुपये प्रति मीट्रिक टन का भुगतान करना होता है। मैं चाहूंगा कि इसे अधिक तर्कसंगत बनाया जाए और इसमें से ऑपरेटरों द्वारा अनावश्यक लागतों को निकाल कर "वैश्विक बेंचमार्क" बनाया जाए और हमें अपने हवाई अड्डों के लिए एक "मानक मॉडल" रखना चाहिए। ...**(समय की घंटी)**... साथ ही उच्च परिचालन लागत भी एक मुद्दा है, जिसे भी नजरअंदाज नहीं करना चाहिए।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Please conclude.

**श्री वीर सिंह:** उपसभाध्यक्ष महोदय, मेरी एक मांग सरकार से और है। आप सभी विभागों को प्राइवेटाइज़ करते चले जा रहे हैं। आप एयर इंडिया को, एयरलाइंस को प्राइवेटाइज़ कर रहे हैं। ठीक है, आप इसमें संशोधन लाए हैं, किन्तु मेरा कहना यह है कि जैसे पहले एयर इंडिया में अनुसूचित जाति/जनजाति और पिछड़ी जाति के लोगों के लिए आरक्षण की व्यवस्था थी, उसी तरह से अब आप इस संशोधन में भी इसकी व्यवस्था करें। अगर आप अनुसूचित जाति/जनजाति और ओबीसी के हितैषी हैं, तो उसमें आरक्षण की व्यवस्था जरूर करें।

दूसरी बात यह है कि जब कोई फेस्टिवल आता है, तो टिकट बहुत महंगा हो जाता है। आम तौर पर टिकट 5,000 रुपये में मिलता है, लेकिन जब कोई फेस्टिवल आ जाता है, तो वही टिकट 25,000 रुपये का हो जाता है।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Please conclude.

**श्री वीर सिंह:** इसलिए मेरी मांग है कि इस तरह से टिकट के दाम बढ़ने पर रोक लगनी चाहिए और टिकट का दाम हर महीने एक समान होना चाहिए। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Shri Ramkumar Verma, five minutes.

**श्री रामकुमार वर्मा** (राजस्थान): आदरणीय उपसभाध्यक्ष जी, इस इम्पोर्टेंट बिल पर बोलने के लिए आपने मुझे मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूँ। The Airports Economic Regulatory Authority of India (Amendment) Bill, 2019, जिसमें सरकार द्वारा संशोधन किया गया है और AERA 2008 का जो एक्ट है, उसके अंदर कुछ माइनर संशोधन हैं। जैसा कि पूर्व वक्ताओं ने बताया है कि सैक्शन 2 के अंदर जो हमारे मेजर एयरपोर्ट्स की डेफिनेशन है, उसमें तब्दीली की गई है। जिस तरह से हवाई यात्रा का क्रेज़ देश भर में बढ़ा है, मैं मानता हूँ कि उसके पीछे माननीय नरेन्द्र मोदी जी के नेतृत्व में जो सरकार चल रही है और मंत्रालय ने जो स्टेप्स उठाए हैं, वे अद्वितीय हैं। जब मोदी जी किसी तरह से गरीबों की बात करते हैं, तो हमारे कई मित्र और विपक्षीयण उनकी बात को हंसी और मजाक में लेते हुए, उनका मजाक उड़ाते हैं। उन्होंने इसी तरह से अनेक योजनाएं लागू की हैं। जब हवाई चप्पल पहने वाले गरीब को हवाई यात्रा करवाने का उन्होंने संकल्प लिया था, उस समय भी हंसी उड़ाई गई थी। आप देख सकते हैं कि आज देश के अंदर जिस तरह से एयरपोर्ट्स की वृद्धि हुई है और एयरपोर्ट्स की वृद्धि के साथ ही साथ एयरलाइन्स की कनेक्टिविटी रीजनल बेसिस पर की है, उसके कारण हमारे यात्रियों की संख्या बढ़ी है। यात्रियों की संख्या बढ़ने के साथ, जो पैसेंजर्स के मानक थे, जो मेजर एयरपोर्ट्स की परिभाषा थी, उसको सैक्शन 2 में चेंज किया गया है। जो 15 लाख का हमारा मानक था, उसको 35 लाख किया गया है। इस बिल के तहत जो अधिनियम बनेगा, उसमें इनको मेजर एयरपोर्ट्स माना जाएगा।

