

- (i) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Vote on Account) B II, 1997 which was passed by the Lok Sabha at its sitting held on the 10th March, 1997 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.
- (ii) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (No. 2) Bill, 1997 which was passed by the Lok Sabha at its sitting held on the 20th March, 1997 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.
- (iii) In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation Bill, 1997 which was passed by the Lok Sabha at its sitting held on the 20th March, 1997 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.
- (iv) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 21st March, 1997 agreed without any amendment to the Reserve Bank of India (Amendment) Bill, 1997 which was passed by the Lok Sabha at its sitting held on the 20th March, 1997."

18.02 hrs.

RE : AQUACULTURE AUTHORITY BILL

[English]

THE MINISTER OF AGRICULTURE (EXCLUDING THE DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING) (SHRI CHATURANAN MISHRA) : Sir, the

Supreme Court has today stayed its order to demolish aquaculture farms etc. In view of that, I have informed the House and I am telling it again that I do not want to proceed with the consideration stage of the Bill. If a situation arises then we can think of it. We are giving enough time to the Supreme Court and we will see how they manage it.

SHRI RAM NAIK (Mumbai North) : Sir, I have got the details of the Judgement of the Supreme Court, and the Supreme Court has given the stay up to 30th April only. If the Bill cannot be passed, then, according to me, the Bill can be sent to a Select Committee. I will tell you why. The Rajya Sabha has passed it. If we send the Bill to a Select Committee, and accordingly I have given a Resolution also, then the Select Committee can scrutinise this Bill in detail and report back to the House in the first week of the next Session. So, the scrutiny of the Bill can be completed and if the Committee can apply its mind, it would be better. Otherwise, if it is not done, what will happen is—10th is the last date—that we have to consider it in a hurry. So, in order to avoid any hurry, if we appoint a Select Committee, that Select Committee can go through the Bill in the recess and report back to Parliament. That way, the Bill can be complete in all respects and it will be easy for the House also to pass it. The time which has been given by the Supreme Court should be utilised by us and do a perfect job. For doing that perfect job we should constitute a Select Committee.

Sir, Select Committee can also be of one House only. It can not be a Joint Select Committee in this case because the Rajya Sabha has already passed the Bill. If we have a Select Committee comprising the Members of Lok Sabha from the coastal States, then we can go through different States, study the problem, have a proper deliberation and we can come with the report in the first week of the next Session. That should be done. Accordingly, Sir, I have submitted the Resolution, and I appeal to the Government that if such a Committee is constituted, it will help because along with the aquaculture problem, there is also the serious problem of the traditional fishermen. The traditional fishermen have started opposing these aquaculture farms. Both these things have to be considered in an integrated way. The traditional fishermen have started their agitation. Earlier, the House could deliberate and we could unanimously arrive at the deep sea fishing policy last year. Similarly, on this aquaculture also, we can do the same thing.

MR. SPEAKER : I think you have made your point.

SHRI RAM NAIK : That is why, I suggest that

Committee should be constituted.

SHRI SURESH PRABHU (Rajapur) : Sir, I support the Resolution of Shri Ram Naik because when we are going through the Bill, there are several lacunae that we have found. Since we belong to the coastal State, we know the interests of the farmers, which need to be protected. At the same time, we should also have a *via media* between the interests of the farmers and the traditional fisherman.

Such a policy has to be evolved only after consultation with the people whose life is to be affected. So a Select Committee of this nature consisting of MPs from coastal areas would be really desirable.

SHRI JASWANT SINGH (Chittorgarh) : I do not want to go into the merits and demerits of the proposal except to point out that there exists even a precedence. The other House passed the Delimitation Commission Bill without any change. It came to us. There were objections raised in this House about the contents of that Bill. A Select Committee was appointed only of this House. That Select Committee deliberated on the delimitation matter and its report is pending. So, there is a precedent. If it satisfies all sections of the House, it would be a worthwhile course.

SHRI G.M. BANATWALLA : I will not take much time. I have only to say that appointment of a Select Committee at this stage is not proper and it will be unjust to the other House, I will explain. The other House today passed the Bill under an impression of an urgency. They did not know about the court's stay order, as far as I think, and in a state of urgency, they passed it . . . (Interruptions) Let me complete. Whenever I get up, you also get up. Please allow me to make my submission. I do not yield like this. You also get up. Please allow me to make my submission. I do not yield like this. You may say when your turn comes.

SHRI RAM NAIK : Supreme Court has given its judgement today

SHRI G.M. BANATWALLA : Yes, I know it. I know all that and I say that in a state of emergency, the other House passed the Bill and thereafter the stay order of the Supreme Court has come. Now for us to take advantage of this and then to form only a Select Committee of this House will, therefore, not be just and fair to the other House.

I have another suggestion to make. Let us not go for this formal Select Committee. I have an appeal to make to the hon. Minister to utilise the Interim period that we

are having by forming a Committee, a Committee of MPs from both the Houses, specially from the coastal area, to study the whole situation and to come forward with a report, but not a Select Committee as such. Let us not ignore the other House which has acted very rightly in a state of emergency. An informal committee can be put up by hon. Minister, of MPs from both the Houses, specially of coastal areas and we can benefit by their report.

