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Title: Discussion on the motion for consideration of the Merchant Shipping (Amendment) Bill, 2014, as passed by Rajya Sabha and Merchant Shipping (Second Amendment) Bill, 2014 as passed by Rajya Sabha (Motion Adopted and Bill Passed).

HON. CHAIRPERSON : Now, we will go to the second Supplementary List of Business. Item No. 14A and 14B may be taken together.

1612 hours

THE MINISTER OF ROAD TRANSPORT AND HIGHWAYS AND MINISTER OF SHIPPING (SHRI NITIN GADKARI): Sir, I beg to move:

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by Rajya Sabha, be taken into consideration."

and

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by Rajya Sabha, be taken into consideration."

16.13 hrs

(Dr. Ratna De (Nag) *in the Chair*)

माननीय सभापति महोदया, इंटरनेशनल स्टैंडर्ड्स के हिसाब से मर्चेंट शिपिंग अमेंडमेंट बिल की जो आर्गेनाइजेशन थी, उन्होंने जो स्टैंडर्ड्स निश्चित किये, उसके अनुसार यह सैंकिड अमेंडमेंट में आज इस सदन के सामने रख रहा हूँ। इस बिल के द्वारा हमारे यहां जो पांच हजार टन के ऊपर के जहाज हैं, उसमें जो हल होता है, उस पर केमिकल पेंट लगाते हैं। उसे एंटी फालिंग सिस्टम कहा जाता है। इसके लिए एंटी फालिंग सिस्टम कन्वेंशन, 2001 में इंटरनेशनल मैरीटाइम आर्गेनाइजेशन ने इसके स्टैंडर्ड्स निश्चित किये। इसका मेन बेनीफिट यह है 'to protect the environment, marine life and food chain.' क्योंकि, जो पेंट लगाते थे, उसमें केमिकल के कारण हमारा एन्वायर्नमेंट के लिए भी एक डेंजरस स्थिति आती थी और मैरिन लाइफ भी समाप्त होने की संभावना है। इसलिए यह जो पेंट है, जिसके बारे में एंटी फालिंग सिस्टम में लिखा गया है, इससे हम इन बातों को प्रोटेक्ट कर सकेंगे। ये हार्मफुल केमिकल्स, पेंट्स हैं, वे केवल शिप के नीचे वाले पार्ट्स में लगेंगे। उसके कारण शिप में स्पीड भी बढ़ेगी और फ्यूल कन्जम्पशन भी कम होगा। उसका एक एडवांटेज यह है कि इसके कारण मेनटेनेंस कास्ट भी कम होगी और एन्वायर्नमेंट भी प्रोटेक्ट होगा, क्योंकि उसकी स्पीड मेनटेन होगी। हमने यह केवल कॉमर्शियल वेसल्स के लिए एलाऊ किया है। जो फिशिंग वेसल्स, नेवल वेसल्स, इंडियन वेसल्स है, less than 400 gross tons उनका जो वजन है, उन पर यह लागू नहीं है, इसलिए आलरेडी यह पार्लियामेंट की स्टैंडिंग कमेटी के पास आया था। उन्होंने रिक्मेंडेशन्स दी है, उसके आधार पर ही यह बिल आया है।

दूसरा बिल हमारे काम करने वाले सीमन, सीफेयरर्स (seamen, seafarers) हैं, उनके संबंध में है। ये प्रो लेबर हैं। इसमें शिपिंग इंडस्ट्री और सीफेयरर, दोनों ने इसका सपोर्ट किया है। ये कोडीफाइड राइट्स हैं, जिसमें वर्किंग कंडीशंस हैं, उनका प्रोटेक्शन है, फेयर टर्म्स ऑफ इम्प्लायमेंट है। शिप के ऊपर डिसेंट वर्किंग एंड लिविंग कंडीशन्स हैं। हेल्थ एंड मेडिकल सर्विसेज के बारे में लिखा गया है। सोशल प्रोटेक्शन है और उनके अधिकारों की एक प्रकार से यह रक्षा है। इंटरनेशनल लैवल पर आई.एल.ओ. आर्गेनाइजेशन ने इंटरनेशनल नियम तैयार किए हैं जो विशेष रूप से इसके अधिकार के बारे में हैं। ये दोनों बिल पार्लियामेंट की स्टैंडिंग कमेटी की रिक्मेंडेशन्स के आधार पर आए हैं। मैं माननीय सदस्यों से प्रार्थना करता हूँ कि इसे मंजूर करें। धन्यवाद।

HON. CHAIRPERSON : Motions moved:

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by Rajya Sabha, be taken into consideration. "

and

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by Rajya Sabha, be taken into consideration."

DR. SHASHI THAROOR (THIRUVANANTHAPURAM): I must say it is a privilege to be able to address this issue, representing, as I do, a constituency with a very long history of seafaring, Thiruvananthapuram. Indeed, a port we have just south of the main city, Vizhinjam has been a port in Roman times. If you look at old Latin maps, you will find Vizhinjam mentioned there from 2000 years ago, and therefore, this seafaring tradition, which we are trying to revive with the help and cooperation of the Shipping Minister, in Thiruvananthapuram is, what impels me to welcome this particular Merchant Shipping Bill.

I do want to point out, of course, that the UPA had come up with this Bill in the year 2013. We had actually brought both Bills, the first one in March of 2013 to the Rajya Sabha, and the second one, the Merchant Shipping (Second Amendment) Bill, in August, 2013. At the request of the current Government, it was referred to the Committee. The Committee has come up with some suggestions, and I welcome the fact that the Government has now put them forward for adoption here in the Lok Sabha, as it was already adopted in the Rajya Sabha.

I think the first Amendment Bill, the principal one, frankly requires very little debate. We all agree with Gadkari Ji that the anti-fouling measures that are required are indispensable to modern shipping. We are now much more conscious of the marine environment than we used to be in the old days, and therefore, there was no reference to these concerns in the Merchant Shipping Act of 1958. But today we should indeed respect the importance of these provisions.

I have only two small comments to make, which I hope the Minister will take into account. One is the lack of a sufficient grievance redressal mechanism when you take certain steps against ships, that may be deemed to be not fully in conformity with the Act. The concern I have is, for example, how do we ensure-- for example, if a ship is detained, which in the shipping business costs people a great deal of money--that they could have a quick and expeditious consideration of their case in a grievance redressal mechanism? That does not seem to have been specified in the Bill. Frankly, I think it should have been specified in the Bill, and I would urge the Minister to give that some thought.

The other point is that both Bills should, of course, be applicable to foreign vessels in Indian waters. There is a great deal of detail that has gone in to describing the conditions of Indian vessels but the concern I have is that there are a number of foreign vessels that come to our waters and we should not assume that all of them will necessarily be adhering to the International Maritime Organization's Conventions. So, it is essential for us to ensure that once they enter our waters, our legislation applies to them. I will give you one very good example. You may have a lot of ships from developed countries coming in but there are lots of ships flying what are called flags of convenience, the flags of Liberia or Panama or whatever it is. Are those countries signatory to the same standards? Will they uphold the standards that we are now expecting Indian vessels to uphold? If not, will the Government please ensure that something is done to ensure not only that they come under the ambit of the Act but that any transgression by them is adequately punished? There are penalties which should be sufficiently high to have a deterrent effect on foreign vessels conducting any abuse in our waters. I would urge the Government to pay some attention to that point.