इसमें दूसरा संशोधन सैक्शन 3 के अंदर किया गया है। उसमें AERA अथॉरिटी को जो पावर्स थीं - डेवलपमेंट सर्विसेज़ से, एयरलाइन्स सर्विसेज़ से, पैसेंजर्स से जितने टैरिफ थे और डेवलपमेंट फीस थी, इतना huge network होने के बाद में, जो उसके लिमिटेड रिसोर्सेज़ हैं, उनमें संभव नहीं है कि वह अपने आप में इंडिपेंडेंट होकर उन टैरिफ का, सर्विसेज़ फीस का निर्धारण कर सके। माननीय नरेन्द्र मोदी जी का और सरकार का यह बिल्कुल स्पष्ट दृष्टिकोण है कि सरकार का निर्णय सर्वस्पर्शी होगा, समयावेशी होगा और उसमें पारदर्शिता रहेगी और पारदर्शिता के साथ में जवाबदेही भी रहेगी। आज उसी माध्यम से, आज जो वातावरण है, वह समयानुकूल और प्रासंगिक है। जिस तरह का एक अमेंडमेंट सैक्शन 3 में किया गया है और आने वाले समय में पीपी मोड के माध्यम से... क्योंकि मोदी जी ने कहा था कि हम देश के 125 करोड़ लोगों का, 130 करोड़ लोगों का सहयोग लेंगे। महोदय, मोदी जी ने कहा था कि हम देश के 130 करोड़ लोगों का internal सहयोग लेंगे और external सहयोग भी लेंगे। सबका सहयोग लेकर, सबका साथ और सबका विकास करने के साथ में, अगर हम investors को attract करना चाहते हैं और चाहते हैं कि देश का भी investor आए और विदेश का भी investor आए, तो विदेशी निवेशक के लिए यह जरूरी है कि उसे देश का वातावरण अच्छा मिले, देश की सरकार stable हो, उसकी नीतियां स्पष्ट हों, ताकि आने वाले को यह स्पष्ट मालूम हो कि मुझे क्या करना है और किन शर्तों पर काम करना है।

[श्री रामकुमार वर्मा]

महोदय, अब हमारे देश के हर क्षेत्र में PPP मॉडल के माध्यम से इन्वेस्टर्स आ रहे हैं, उसी अवधारणा को मजबूत करने के लिए और अधिक अच्छी सेवाएं देने के लिए सैक्शन 3 में अमेंडमेंट किया जा रहा है कि जो हमारे टैरिफ चार्जेज़ और सर्विस चार्जेज़ होंगे, वे प्रीडिक्टिर्मिन्ड होंगे और इसके बाद जब बिडिंग होगी, तो उसके तहत भी स्पष्टता रहेगी। हमारे कुछ मित्रों ने इसमें संदेह किया है। मैं उन्हें बताना चाहता हूँ कि पिछले पांच सालों में जिस प्रकार से देश का विकास हुआ है, उस पर बहुत सारे संदेह किए गए थे, लेकिन विगत पांच वर्षों में हमारे देश की economy का विश्व में जो 11वां स्थान था, वह अब छठे स्थान पर आ गई है। जब हम domestic civil aviation की बात करते हैं, तो हम देखते हैं कि हमारा देश, विश्व के सबसे बड़े domestic civil aviation में तीसरे नंबर पर है।

महोदय, जिस तरह की प्रतिबद्धता और कमिटमेंट के साथ, माननीय नरेन्द्र मोदी जी का नेतृत्व और उनकी यह सोच, जो देश के लिए समर्पित है, उसके अनुसार काम किया जा रहा है और जो स्टेप्स लिए जा रहे हैं, उन्हें देखते हुए, मैं समझता हूँ कि आगे आने वाले समय में हमारा देश बहुत ऊंचे स्थान पर जाएगा। इस बारे में किसी को कोई संदेह नहीं होना चाहिए।

महोदय, जो PPP मॉडल रखा गया है, उसकी बहुत सारी शर्तें हैं और वे बहुत ही स्पष्ट हैं। उन शर्तों के अनुसार जो PPP मॉडल आएगा, उसमें हमारी एयरपोर्ट अथॉरिटी का इन्वॉल्वमेंट रहेगा, उनके जो कर्मचारी और अधिकारी हैं, उन्हें एम्प्लॉयमेंट दिया जाएगा और डिप्लॉय किया जाएगा।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Please conclude... (*Time bell-rings*)... Please conclude..