SHRI SONTOSH MOHAN DEV (Silcher) : An all Party meeting was called. All of us went there. It was said at that time that the urgency is there so pass it. Irrespective of party, everybody has accepted it. Now a new dimension has come from Supreme Court. That may stall it for a temporary period. If you send it to the Select Committee, what messages come from it ? Without preparation, we are passing the Bill. This will not be a good thing. What point Shri Ram Naik has made ? He has also a point that we are meeting on 21st and the target date is 30th. So, we also appeal to the Government, we agree here in this House, that it should come before 31st in this House, if any situation arises in the Supreme Court. But let us not send it to the Select Committee. In future, Rajya Sabha would say "First you decide and then you come to us." Our party members have agitated. We said 'No.' We have accepted in a meeting which was called by the Parliamentary Affairs Minister. We should go by that. My position is becoming awkward there. Please do not go to that extent. Kindly keep it as he has asked not to omit it. He is a very senior and a very good Minister of CPI.

MR. SPEAKER : I agree with you.

SHRI CHATURANAN MISHRA : I do not want to anticipate what the Supreme Court will do. What they have done is sufficient for me, not to ask for passing this Bill immediately. They have stayed their own Order. It is quite good. Now, the farms will not be demolished. After 30th, whatever their judgement may be, if it will be necessary to come before this House, I will certainly come before this House. In the meantime, I am ready to accept this and I will call Members of Parliament who are interested in this to form a Committee and discuss in detail. But details can be discussed only after their judgement.

Suppose they themselves decide something . . . (Interruptions) If it is all favourable, they also go ahead with it. They have now understood the spirit of the house. We too have to respect them very much. They are wisemen. They will decide it accordingly. Therefore, there is no necessity of a Select Committee. . . (Interruptions)

SHRI RAM NAIK : Sir, I just take a minute because I am very much involved in this issue. I have already said that the traditional fishermen are opposing the Acquaculture. This would be coming in conflict with their interests. So, in order to see that the conflict should not be there, a Committee of the House will be better to go into this problem. Otherwise, they have already started agitation led by Shri Thomas Kochery. The National Fisherme's Forum have already started the agitation. . . .(Interruptions)

SHRI N.K. PREMCHANDRAN (Quilon) : That is not the point. There is no problem. . . .(Interruptions)

SHRI RAM NAIK : Sir, my point is this. Kindly appoint a Committee. Let us go through the problem.

SHRI CHATURANAN MISHRA : I will take you in a Committee, if I form it. But I am not in favour of the House Committee because then the question of procedure, notification etc. will arise. All these take time. . . .(Interruptions)

MR. SPEAKER : The hon. Minister says that he would call a meeting of the Members of Parliament for an informal discussion. In case any Member of Parliament feels that some changes are needed, he can give the suggestions. I would even go further to say that you can send your suggestions in writing. Shri Ram Naik, for everything we need not go for a Select Committee. I have some other problems in having so many Committees like accommodation and so on and so forth.

Mr. Minister, if the hon. Members of Parliament want to give some suggestions, you can invite them for a discussion.

SHRI CHATURANAN MISHRA : They are very much welcome. I have already said about it.

MR. SPEAKER : Thank you.

[English]

MR. SPEAKER : Now, we have two Bills to be passed. I know some hon. Members of Parliament have booked their tickets to catch the evening flight. I think these are not very controversial Bills also. Everybody has unanimity of opinion on this. We have discussed them sufficiently. We can put the Bill to the vote of the House.

SHRI SONTOSH MOHAN DEV (Silchar) : Sir, Shri Ramoowalia has not requested us. . . .(Interruptions)

18.13 hrs.

STATUTORY RESOLUTION RE : DISAPPROVAL
OF PORT LAWS (AMENDMENT) ORDINANCE

AND

PORT LAWS (AMENDMENT) BILL – CONTD.

MR. SPEAKER : Mr. Minister, you can reply now. Please be very short.

SHRI P.M. SAYEED (Lakshadweep) : Sir, amendments are there.

MR. SPEAKER : I will take up the amendments later as we go step by step.

(Interruptions)

SHRI G.M. BANATWALLA (Ponnani) : Sir, I thought that you were giving a direction to Members to take the flight. . . .(Interruptions)

THE MINISTER OF SURFACE TRANSPORT (SHRI T.G. VENKATRAMAN) : Sir, only three Members have spoken so far.

MR. SPEAKER : You reply. Give a short reply.

SHRI T.G. VENKATRAMAN : Sir, at the outset, I would like to state that though I want to give the reply point by point, I will be brief as you desired. I have already submitted that it is not a controversial Bill. All the hon. Members who have spoken on it have supported it. But they said that they are not amenable to the practice of issuing Ordinances. Apart from that, there is no other legal implication or any objection in this regard. Therefore, request the hon. Members to withdraw the Statutory Resolution and pass the Bill.

MR. SPEAKER : Shri Nitish Kumar—not present.

Prof. Rasa Singh Rawat.

PROF. RASA SINGH RAWAT (Ajmer) : Sir, Shri Nitish Kumar has already spoken on this subject.

MR. SPEAKER : The question is :

“That this House disapproves of the Port Laws (Amendment) Ordinance, 1997 (No. 1 of 1997) promulgated by the President on January 9, 1997.

The motion was negatived

MR. SPEAKER : The question is