Otherwise, I would say that the UPA would have no particular difficulty with this Bill, which we stood behind last year. The second (Amendment) Bill requires a little more consideration. I mentioned the foreign vessels in Indian waters. In the Second (Amendment) Bill, it is not made explicit that the applicability of the Bill which has specified very clearly, 'ships which navigate exclusively in inland waters, fishing vessels, traditionally built ships like dhows and junks and warships are all exempt.' It does not say anything one way or the other about foreign vessels. I think it would be better to make it explicit. Of course, you may not need to amend the Act for this. The rules that you issue on the applicability of the provisions, coming out of the Director-General of Shipping, might be quite adequate to make this very clear.

Similarly, I think there is nothing in the Bill about some rare cases of non-commercial vessels, which are also non-Government vessels. There may be a ship, for example, that becomes a floating hospital in case of some calamity somewhere. How do these laws apply to it? It may not be a Government ship; it may not be at the same time a commercial venture. There should be something specified as to the applicability of this Act in such cases.

I welcome the respect given to the seafaring community by the addition of the term 'seafarer'. Any person employed on a sea going ship except warships would be called a seafarer henceforth. That is a very good term. We in Kerala often refer to them as '*Kadallude Makkal*,' children of the sea. I think that is the way we think of them. They go out traditionally in ships to fish and bring back there the riches of the sea to their families and, of course, to the residents of the State. Therefore, there is an entire tradition of sea-going and seafaring. I am very glad that the term has been recognised in the Bill.

I do want to come back to the specific provisions of the Bill. The dispute resolution element allows the Shipping Master to settle disputes between seafarers and their employers. The original Act of 1958 said, "They can do this if the disputed amount does not exceed Rs.5000". Obviously, that is an absurd amount today. So, I agree entirely with the Shipping Minister and his decision to raise the upper limit to Rs.5 lakh and even Rs.10 lakh at the instance of any party to the dispute. But, I should say that this is not enough, Mr. Minister. Gadkari *Sahab*, I think you should build in a periodic review of this amount so that you do not have to keep coming back to Parliament to amend the Act. Every time that inflation makes these amounts look unrealistic, the Act should not have to be amended. If you build in a committee, for example, that does a periodic review every two years or three years of these amounts, you would not need to amend the Act each time in order to proceed on this.

Finally, Madam Chairperson, we have noticed that the Bill specifically does one thing which is I think a half step towards the right thing. It allows the minimum age for a child to be employed as an apprentice on a ship to be raised from 15 to 16 and it also ends the gender inequality we had because the old Act had implied that only boys could be engaged, now girls can also be engaged. We should recognize it because, of course, there in today's world just as India has been proud to produce amongst the first female pilots in the world and female achievers in various fields, we can have female seafarers as well. I see no problem with that. But, my curiosity about this is that you have gone ahead Mr. Minister and talked about conformity with international standards, the International Labour Conventions and the Maritime Labour Conventions. What about the UN Convention on the Rights of the Child? It is because the fact is that the UN Convention actually defines a child as being up to the age of 18 years. In other words, if you are going to put people to work at the age of 16 or between 16 and 18, you are actually guilty of child labour, which is something our Government is supposed to be against. We are trying to rehabilitate them. We have just seen a Nobel Prize being awarded to Kailash Satyarthi for his yeoman struggle against child labour in this country. Are we going to pass an Act today that legitimises child labour on our ships? It seems to me that this requires a serious thinking by the Government. If we are going to be conforming to the international standards, then the standard is 18 and not 16. The old fashioned Act of 1958, which specified it as 15, should certainly be amended. But, it should be amended to 18 and not to 16. That would bring us fully in conformity with the UN Convention on the Rights of the Child as well and we should not forget that.

Madam Chairperson, these are the simple five specific suggestions that I wish to convey to our Shipping Minister. We have been very proud of the fact that unlike what we have seen over the last 10 years, we do not believe in opposition for the sake of opposition. We have supported this Bill.

We have considered the amendments correct. We consider it necessary and, therefore, we are prepared constructively to support it. But, we would be grateful if the Government takes into account some of these constructive suggestions that have been made in this process.

Thank you.

SHRIMATI MEENAKASHI LEKHI (NEW DELHI): Hon. Chairperson, I thank you very much for giving me an opportunity to speak on this Bill.

Madam, there are two amendments proposed to the Merchant Shipping Act in this House. According to me, these are very important amendments considering the fact that India has a coastline of 7,500 kilometres and 2,000 kilometres of EEZ. This coastline supports about 30 per cent of Indian population, but the flip side is the presence of various pollutants in the water bodies, which are sediments up to 1,600 million tonnes, industrial effluents 50x10⁶ cubic metres, sewage – largely untreated – 1.41x10⁹ cubic metres, garbage and other solids 34x10⁶ tonnes, fertilizer residue about 5x10⁶ cubic metres, synthetic detergents' residue about 1,30,000 tonnes, pesticides' residue about 65,000 tonnes, petroleum and hydrocarbon tar balls' residue about 3,500 tonnes. Then, mining rejects and dredged spoils and sand extractions have led to huge amount of pollutants added to the sea and ocean waters. As a result, 30 per cent of Indian population gets affected.

Thus, this amendment, which is sought to be in conformity with international convention to control the harmful antifouling system on ships, was much needed. The year 2001 is regarded as the year for the protection of maritime environment and human health. To protect human health and maritime environment from the harmful effects of the pollutants, this particular amendment was sought to be brought, and it was brought in 2013.

What the Government of India is trying to do is to cover all ships, not all in terms of their tonnage but most of the merchant ships under the purview of this Bill and to exclude small ships for fishing etc. The certificate needs to be procured under international antifouling norms and the Director General of Shipping has to issue this particular certificate. Only after having this certificate, the ship will be found to be fit and can be allowed in the Indian sea and Indian waters.

Paint, which is used to slow the growth of organisms which attach themselves to the hulls of ships, used to be made up of copper and other biocides usually. The international convention had banned the used of tributyltin because of its toxic effects on marine life. Its use was quite high in 1960s and 1970s. Environmental studies showed that it enters the food chain. That was the most difficult part. Most of the people around the coast are dependent on sea for their food supplies. When this pollutant enters the food chain, it enters the human system also and affects the health of individuals who eat fish and other such products of the sea. Therefore, from their genetic make up to various other diseases enter the system. Not just human system but also the marine life gets affected. So, this was an amendment which had been sought to be brought by the Government. I support this because it is in terms of the UN Convention and approved formulae by the Standing Committee on this particular enactment.

The other amendment in the same Bill is relating to the labour which is used on the ship. One basic requirement is never to employ children below the age of 14, but this Bill has sought to make it 16. It means that children up to the age of 16 cannot be employed and only from 16 onwards, children could be employed as apprentice. It is again very important. The Bill also proposes to allow girls to be employed as Apprentices on the ships with the minimum age raised to 16.