**श्री रामकुमार वर्मा:** इसके साथ-साथ जो डेवलपर आएगा, वह अपनी व्यापारिक गतिविधि से आने वाले पैसे से बाद में डेवलप करते हुए और पैसेंजर के हित को ध्यान में रखते हुए अच्छा काम करेगा। इसलिए मैं समझता हूँ कि इस संशोधन से देश के एयरवेज़ और पैसेंजर्स, दोनों को प्रोटेक्शन मिलेगा और उससे लाभ होगा। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ, बहुत-बहुत धन्यवाद।

THE VICE-CHAIRMAN (SHRI T.K. RANGARAJAN): Next is Shri Harshvardhan. You have five minutes to speak.

SHRI HARSHVARDHAN SINGH DUNGARPUR (Rajasthan): Mr. Vice-Chairman, Sir, over the last few years, India has emerged as the third largest domestic aviation market in the world and the number of major airports has increased from 12 to 30 during the period 2007-2017. It may have increased by a few more now. Exponential growth of the sector has added tremendous pressure on the Authority. The private operators are entering the sector in the form of Public Private Partnership (PPP). For engaging private

partners in the infrastructure projects, several models are followed such as predetermined tariff or tariff based on bidding and the airport project is awarded to the concessionaire who offers the lowest tariff.

Sir, the major part of this Bill is to amend the definition of major airports and as the Minister rightly said that it is in excess of three and a half million instead of existing one and a half million. In one stroke, this takes 17 airports outside the AERA's purview, leaving it to administer 13. Sir, AERA is based in Delhi. The Government's explanation for this decision is to keep a lid on airport charges like parking and landing fees, ground-handling services, and so on. It is significant perhaps that this Cabinet decision marks the third attempt to introduce this Bill.

Sir, the airline claims that they cannot expand frequency of their flights due to severe slot constraints. So, that is one issue that has to be looked into. The GVK group was unable to provide more slots to the airlines and thus they could not increase their air frequencies. In an order in December, 2015, AERA proposed to slash Delhi Airport charges by a whopping 96.08 per cent. Accordingly, the User Development Fee would be cut to ₹ 10 for each departing domestic passenger. For international travellers, it would be ₹ 45 and arriving passengers would not be required to pay any fee. Another problem is litigation, which I am just going to mention.

(MR. DEPUTY CHAIRMAN *in the Chair*)

Sir, the Delhi Airport run by the GMR Group similarly challenged the order and got a stay. The case is still pending. The airport operators have moved tribunal challenging AERA's order. The airlines have similarly challenged AERA's orders multiple times. It has become a classic case of regulator proposing and the Government disposing. The operators say that the regulatory philosophy should be light-handed and in management, that facilitates development of airports. The regulator has to take steps to remove uncertainties in the tariff regulatory philosophy. The AERA Chief feels that the regulatory body has been slow to fix its house after being set up in 2009. However, the regulator feels that it is unfair to blame AERA for any loss of airport operator's revenue. The AERA Chief says that the regulator takes significant care to ensure that the airport operator is not short of money. The tariff is based on certain parameters and that takes into consideration expenses, assets, return, over-investment and taxes paid by the operators. Typically, airport charges are comparatively higher—this is a point to note—during the initial period of commencements of airports' operations. However, these charges get substantially reduced as the investment for development is recovered. Some aviation experts feel that the regulator will complicate things, and the airlines and the

[Shri Harshvardhan Singh Dungarpur]

air operators should be allowed to fix it between them. In many Western economies, the regulator plays a very limited role. That is also a point to note. Sir, Air India executives argue that the economies can do without regulation and it is not a monopoly situation. In a city like London, Gatwick and Heathrow compete to attract airlines because one city has two airports. This is not the case in Delhi or Mumbai, although, Delhi has got T-1, T-2 and T-3. Sir, I would like to suggest a few things to the hon. Minister that we need to upgrade Goa and Jaipur airports. My friend, Hariprasadji has said about various Karnataka airports, but we need to start Mysore airport also. It is very important to start Mysore airport. I think the loss in Air India is much larger than private airlines, as was there in the previous Governments, yours and ours.

MR. DEPUTY CHAIRMAN: Now, the hon. Minister.