Employment of children is prohibited, and today, they can be on training ships; on a ship where all the employees belong to the same family; on a ship engaged in short voyages; and on nominal wages and under the charge of the father or other adult near-male relative. The Bill entirely prohibits employment of a person below the age of 16.

The Bill prohibits engaging minors in night work. The Act allows minors to be engaged as trimmers or stokers under certain conditions. As regards food and drinking water, the Act stipulates that every ship shall have sufficient provisions for food and water. The Bill adds that the in-charge of the ship shall maintain quantity and quality of food, which needs to be supplied to the employees on the ship in terms of international conventions.

The medical facilities also need to be provided for in the ships where people are above a certain basic number or where people are below certain basic number. In both situations, foreign-going ships will require the certification, and for more than prescribed number of persons it should have a qualified medical doctor on-board.

As regards the Maritime Labour Certificate, it also requires that gross tonnage of 500 or above voyaging internationally or operating in another country shall require a Maritime Labour Certificate and a Declaration of Maritime Labour Compliance. The Government shall prescribe the manner in which the certificate needs to be issued. Accordingly, the rules have also been brought in place.

As regards seafarer, a new word has been added to the existing Act, which means that any person employed on a sea-going ship except warships and military or non-commercial Government ships. This is an addition to the earlier Act. Warships and military ships along with smaller dhows and others have been excluded from the applicability of this Act.

As regards dispute resolution, it has also enhanced the disputed amount between the employee and the Shipping Master. Earlier, it used to be for disputes between seafarers and their employers and if the disputed amount does not exceed Rs. 3,000, and the Bill proposes to raise this upper limit to Rs 3,00,000. So, these are amendments, which are keeping in view the International Labour Organisation mandate on Maritime Labour Convention of 2006. The Convention lays down the standards for living and working conditions for those who are seafarers including their food, accommodation, medical care, social security and recruitment. Thus, I support both the amendments because they are for the good of the country and the people. Thank you.

SHRI J.J.T. NATTERJEE (THOOTHUKUDI): Hon. Madam, as a people's representative coming from Tuticorin, the port city, one of the oldest in the sub-continent -- by the grace of hon. *Puratchi Thalaivi Amma Tamilaga Makkal Mudhalvar* -- I am happy to get an opportunity to speak on the Merchant Shipping (Amendment) Bill.

It will be a proud moment for me to mention that the Tuticorin Port is an ancient harbour, which had sea-diving for pearls as a traditional occupation from time immemorial. Valiant seafarers of the bygone era had fearlessly ventured to the bottom of deep sea to get shells in plenty that would fetch fortune in the form of pearls. Even today, we find, in and around the shores of Tuticorin, plenty of sea shells, which are exported and even used for manufacturing of '*chunna*' -- Calcium Carbonate used for white-washing purposes. The abundance of sea shells underneath the fields of that coastal region stands testimony to the ground-reality of those days that diving for pearls had been a major industrial and industrious activity there. Pearls of Tuticorin have been taken by the Roman merchants to their country, and even the legendary Cleopatra is said to have adorned herself with the pearls from the Pandian Kingdom. I mention this to say that maritime trade activities are not new to our soil in that part of our country. So, naturally, I am happy to put forth certain viewpoints with regard to this amendment Bill which seeks to protect environment, especially the eco-system of the high seas.

Indian mercantile marine have to be maintained efficiently and developed unflinchingly. This will serve our national interests by way of augmenting export and import activities of the country. Our marine activities are governed by the Merchant Shipping Act of 1958. Commensurate with the increase in volume of mercantile activities, this Act has also been amended many a time. In the globalized scenario, we need to enjoin ourselves with international conventions and protocols adopted by the International Maritime Organization.

Through this Bill, the Government of India wants to accede itself to the International Convention for the Control of Harmful Anti-Fouling Systems of Ships, 2001. Marine environment and human health need to be protected and this Bill refers to the effects of use of harmful anti-fouling systems. It is normal to use anti-fouling paints on ship's surface. Only after experience and scientific studies, it has come to the knowledge of the international community that these paints persist in the water and cause harm to the environment. Now, this Government has come before this august House to enable itself to give effect to the AFS Convention and also to enable the maritime administration to meet operational requirements.

Henceforth, all vessels with Indian flags must comply with anti-fouling systems and must obtain compliance certificate in this regard. International Anti-fouling System Certificates will be issued to Indian flag vessels having 400 gross tonnage or more and engage themselves in international voyages.

By way of our signing this Convention, our shipping activities need not have to meet with hurdles every time we approach the Governments of different countries. From now on, access to countries that have ratified the Convention for such certificates would be easier. This also empowers our Government to ensure such standards in all foreign flag vessels entering our territorial waters and marine areas adjacent to our countries. This authorizes our Government to have exclusive jurisdiction in regard to control of pollution under the law. This Bill provides the authority to our Government to levy penalty for non-compliance of the provisions of international convention.

While ensuring the safety of ships on the high seas and the living organisms of the deep seas, the world Governments including our Government must pay attention to the security of our vessels. These days sea navigation has to face with many challenges including that of sea pirates operating from places like Somalia. It becomes incumbent on the countries that operate more vessels in the international waters to ensure the safety of their marine operations, both the vessels and the personnel. Recently, we have been witness to the high-handedness with which our shipmen were kept in long custody by the sea pirates. We are putting in place a naval security system deploying our navy vessels in the far-seas extending up to Somalia. We can have tie-ups with foreign countries to put in place a thorough defence mechanism to protect our marine vessels.

While mentioning this, I would like to bring to the notice of the Government the need to set up a naval base to ensure protection to our existing big and small harbours and providing safety cover to our moving vessels. Kulasekarapattinam near Manapadu in my Tuticorin constituency was sought to be established as a port by the Britishers. It is another matter that they moved later to Tuticorin for maritime interests. Now, I would like to urge upon the centre to establish a naval base utilizing the existing ideal locality which is naturally secured for a strategic location.

We have the headquarters of the Indian Maritime University in Chennai. Since traditional seamen are available in plenty in the southern coastal areas in Tamil Nadu, the centre may consider to set up an extension centre of the Maritime University in my Tuticorin Constituency. This will enable our young men to hone their skills and acquire better professional tools which would be of great use to both our Defence Navy and Merchant Navy.

At this juncture, I would also like to bring to the notice of the Minister for Shipping of the need to increase the passenger sea travel facilities in our eastern coast for both tourism and pilgrimage purposes. As of now, we have small vessels operating from Mumbai to Goa meeting the requirements of tourism activities. This may be taken up in the southern coasts of Tamil Nadu. For instance, tourism ships can be operated between Tuticorin and Nagapattinam for a pilgrimage tour that will touch Tiruchendur, Rameswaram and Nagapattinam which has got religious shrines of all the three major religions of the country in the form of Nagore Dardah, Sikkal Shanmugasundaram Temple and Velankanni, our lady of health basilicca. There can be regular tourist ship movements between Chennai and Tuticorin. I urge upon the Union Government to explore the exchange earning possibilities through these operation of ships.

Expressing my support to this Bill which has brought with the motive of safeguarding our environment and standardising our ships and their maintenance, I conclude my speech.

PROF. SAUGATA ROY (DUM DUM): The Minister for Surface Transport and Shipping had brought together two Bills in one go. I must thank him that he has followed the tradition of Government because this Bill is not his product. It was introduced in 22nd February, 2013 by Shri G.K. Vasan, the then Shipping Minister. So, it is good that the present Government has not done as and then, he has more or less replicated the same Bill which was done in UPA-II. Actually, these two Bills are in fulfilment of the International Maritime Convention with regard to labour and also the anti-fouling rules that have been prescribed. One good thing is that Mr. Gadkari does not come from a seafaring place. He comes from the Nagpur, right in the heart of Central India which has no ports. Ms. Lekhi who spoke has also no direct connection with ports.

श्री भगत सिंह कोश्यारी (नैनीताल - उधम सिंह नगर): अगर आप हिमालय पर बोलेंगे...(व्यवधान)

प्रो. साँगत राय : मैं इतना ही कहना चाहता हूँ कि अगर कोई पोर्ट सिटी से आते होंगे तो वे इस विषय को ज्यादा समझते हैं, लेकिन अगर नहीं हैं, तो किताब पढ़कर सब लोग सब कुछ समझ सकते हैं, लेकिन उनका डायरेक्ट एक्सपीरिअंस नहीं है। ...(व्यवधान)

HON. CHAIRPERSON : Shri Sougata Roy, please address the Chair.

PROF. SAUGATA ROY : Madam, I want to say that I come from a city which, is not on the sea has the oldest riverine port in India, the city of Kolkata which has the Kolkata port. We have a long history of seafaring.

Madam, if you read Amitav Ghosh's two novels, Sea of Poppies and River of Smoke, you would learn how in the olden days plantation labour went to Mauritius. They went from Kolkata, first by riverine route and then by the sea route.

In his another novel, River of Smoke, how opium used to be brought from Shanghai to Kolkata port. We can imagine and it is described in detail in two of the Ghosh's books what despicable conditions of seafarers were there. Now times have changed. There have been many laws and conventions to improve the condition of seafarers. Earlier there was no concept of polluting the sea because people thought that the sea is so huge that it really does not matter if it is polluted. Now we have become conscious that the sea should not be polluted. So, every ship must go by the standards set internationally.

There are two Bills. One deals with the anti-fouling system and the other deals with the pro-seafarers measures. The first amendment is mainly directed towards control of fouling. This applies limitedly to ships over 400 tonnes. The smaller ships of below 400 tonnes also dhows and local ships do not come under the provision of the anti-fouling law or the present law that has been brought by the Minister. Since this is all in pursuance of the different laws like the law called the Control of Pollution under the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976, this is being extended to control anti-fouling. Here also, a certain amount of power of inspection is being given to the Government to inspect the ships to find out if they are observing the anti-fouling laws.

The main problem was with regard to use of paint. As you know, sea water corrodes metals. A ship when it comes into the dry dock has to be thoroughly painted. Now, earlier the paints which were being used, were fouling and polluting the sea as also the river. Nowadays that convention is there and the present law will take care of the system. After a ship is given the anti-fouling system certificate, then we have also the right to inspect foreign ships in India as also Indian ships in foreign countries. Any ship that will enter in Indian port, our Government will have the right to inspect the same and see whether they are observing the rules.

Then again, the question is, how the waste materials are being disposed of. There would be a control on the disposal of waste material. Every ship will hence be forced to keep a record of anti-fouling system. Now, if there is any information regarding contravention of the provisions of this convention, then the Director-General may detain the ship. He may also levy penalty on ship, as prescribed in the law. This is something to which nobody can take any objection. Ships should not use fouling paints and the disposal of waste from the ship will be done in a systematic manner.

The second Bill, to my mind, is more important since it considers the problem of seafarers who are also called seamen. Earlier a boy of 15 years could go and work on a ship. With the new law, nobody below the age of 16 will be allowed to work on a ship. This is an important thing. If the boy is an apprentice, there will be an agreement between the boy's family and the company, which will protect the right of the boy.

The other important thing is that now the hours of work will be prescribed. Every foreign-going ship will have to observe specific hours of work and rest in a week. They will have to specify the entitlement for leave under the clause and the period of night work so that the seamen are not made to do night duty every day. The quality and quantity of food has to be prescribed. Then, if the ship has capacity beyond a certain number of workers, a medical officer has to be permanently based on board.

Actually this convention was adopted in Geneva at the ILO in 2006. We are already very much behind time. Eight years after the international convention was adopted we are bringing forward this law which will make the life of the workers somewhat human.

You must have read Robert Louis Stevenson's Treasure Island which speaks of the tortures captains used to employ on young workers on the sea. There was the Mutiny on the Bounty also which describes in detail how people were tortured on ships. Today in the age of giant super tankers some of which are of capacities of five lakh tonne and above, things have to be modernised and civilised. The ancient days of merchant shipping are over.

Mr. Shatrughan Sinha is here. He had been Minister of Shipping in the earlier government. He might have been made now also, I do not know! But that is neither here nor there. All I want to say is that this should be quickly adopted.

Lastly, I would present one problem about Kolkata. In Kolkata we have a Marine House from where recruitment was done for seafarers. There is great demand for jobs as seafarers because you work for six months, you holiday for six months, and you earn enough so that you can save some thing. Kolkata was a big centre for recruitment. We had a union in those days, an INTUC union. That union was captured forcibly by the CPI(M) through use of strong arm methods and bombs. After that most of the recruitment went away from Kolkata and the big shipping lines are not coming

to Kolkata for recruitment. I would request the Shipping Minister to look into this problem so that the Bengali boys who want to go to the sea can be recruited. Now there is no problem of CPI(M) creating trouble. So, let there be an arrangement so that people can be recruited.

As Mrs. Lekhi had mentioned, we have a coastline of nearly 7,000 kilometres. Problem with our coastline is that there are not too many inlets. We have an open coastline. But still we can compete with the best in the world. Small countries like Norway, Sweden and of course Japan are far ahead of us in shipping, in ship building and in ship employment. They are far ahead of us in shipping, ship building and ship employment. Now that we are going in for the convention, our ships can go anywhere, we can inspect everybody's ships. Now the emphasis should be on developing the ships. Rather, in the last few years, particularly in Gujarat, we have given emphasis to ship breaking industry. That is a big industry in Gujarat coast. We do not want ship breaking industry. We want ship making industry. I hope Mr. Gadkari will take interest in this matter.

SHRI KONDA VISHWESHWAR REDDY(CHEVELLA) : Hon. Speaker Madam, I want to raise one point of order.

HON. CHAIRPERSON : Under what rule are you raising point of order?

SHRI KONDA VISHWESHWAR REDDY : I am raising it under rule 376 which is general point of order. But I am going to raise a specific point. The point of order may be raised in relation to the business before the House at the moment and I think this is the right moment to raise it. Madam, the Bill was not in the Revised List of Business when I checked last night. Today we got this note at 2 O'clock and now at 4 O' clock the discussion has started and there is hardly any opportunity given to us.