SHRI HARDEEP SINGH PURI: Sir, I would like to start by thanking all the hon. Members who have taken the floor. Eighteen of them have spoken and I want to thank each one of them for what has clearly been a very rich contribution by the hon. Members. I will make an attempt to respond to each of the points that the hon. Members have raised, but before I do that, I just want to make one or two general observations. Sitting through this debate and profiting from every word that was uttered, I sometimes wonder whether we were addressing the same civil aviation sector because one of my learned friends, in fact, referred to our civil aviation sector in terms of air turbulence. He said that it is characterised by clear air turbulence—I am trying to find the exact quote, he said, something to the effect that the Emperor has no clothes on. I would just submit, Sir, through you that we have the third largest civil aviation sector in the world today. I also want to submit that it is one of the fastest growing sectors.

Now, the reference to the ‘Emperor’ may well have been to the ‘Maharaja’ because that was a preoccupation with many of the comments which were made. And you know, Air India, apart from being the flag carrier, has for many of us, specially people like me, who have grown up, having to represent the country, the ‘Maharaja’ was the sentiment, the symbol, the pride of India. But, the fact of the matter is, and this is, what I need to drive home, all of us want to ensure that the ‘Maharaja’ and what accompanies the ‘Maharaja’ as a echo system in terms of the flag carrier, which is, Air India, should remain in Indian hands. But equally, I submit this as a point, which needs consideration, today, at the end of the financial year 2018-19, which concluded on 31st March, 2019, the provisional figures I have for Air India’s operating profits/loss will be something to the



tune of ₹ 7, 330 crores. I am awaiting the audited figures. But, I am sure that the audited figures will reflect that. Now, if an Airline has run up something like ₹ 70,000 crore as a cumulative loss, not because it is not a viable Airline; it is, in fact, a first class asset. It has 125 planes; it flies to forty international destinations; it flies to eighty domestic destinations. It has very well qualified and professional people servicing the Airline, but, why have we reached this situation? I would think that those of my friends from the Opposition Benches who have commented, might like to reflect on what happened. It is because the Airline has come to incur an unsustainable debt burden. Now, if you are running a loss of ₹ 20 crores or ₹ 25 crores or ₹ 30 crores a day, you would need to ask yourself a question, divorced from whether you are for the public sector or the private sector. Left to myself, I would all be interested entirely in supporting the public sector. But, the question arises, is the Government equipped to run an entity, like Air India, where operational decisions on a day to day basis have to be taken on the spot? If you are going to be tied down in terms of inviting tenders, in terms of going for L1, etc., then, you end up in the situation in which we have ended up, inherited from many years of governance of Air India, provided by my distinguished colleagues and their party, which have taken the floor today, and who have enlightened us. And I would like to have that debate sometime as to who is exactly responsible for this situation that we are in. My situation, very frankly, is that when we approach any of these issues, let us take the ideological view whether we are for privatization, or whether, we are for the public sector; I think, we owe a duty to the citizens of India to whom we have to provide efficient and reliable services at low cost. This brings me to another issue in the narrative. Many of my distinguished colleagues have said, and they have been creating and contributing to what I think, is a forged narrative. Air fares have gone up; there is turbulence in the sky; things have come to a stop. Where? After April 2019, when a large airline company ceased operations, you named that company, I would normally not, we had 540 planes in the air. Today, as we speak, we have close to 580 planes in air, and I am sure, we are heading in the direction of not 600, but 1000. Air fares have come down. They have not gone up. I do not know which fares we are quoting. Let me tell you something. It is not something for which I claim credit. I was delighted when my distinguished friend and colleague, Shri Suresh Prabhu spoke. This Bill was conceived when he was the Minister. This Bill we tried to bring into Parliament some time, I think, in July 2018. I have had the privilege of being associated with the Civil Aviation Ministry only for a few weeks. But, this Bill is entirely necessary. References have been made to ‘Udan’. ‘Udan’ is a demand-driven scheme. The Government is very proud. Under Modi ji’s leadership, we have operationalised 174 Udan routes. And UDAN becomes