HON. CHAIRPERSON: Hon. Member, Hon. Speaker has already given her rules.

SHRI KONDA VISHWESHWAR REDDY :There is hardly any time and I don't know whether we should introduce amendment with grammatical errors or legal inconsistencies.

HON. CHAIRPERSON : Hon. Members, Hon. Speaker has, on a request made by Shri Nitin Gadkari, the Minister-in-charge of the Merchant Shipping (Amendment) and (Second Amendment) Bills, 2014 has permitted the inclusion of the Bills in today's Supplementary List of Business for consideration and passing.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam, we had raised it when this issue was being taken up just after the matters under Rule 377. At that time, the Minister of State for Parliamentary Affairs also clarified and our objection was that this is becoming a practice. It should be an exception. This is becoming a practice and it should be avoided. The Government has a lot of business and the agenda could be prepared in advance and circulated so that if any member wishes to submit any amendment that can be done. By forcing us to go through the Bill and immediately submit amendment is really very taxing that should be avoided. I think that is the Hon. Members' concern which is being said. Henceforth the Government and the Parliamentary Affairs Ministry should look into that aspect.

As a Member of the International Maritime Organization, India has acceded to a number of international conventions and protocols adopted by the IMO. Now we intend to accede to the international convention for the control of harmful anti-fouling systems of ships 2001 and the other Bill that is before us is relating to the sea-farers and that is the second amendment which the convention had adopted, ILO had adopted in 2006.

17.00 hrs.

This is the time period which the Government has taken to bring an elaborate Bill for consideration of this House. It has already been passed in the Rajya Sabha.

As Shri G.K. Vasan had introduced this Bill in the Rajya Sabha during the term of the previous Lok Sabha in 2013, it went to the Standing Committee. The Standing Committee gave a Report in which there have been certain suggestions which have been accepted by the Government and this Government has brought these two Bills for consideration of this House.

I would say, Madam, here that India, with more than 7,500 kilometres of coastline, had four major areas of seafarers. One was Dwaraka and the next was Konkan on the western coast; the third was Coromandel and the fourth was the Kalingan coast. For the last 2,000 to 3,000 years, these were the major coastlines which produced seafarers who went around the world in their ships and carried on trade and commerce. It was perhaps in the middle of 8th century or in the 9th century and later on with a vigorous strength in the 13th century that our seafarers could not face the Arab seafarers in the Arabian Sea and also in the Indian Ocean and India was repeatedly attacked by the Central Asian forces. At that time, the society became introverted, looked within and did not allow the younger boys or youths of this country to GO OUT.

17.01 hrs

(Hon. Deputy-Speaker *in the Chair*)

Remember the day when Mahatma Gandhi boarded the ship to travel to England! He was reminded: "When you come back after getting your education, will this society accept you?" That was the society; that was the mindset of the last century or the century before that. But there were the four coastal areas which produced great maritime activity of our nation.

Coming back to this issue, I am reminded by my friend Shri Tathagatha Satpathy about one incident of late 16th century when the Portugese first arrived in the eastern coast. They had heard about Chilka lake, which at one point of time was one of the best harbours in eastern India. Before they could come in or nearer to the coastline information reached our shores. They wanted to understand how could this happen and so they asked: "How could you know that we were coming?" The simple answer which the fishermen and the seafarers gave them was this: "Before you arrived the pollutants that you left in the sea arrived much earlier. That is how we could know that there were some foreign forces outside in the sea that have

left pollutants there. They reached our shores earlier and we were prepared to withstand your intrusion." Pollutants play a major role in the sense they not only pollute the seawater but also pollute the fish and whatever lives are there in the sea and that which is also consumed by human beings. So, in that respect, I think, this Bill is of great importance.

When we say that the anti-fouling paints on ships should be controlled it is because they lead to leeching of the paints in the seawater which persist in the water thereby causing harm to environment. It is proposed to amend the Merchant Shipping Act, 1958 to provide for the enforcement of AFS Convention of 2001 and thereby make it mandatory for Indian flag vessels to comply with the Convention and obtain certificate of compliance. Under the provisions of the Merchant Shipping (Amendment) Bill, 2014, all Indian flag vessels having 400 gross tonnage or more engaged in international voyages would be issued with an international anti-fouling system certificate after verification. Here, a simple question arises: "How many merchant ships does India have today?"

We will be facilitating foreign ships to come into our ports, but what mechanism are we building to develop our merchant ships which will go outside? This will enable them to engage in international shipping activities without having to approach the Government of other countries who have ratified the convention of such certificates. This is an enabling provision.

Another enabling provision is that India will be able to ensure that all foreign flag vessels entering the territorial waters of India or any other maritime adjacent thereto over which it has or may have exclusive jurisdiction in regard to control of pollution under any law.

This Bill provides for the levy of penalty. This is another important aspect for non-compliance of the provisions of the convention.

The second amendment Bill is for ratification of the Maritime Labour Convention of 2006 of ILO. After enactment of the Bill, by ratifying the Maritime Labour Convention of 2006, around 1.25 lakh serving Indian national sea-farers may stand to benefit from its conducive provisions. Prof. Saugata Roy was just now mentioning about the recruitment of sea-farers in Kolkata. As far as I remember – because many young Odiya boys also go out to sea and they get apprentice training and engaged in merchant ship – the only place of recruitment is perhaps Mumbai. We know what trouble we and our boys face when they approach that office and get selected to a specific merchant ship, if they want to. The amount of leave getting sanctioned and other things get very much complicated.

The ships need to comply with the convention. We have a Maritime Academy at Paradip where boys get trained, so also many States might be having. That is a State Government sponsored academy which was established by our late lamented leader, Shri Biju Patnaik, when he was the Chief Minister in the 1990s.

It is necessary to dwell a little bit into the Bill. An issue was raised by Dr. Shashi Tharoor relating to the age of 15 years which has been raised to 16 years. As far as I understand and I was given to understand that the apprenticeship is for 18 months. By the time, actually the boy gets trained to work in a merchant ship, he will be reaching the age of 18 years. So, these two years – 18 months of hard training and another six months, going around small ports and others, in and around our country will also help them to get adapted to the sea breeze and the arduous job that he is going to undertake – they have to be there.

In Armed Forces, young boys get recruited at the young age – they do not get recruited after the age of 22-23 years – because at that time only the tummy would be in and the chest would be out. One can take up a lot of hard work. The minimum qualification for one to get inducted into apprenticeship is class 10. By the age of 16 years, one gets this qualification.

Here, I would also mention about the other Bill, about the anti-fouling system. This is a suggestion for consideration. In section 356 (Q), anti-fouling system is explained in different sub-sections. It was mentioned that a Committee means Maritime Environment Protection Committee of the Organization; Convention means International Convention on the Control of Harmful Anti-Fouling System on ships. This is the standard which has been adopted in 2006, which we are adopting today.