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operational because the State Government, the Central Government and all other agencies put something on the table, but how will the State Government and the Central Government put something on the table if you don't have a system of cross-subsidization provided by private-public partnership? So, we have a situation where some of my hon. Members would want us to go on financing loss-making entities, and at the same time, providing resources for connecting unserved and underserved airports. If we were in an ideal situation in which there is no limitation or scarcity of resources, something which is utopia, I think, it would be doable, but in a country where you have to provide for every development scheme, you ask yourself the question, 'which part requires subsidization and which part should be allowed to operate according to market forces?' Let me come to some specific comments which were made. Shri Vivek Tankha also spoke. First of all, I would like to place the facts squarely before you. After the amendment, 16 airports will still be under the jurisdiction of AERA. Tariff fixation, etc. of airports, which will not be major airports, will not be privatised straightaway. So, there is a fundamental misunderstanding that if there is something going out of AERA it immediately gets privatised. Not at all. These are separate processes. AERA which has one Chairman, two members and a few limited staff will be allowed, after the 16 airports have been taken out of AERA, to concentrate on the ones where they need to, where the passenger throughput is 3.5 million passengers per annum. All the other airports which would not be major airports will continue to be looked after, for these purposes, by the Ministry of Civil Aviation and the Government of India and it will not be private operators who will decide. It will be the Ministry of Civil Aviation which will decide. Now, in so far as privatisation of airports is concerned, I want to submit the experience we have had of late. Earlier, we were inviting bids for privatisation where the bidding was confined to those who had previous experience. So, what happened in a few cases, I think in eight or nine, you had the same two bidders coming up repeatedly. When you remove that limit, today for the last six airports, three of which we are going ahead with, Mr. Deputy Chairman, you found that the number of bidders has increased substantially, and in the last six bids, in respect of the persons who will be operating the airports, the final decisions have not been taken even though some business entities were named, —in three we have decided—they will pay upfront to the Airports Authority ₹ 2330 crores, if my memory serves me right, and it would be linked. This is a much more scientific way of bidding where the tariffs, the contribution of bid will be determined on the basis of the number of passengers, which does not lend itself to fudging. In the earlier system of gross revenue, you have a gross revenue figure and then you build in all kinds of

other costs in that and that is what has led to some litigation about which an hon. Member mentioned. Shri Mahesh Poddar mentioned that the pre-determined tax is indexed to the cost of CPI and WPI and so the problem of inflation would be addressed through that process. Shri Gokulakrishnan also spoke. First of all, there is a fundamental point which needs to be submitted and I say this not only to the hon. Members but also to others who have spoken on this. Airlines are already in the private sector, with the exception of Air India. Jet Airways, which was a profitable entity up to a point of time, made a lot of money and then it suddenly started losing. It produces its own business plan. My good friend and distinguished Member, Shri Sanjay Singh, said that Jet Airways ceased its operations, several members of its staff committed suicide, what has the Government done. Sir, I have a fundamental question. Any business operation run in the private sector produces its own business plans. We are sensitive to failure. We are willing to see what can be done within the Governmental system to cushion that failure. But, to suggest that a private sector entity goes belly-up and the Government has to take the responsibility, I don't think that is correct. What we are doing and that is what I want to place on record. Sir, we are in touch with all the other private airline operators –SpiceJet, IndiGo, etc., –and we are suggesting to them that the surplus staff of the erstwhile Jet Airways, in case Jet Airways is not revived after the NCLT process, be taken on board. And, Sir, I am very happy to report, through you, to the hon. Member, hundreds of employees have been taken on the rolls of other operating airlines. We are also producing a website which is ready. I wish I had the capacity of telling you the website is up, every employee would be listed there and the prospects for their re-employment or employment in other entities will be facilitated by the Government. Having said that, I want to reiterate, the Government cannot assume the responsibility for a business failure conducted by a private party.

Sir, now, I come back to the related issues. When we are talking in terms of –this is in reference to Shri Amar Patnaik; I am delighted to see him here; last I interacted with him when I was in New York and he was auditing some of our peacekeeping operations mandated by the UN –differential structure for different airports after passing of this Bill and how conflict of interest would be addressed. Sir, the Ministry of Civil Aviation determines tariffs of all non-major airports, AAI and private airports. So, there is no conflict of interest. The AERA will now deal with only those airports which have the passenger capacity of 3.5 million per annum. The rest, as we go along, will be determined by the AAI, and if we feel that there is need for private capital to come into some of the larger airports. Believe me, if you open up all the airports to privatization, you would not get bids. The private sector will come in for investing only where they see a return.

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But, that is where we have to step in. We have to ensure that the bidding is done in such a manner that the beneficiary is, ultimately, the Indian citizen who is the flier and the State gets resources which can then be utilized for cross subsidization to the UDAN Scheme where it is the question of connectivity and connecting 100 un-served and under-served airports, helipads and waterports.