I have every apprehension that in another say 30 years' time this standard may change. We may become more pro-environment. We may become more pro-youths. So, in that respect, can we not bring in a mechanism in this Bill, through the rules or certain other mechanism, where this will be automatically complying with the international standard to which we have agreed to and for which we are making a law? Should the Minister of Shipping have to every time bring an amendment for consideration of the House? Why can we not make an inbuilt law in such a way that we always comply with international standard and where a consensus has been arrived at through a convention?

I need a little bit of clarification because this Government is saying that we have to do away with Inspector Raj. Section 356(w) says "Any person authorised by the Director-General as surveyor on his behalf may inspect at any reasonable time any ship to which any of the provisions of this part applies for the purpose of—". The Standing Committee in its Report had suggested that there are surveyors and now you are authorising the Director-General to appoint surveyors. Will there be two types of surveyors? When DG is empowered to appoint a surveyor, are they different surveyors under the Ministry or under the system or is it the same? This needs to be clarified because in this Bill it has not been clarified.

I hope the Minister will consider taking over the Odisha Maritime Academy that is established in Paradip as a number of institutes of national repute are now being taken over by the Central Government. Here is an institution which is actually building up the youths of this country. We would be very happy if the Central Government takes up this institute. With these words I support the Bill. Thank you.

SHRI ARVIND SAWANT (MUMBAI SOUTH): I am really pleased to read the Bill today when it was being introduced by the hon. Minister in the House. As rightly pointed out by the hon. Member Shri Mahtab, it should have been given to us earlier. Had it been given to us earlier we could have gone through it and could have given elaborate suggestions on this. I heartily welcome the Bill.

I would like to inform Shri Saugata Roy that I hail from Mumbai. Mumbai has got one of the finest and the oldest ports, the Mumbai Port that

the country has. Luckily, my father was working in the Mumbai Port Trust and hence, I know in detail how the vessel comes to the port, how much deep the port is and how the vessels are polluting the port and so on. The colour coating which is being applied to the ships is creating water pollution. This Bill has been brought to prevent water pollution and control harmful anti-fouling system of ships and hence I welcome it.

A number of suggestions have been given by many Members. I would like to point out one or two points only, as many of the points have already been discussed in the House. The Bill which has been brought is confined to shipping in Indian coastal areas. I have a doubt whether it will be applicable to international ships or not. Section 356 (w) says that the Director-General will have the right to appoint a surveyor. He would be asking for the brief sampling of the anti-fouling system and has to check the ingredients of the sample. If the sample is having pollutant in it, then it is harmful. In that case it will require some time to confirm the same. The provision of the Bill says that the time required to process the results of such sampling shall not be used as a basis of preventing the movement and departure of the ship. Now, there is a danger in it. If we do not stop it there itself, then the ship will move, but it has been mentioned in the subsequent clauses that the help of the Navy and the Coast Guard would be sought in order that the ship does not move. There again the problem lies that the ship may move before the Navy or the Coast Guard is informed. What precautions are the Government going to take in this regard? There are contradictions in it. The Director General is having the right to detain the ship. It has been mentioned that the Director General or any officer authorised by him, on his behalf, may detain the ship until the causes of such contravention are removed to the satisfaction of the Director General or the officer authorised by him. Now, these two provisions are contradicting each other. On the one hand, it has been mentioned that the ship will not be stopped but on the other hand it has been mentioned that the ship will be detained. I would like to know from the Minister as to how this problem is going to be settled.

The second point is regarding the rules. It is mentioned that the Central Government, may, having regard to the provisions of the Conventions, make rules to carry out the provisions of this part of 356(y). In sub-section (d) it is mentioned that procedure and the fees which may be levied for issuance of anti-fouling system certificate for foreign ships in India and Indian ships in foreign countries under Section 356 will be done by the Government. How much time will be taken by the Government, or the Committee to decide on the procedures? The procedures have to be finalised earlier. If there is a delay in the finalisation of the procedures, then implementation will be delayed. Therefore, I would like to request the hon. Minister to clarify this point as to how with the help of this provision we are going to control it if the procedures are not finalised earlier.

The second Act relates to labour. Here the classification of seafarers, maritime labour standards and prescription of minimum manning scale further to amend the Merchant Shipping Act, 1958. The recruitment is done in Mumbai. Shri Satpathy has mentioned it, but one should not be under the impression that we do not have any problem. We too face a lot of problem over there...(*Interruptions*) Even Mumbai boys are not getting recruitment. One may kindly check the list of people getting recruited, you will find that they too have a serious problem. I would like to request the hon. Minister, through you, to kindly keep a watch on how the boys are being recruited and what is the harassment they go through before and after recruitment. They work for six months and they get their salaries and packages. But who has to take care of the agreement? It is the Captain of the ship. It has been mentioned that the master of the ship or any person having charge of the ship shall maintain such standards. What are the standards? The standards have been mentioned here. The facilities to be given are mentioned. It has been mentioned that the terms and agreements with the crew shall be determined after consultation with such organisations in India as the Central Government may, by order, notify to the representatives of the employees of the sea men.

There is no recognized forum over there. There are a number of forums but they confront each other and that conflict goes to the other side and naturally the person who wants to get recruited is being deprived of his legitimate right to get the job. Therefore, I would like to request the hon. Minister to look into this matter of food, facilities and protection when a person goes on ship.

The fishermen who are going on sea are polluting the water. As has been mentioned by Smt. Lekhi, so many things like effluents without treatment, sewage, garbage are being thrown into the sea. There are a number of things which are polluting the sea. In addition to that, it needs desilting. I do not know what the status of the Kolkata port is now, but as far as the Mumbai port is concerned, it needs desilting. I have already written a letter to the hon. Minister requesting him that dredging has to be done. Priority has to be given to dredging. If the silting of the Mumbai port is done, then the depth will increase and naturally the bigger vessels will come. Those were the days when the vessels were small ones and they used to come to the port because the draught was low and the vessels were small. This Bill is for the vessels which are having more than 5000 tonnes and these vessels are now ported deep into the sea. Who has got the system to watch all these things?

I again welcome this Bill. It is a wonderful Bill. It is protecting the labour. It is trying its best to protect labour. You are trying your best not to pollute sea water but at the same time, you should look into things which may pollute the sea. There has to be control and I once again welcome the Bill on behalf of Shiv Sena.

SHRI KONDA VISHWESHWAR REDDY (CHEVELLA): Mr. Deputy-Speaker, Sir, I thank you for the opportunity given.

I thought that the object of the Second Amendment relating to labour was to improve the working conditions and the lives of seamen and also to conform with Maritime Labour Convention 186 of the ILO.

Sir, we cannot oppose this Bill as it does good but it does too little. It misses a great opportunity to change the lives of seafarers and young boys who work in the seas. The amendment increases the minimum age to work from 15 years to 16 years. I think, it should be changed to 18 years. I would like to move an amendment which I have given in writing for your consideration.

Sir, I am reminded of the novel, *The Mutiny on the Bounty* written by Charles Nordhoff. There is also a movie based on that novel. I saw that movie twice. It is exactly about the subject. It highlights the harsh British laws, the maritime workers and the seafarers. British laws used to allow young people to work on boards those days. We could see the condition of the boys in the movie.

Cleverly, point No. 4 in this amendment says: "In Section 91 of the principal Act, the words 'boys not under 15' should be substituted by

'young persons under the age of 16'. Merely changing boys to young persons, it does not mean anything. One year does not make any difference. I think they have to be 18 years or above.

The British laws allowed for this because young people were small enough to go into every nook and corner and the labour was cheap. We have really evolved it since then. We cannot go by the old standards and it needs to be raised to 18 years.

There should be a minimum of six months training on land. They should take this opportunity before they start going on to ships. Without that, they should not go there. There should be pre-requisites saying that they are trained in certain skills relating to safety and communications. Without those pre-requisites, sending young boys or young men or young persons on the ships is unfair.

The Bill also misses another great opportunity. I had a friend who is a Parsi gentleman and he was a captain of a ship. He had a man to work and he used to call him like "*chotu chai lad*". The *chotu* also cleans the place or the tables. But it happens that that *chotu* is 58 years old. Right from the age of 17, he had been doing the same job of serving *chai* and cleaning the place. He used to be called by the same name, *chotu*. I think there is a great opportunity here. Instead of setting up a formal apprenticeship system, training, education and then work on the ship and then a career path for them should be there. They should not be 59 years old, carrying tea and cleaning the decks.

I have given a written note as the time to speak is short. Regarding the anti-fouling paint, the paint is primarily used to protect it from barnacles growing which slows down the ship and increase the consumption. So, the more toxic it is, the more effective it is but it is very harmful for environment. Hence, it is a welcome thing.

The penalty is too little. It costs tens of crores of rupees but the penalty is only Rs. 50,000. It is cheaper to abuse and pay the penalty than to repaint the ship. We need monitoring mechanism. We have only 13 major ports. It does not provide for monitoring mechanism at these 13 major ports. Again a missed opportunity! But I think once we are trying to promote inland navigation and clean up the Ganga, this law does not prevent these polluting hazardous paints of barges going from the sea to up the river Ganga and polluting it. I think this needs to be looked into. This is another great opportunity to do that.

I hope you put that 18 years for voting at this Session. Thank you.

*SHRI A.SAMPATH (ATTINGAL) : Deputy Speaker Sir I have sought your permission to speak in Malayalam, my mother tongue.

Sir, I am supporting both the Merchant Shipping Amendment Bill, 2014 and merchant shipping (second amendment) Bill. But having said that, I want to seek the minister's explanation regarding certain provisions of the Bill. This is meant for the whole nation my friends. Sir, the anti-fouling laws, have been passed by other countries. Therefore India too need to formulate similar laws. Therefore, the Government had introduced this bill and got it passed in the Rajya Sabha.

The other Bill, concerning the sea farers; is meant to protect and uphold the rights of all those including the labourers who work in the sea. One thing I agree sir. Members of International Labour Organisation (IOL), have signed several conventions to protect the rights of labourers engaged in various works. India is still reluctant in signing several of those conventions.

Therefore, I am compelled to support this bill, since it upholds the rights of a section of workers i.e. sea farers. Sir, some respected members had raised a pertinent issue, regarding the minimum age of sea farers. Whether it should be 16 or 18. My friends, Dr. Shashi Tharoor and Shri Bhartruhari Mehtab and other members had mentioned this point. What is the age group accepted by UNO, while they use the nomenclature 'boy'? What is the accepted minimum age of sea farers, prescribed by other nations? Why do we, want to, bring down the minimum age of sea farers to sixteen years?

Secondly, in the bill, the term used is 'boy'. Why sir, are we still living in a male chauvinistic era? (Original English). Is it as a profession that should be denied to the girls? So, the bill is silent about the girls and ensuring their right to work as sea farers.

*English translation of the Speech originally delivered in Malayalam.

In other parts of the world young girls work as sea farers and in the Merchant Navy. Why can't we be more gender sensitive, in this regard? When we are formulating a law, regarding anti-fouling, we have to keep in mind a reality. Multi national shipping companies send their vessels to India and other developing countries for ship breaking. I mean the multi national shipping corporations in the world. The labour cost in those

countries are higher. So the best alternative for them, is to send their ships to India, Bangladesh and other developing nations for ship breaking. "You accept our unwanted garbage, it is for you". "What is good in you, we will accept. But you accept our garbage. You are our junking yard".

So we have become a place for them, to dump their garbage. I am not criticizing the existence of ship breaking industries in several parts of this country. Many members also raise the point whether the Minister belongs to a coastal area. I am never asking such a question to Hon'ble Gadkari ji. But one relevant point is that ours is a country which own one of the largest coastal line in the world. Kerala, my state owns about 700 kms of coastal line. Sir, as we are discussing this bill France has taken into custody one of our ships. The sea farers of the ship could not produce some relevant papers to the French authorities who has now seized the ship.

At the same time other countries enter our territorial waters. And two of our traditional fisher men, one belonging to Tamil Nadu, and another belonging to Kerala, were shot dead. They were just like sitting ducks and sir, what has been the stand of the Italian Government after this ghastly incident?

We do talk eloquently about our rich cultural heritage. Let me add sir, that I come from a place where the first armed rebellion against the British East India Company took place in 1721. This coastal village is called Anchuthangu, where the earliest settlement of East India Company was attacked.

So, I belong to a place which has a coastal line, back waters, other water bodies and mountain valleys. My constituency stretches to the Tamil Nadu Border.

Sir, why can't we train the children belonging to our traditional fishing community, so that they can get better jobs, in Merchant Navy? They are born as children of the sea. They are not afraid of the sea. They can rescue anyone who may fall into the sea. But we do not have facilities to encourage, the traditional fishing community children to take up better jobs. I am speaking in the light of the privileged experience I had as a two time representative of this House in the Shipping Board.

The subject of training fishing community children for better jobs, had come up for discussion in the Shipping Board. Do we have any such training centres under government control? We don't have a single institution. So the training and recruitment is carried on by private institutions. They view the process as a means of earning easy money. They decide the fees, decide the course and they fix the curriculum. What is our stand regarding the recruitment of staffs in the shipping industry?

Sir, I also want to draw your attention to "The Merchant Shipping Second Amendment Bill 2014, page 3, and Section 9, 109 (1). Please refer this sub section of the bill. I quote:

"No person under the age of 16 year shall be engaged or carried to sea work in any capacity, in any work."

Please be clear of the age limited mentioned here, as several other members have already pointed out.

We should not violate the rights of children which has been upheld by several other countries. Sir, in the past, the Britishers and native rulers had employed minor children as sea farers. This was during the past, when slave trade was practiced.

But today, when we formulate the law, to protect the children's rights, we should be more sensitive Minister Sir, Madam Meneka Gandhi is sitting behind you. Kindly discuss this matter with her.

Sir, coming back to antifouling laws, vessels of gross 400 tonnages is mentioned. Why have you fixed the weight of ships at 400 tons, why don't you mention vessels of lesser weight also? Sir, asbestos, and several other carcinogens are used in the ships. Whether it be painting or repairing the ships, such materials are often used.