Shri Amar Patnaik whom I referred to just now –I had my previous association with him –also drew my attention to a letter of the hon. Chief Minister of Odisha asking for a Bhubaneswar-Dubai flight. Well, my colleagues have just reminded me that presently Bhubaneswar has flights to Kuala Lumpur where Air Asia and Berhad have four services a week. It has a flight to Dongwang where Thai and Air Asia have three services a week. Insofar as, Bhubaneswar-Dubai is concerned, in term of our civil aviation arrangement, any Indian carrier can mount a flight any day, because they have surplus capacity on the Middle East sector. I would be happy to say that this is going to be the lines of my reply to hon. Chief Minister. But, since you have asked this question here, I am giving you an indication on the lines on which I am going to reply.

Sir, a question was asked by Shri Ram Chandra Prasad Singh about the new terminal building and expansion of the existing terminal building in Patna to overcome the situation at Patna. Sir, Patna is one of those airports where, I believe, the existing airport cannot be expanded. We are in the process now to finalize this. We are expanding the terminal. ...*(Interruptions)*... I am a new Minister. I apologize. I am turning briefly to where some of the raw data is coming from. I thank you for checking me. I should try not to do it. Insofar as Bihta Airport is concerned, I have already written a letter to the hon. Member indicating the precise timeline within which we will be able to get the expansion of terminal building in Patna done. Equally, for the Bihta Airport, we have also developed it along with the IAF so that it can jointly be used.

Sir, I have a large number of other points. But, I might perhaps be better off in responding to the individual points individually to the hon. Members later on. But, I again want to come back, for a minute, to the UDAN Scheme. The attempt here is to make all-out efforts to link the non-functional airports –the hundred un-served and under-served strips that we have in tier-II and tier-III cities. Most of these will serve a developmental purpose. I don't want to get into a debate whether we should underestimate a person who wears *hawai chappal*. I have an experience that the looks and the kind of clothes people wear are extremely deceptive. I don't want to get into all that. But,

the point is, the common man, the people who need to be able to travel from areas which are under-served, will be benefitted by the UDAN Scheme, which will link those one hundred un-served and under-served airports. It is precisely achieving that objective.

I come back, once again, to loss-making. A reference was made as to why airlines lose. Well, it is a very interesting situation, Mr. Deputy Chairman, Sir. Airlines pay something like 35 to 40 per cent on Aviation Turbine Fuel. They also pay very high on other taxes. We are in the process of trying to correct that. But, this is an issue. If it has to be covered by the GST, which has to be covered, a decision has to be taken by the GST Council. I would urge all Members—who are committed to bringing down civil aviation cost—that they should ask their States, especially the Finance Ministers of the non-BJP States, to support this when we try and bring it up in the GST Council. I don't know when we are going to be ready for that. Secondly, we have a situation in which the OEMs, the original equipment manufacturers, are making money; airports are doing well, but all the airlines are operating on a very thin margin.

I was referring to airfares earlier. And, I had an occasion to mention this during a response to a Starred Question in Parliament. Airfares on Delhi-Mumbai sector have not gone up during the last twenty years. It used to be ₹ 5,100/-, as a high average fare. And, it is same today. I think, all airlines, the Government, and the regulator, should be committed, as I believe they are, to ensuring affordable, reliable, and secure services are made available to the consumer. And, I think, we are succeeding.

I want to conclude with one overall comment. We are a third-largest aviation market in the world. We are one of the fastest growing economies. And, as we transition from a 2.8 trillion US dollar economy to a five trillion US dollar economy, with a seventeen per cent growth rate and only seven per cent penetration, it is only a matter of time before the six hundred aircraft in the Indian skies will become one thousand and two thousand because the demand for that sector is there. This Bill, by changing the definition of 'Major Airport' from 1.5 million to 3.5 million, merely seeks to reflect the change that has already come about in the civil aviation market. Secondly, dissection on privatisation is already going on. We are merely trying to say that, in future, if any privatisation takes place, the AERA or the non-AERA parts of it will not be burdened by tariff in privatised airports because the bidder will have to bid on the basis of what it can offer for that bid itself, which will be revenue to the Government that will provide resources which can be used for cross-subsidisation to UDAN and other schemes. Thank you very much, Sir.



PROF. MANOJ KUMAR JHA: Sir, just a minute.

MR. DEPUTY CHAIRMAN: Okay. But, please be brief.

**प्रो. मनोज कुमार झा:** माननीय उपसभापति महोदय, जिस बात का पूरे फसाने में जिक्र न था, वही बात उन्हें नागवार गुजरी है। Sir, I had said in context of the Kingfisher Airlines that the king of good times has become emperor without clothes. I was nowhere attributing it to the Government policies or whatever it is with regard to the aviation sector. Thank you, Sir.

**श्री सुरेन्द्र सिंह नागर:** माननीय उपसभापति जी, जेट एयरलाइन्स वाला जो सवाल आया, मैं उस संबंध में यह जानना चाहता हूँ कि क्या जेट एयरलाइन्स के लिए कोई resolution plan गवर्नमेंट को दिया गया था? जो उनके लेंडर्स हैं एसबीआई और बोर्ड ऑफ डायरेक्टर्स, Board of Etihad और जेट के जो बोर्ड ऑफ डायरेक्टर्स हैं, उन्होंने गवर्नमेंट को कोई resolution plan दिया था? इसके साथ ही मैं यह भी जानना चाहता हूँ कि जो जेट के प्लेन्स हैं, उनको de-register किया गया और उसके बाद कुछ लोगों को लाभ देने के लिए उन्हीं प्लेन्स को इंडिया में register कर दिया गया, ऐसा क्यों?

SHRI B.K. HARIPRASAD: Sir, I have a specific point. I had mentioned about the airfare between Bengaluru and Mangalore. As has been rightly pointed out by the Minister, between Delhi and Mumbai, the airfare may be ₹ 6,000/-, but, the airfare between Bengaluru and Mangaluru, it is almost ₹ 35,000/- or ₹ 40,000/-. This is the clarification I seek from the hon. Minister.

**श्री संजय सिंह:** सर, माननीय मंत्री जी ने कहा कि उनको जेट एयरवेज़ के employees की चिंता है। पहले तो मैं बता दूँ कि 6 महीने हो चुके हैं, लेकिन अभी तक वे सारे employees किसी भी एयरलाइन्स में नहीं रखे गए। दूसरी तरफ जो कुछ employees को रखने की बात कह रहे हैं, उसमें दिक्कत यह आ रही है कि पहले वे लोग जिस तनखाह पर काम करते थे, जिस सैलेरी पर काम करते थे, वह तनखाह या सैलेरी उनको दूसरी एयरलाइन्स में नहीं मिल रही है। कहीं यह उनकी पीड़ा है, कृपया आप उसको address करें।

SHRI SUKHENDU SEKHAR RAY (West Bengal): Sir, I have a point of order.

MR. DEPUTY CHAIRMAN: No, no. Please, let me move to other Bill.

SHRI SUKHENDU SEKHAR RAY: One minute, Sir.

MR. DEPUTY CHAIRMAN: Please.

SHRI SUKHENDU SEKHAR RAY: I understand that he is a new Minister. He has mentioned about the GST Council. All right. But, he has mentioned about the non-BJP

States. A Minister should not distinguish States as BJP and non-BJP States. That should be expunged from the record.

MR. DEPUTY CHAIRMAN: Thank you. We will see. Now, the question is:...  
(Interruptions)...

SHRIMATI VIJILA SATHYANANTH (Tamil Nadu): Under UDAN Scheme, in Tamil Nadu, already two places have been chosen, one in Hosur and another in Ramanathapuram. I would like to know from the hon. Minister whether the work will be taken up as early as possible.

श्री उपसभापति: माननीय मंत्री जी इस पर बोल चुके हैं, अगर वे कुछ कहना चाहें, तो ठीक है, नहीं तो we will move further.

The question is:

“That the Bill to amend the Airports Economic Regulatory Authority of India Act, 2008, be taken into consideration.”

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI HARDEEP SINGH PURI: Sir, I move:

That the Bill be passed.

*The question was put and the motion was adopted.*

SHRI JAIRAM RAMESH (Karnataka): Sir, we have been overeducated on the civil aviation sector today by both the former Minister and the current Minister and we thank them for it. However, I want to say that this is the first regulatory body that is introducing a distinction. All regulatory bodies exist to regulate privatisation and competition. This is the first regulatory body which is saying that there is a threshold below which there will be no regulation. I just want the House to know that this is the first such Bill that we are passing.

MR. DEPUTY CHAIRMAN: Thank you, Jairam Rameshji.

Now, we move to the Central Universities (Amendment) Bill, 2019.