Sir, one more minute sir, since I am making this speech in Malayalam. When we discuss this bill, what about the pollution caused in our inland water bodies. As many members mentioned already, we should be able to stop pollution of our inland water bodies.

Before, I wind up, let me mention a long standing dream of the entire people of Kerala. I am talking of the Vizhinjam Harbour. Whether you are in treasury bench or in the opposition, when it comes to Vizhinjam Harbour; Kerala's legitimate aspirations are neglected. Why is the government reluctant to provide the funding, technological support and skilled man power for making Vizhinjam Harbour a reality? In fact, I suspect an international lobby, is Sabotaging the Vizhinjam project. The centre must do something to make this naturally congenial Harbour a reality.

Sir, before I conclude, why was the bill not included in the list of Business and was introduced in such a hurry? We have been denied, an opportunity to study the bill in detail. It is not proper to pass the bill, the way you bake cakes. I hope that you will give a ruling to condemn such a practice.

Sir, I also request that all the relevant suggestions made by the members will be included in the Bill. Also bear in mind the fact that many members of this house have never seen a sea in their life. Once again I support the Bill.

SHRI VARAPRASAD RAO VELAGAPALLI (TIRUPATI): I thank the Chair for giving me this opportunity. Me, and my party, YSR Congress Party from Andhra Pradesh heartily welcome both the amendments to the Merchant Shipping Act. Unfortunately the scope is extremely limited. When it was taken up, instead of merely adopting the ILO Convention and the Protocol, and similarly International Maritime Organisation and Conventions, it

should have been made a little more comprehensive so that the recent phenomena of pollution should have also been taken into consideration.

The proposed Bill is silent on the ships which are less than 400 gross tonnage. As earlier speakers have mentioned that here in the Bill, to my understanding, there are two types of pollutants. The anti-fouling systems are mostly concerned with the chemicals that are affecting the fauna or the animals of the ocean and sea. The chemicals that are being used in the system has an effect to the extent of changing the sex of animals and would appreciate that to what extent it is affecting the animals there.

Secondly, like the molasses and oysters, it also changes the shapes of them. Therefore, everybody is concerned about it because it not only affects the system of the human life but also the animals which are living there in the sea. Since environment now is becoming more and more polluted, the waste disposal system also should have been streamlined. Perhaps whatever be the shortages in the main principal Act should also be brought into this amendment Act because these days oil leakage is taking place in every place as a result the fauna and flora of the ocean are also getting affected. Thereby, most of the pollutants entering into the food chain are causing very serious diseases like cancer.

The Bill is also silent on the countries which are not signatories to both the ILO and IMO. We have more than 200 countries, but the signatories are between 80 and 100 countries. It is more or less silent about not including nearly 50 per cent of the countries where I would request the hon. Minister to consider that aspect also.

With regard to penalty, Rs.50,000 to Rs.5 lakh is extremely paltry and small by taking the business of shipping into consideration. When the ships are charging for an hour, more than Rs.25 to Rs.30 lakh, and putting penalty of Rs.50,000 to Rs.5 lakh is too small and it cannot act as a deterrent.

The second amendment, which we all welcome – is about seafarers where the boys and men, in the prime of their age, who live most of the year in ocean. At a stretch they live for six to ten months. Therefore, their living conditions needs to be streamlined from health point of view. Their ventilation, hospitality, hospital and medical facilities and all the security systems should also be streamlined. The families should also be allowed to go with them. Most important point which I would like to mention here is that both the proposed Bills exclude war ships and naval accessory ships, passenger vehicles and non-commercial ships which are on Government service. Just as there is no exemption for any vehicles under the Motor Vehicles Act, I am of the strong opinion that there should not be any consideration either for the war ships or the Government vessels.

Sir, as many Members have suggested, when Bills are introduced, if Members are given adequate opportunity, there is every possibility that some constructive suggestions could be given. Therefore, I very earnestly request the Government to give a little more time whenever a new Bill is introduced.

With these words, I thank you very much for giving me this opportunity to express my views on these two important Bills.

डॉ. अरुण कुमार (जहानाबाद) : महोदय, सरकार जो दो प्रगतिशील बिल लाई है, हम उनका समर्थन करते हैं और जिन पार्टियों ने समर्थन किया है, उन्हें भी हम धन्यवाद देते हैं।

महोदय, दो बिल हैं, एक बिल एंटी फॉलिंग पेन्ट्स एवं एंटी फॉलिंग सिस्टम के सुधार के लिए है और दूसरा बिल जो वर्क्स समुद्र में काम कर रहे हैं, उनके हितों की रक्षा के लिए है। दोनों बिल अंतर्राष्ट्रीय मानक के हिसाब से लाए गए हैं और स्थायी समिति में इस पर गहन चिंतन हुआ है। आज के दिन निश्चित रूप से जो एक अवधारणा बनी हुई है कि पानी सभी चीजों को अपने अंदर शमन कर सकता है, ऐसी अवधारणा के खिलाफ भी एक चेतना पैदा करने की आवश्यकता है। एग्रीकल्चर बेस के बाद, जीवन को सबसे बड़ा शक्ति देने वाला स्रोत जल और जलजीवन है। आज समुद्र और नदियों में बहुत प्रदूषण है, उसके लिए जितना प्रयास किया जाए, कम होगा। सरकार ने सही समय पर यह कदम उठाया है। जलजीवन में जहरीले पदार्थों का जो एक साइकल बनता है, वह मानव जीवन में भी अंततः प्रवेश करता है। इसलिए पोल्यूटेंट्स पर सरकार का जो चिंतन है और यह जो बिल लाया गया है, निश्चित तौर से यह स्वागत योग्य है। श्रमिकों के जीवन-स्तर को सुधारने के लिए, उनके सोशल प्रोटेक्शन के लिए, स्वास्थ्य के लिए जो प्रबंध किया जा रहा है, वह भी स्वागत योग्य है।

अभी प्रोफेसर सौगत राय साहब बोल रहे थे, हमारी संस्कृति में मां शारदा का बहुत महत्व है। जब से इन लोगों ने दुरुपयोग किया है, अच्छे काम में भी बराबर कुछ गलत चीज इन्हें दिखती है। इसलिए निश्चित तौर से मैं समझता हूँ कि सकारात्मक चीजों को स्वीकार करना चाहिए और सरकार ने जो प्रोग्रेसिव कदम उठाया है, उसका समर्थन इस विश्वास के साथ करें कि आगे भी जो कमियाँ रहेंगी, यह प्रगतिशील सरकार वर्क्स के लिए और अंतर्राष्ट्रीय मानक के हिसाब से जो लोग इस परिक्षेत्र में पोल्यूटेंट्स का काम करेंगे, उन पर रोक का उपबंध करेगी।

पुनः मैं सरकार के इस क्रान्तिकारी कदम का स्वागत करता हूँ।

SHRI K.R.P. PRABAKARAN (TIRUNELVELI): Hon. Deputy Speaker, Sir, first of all I pay my sincere thanks to my hon. Leader Dr. *Puratchi Thalaivi Amma* for selecting me as a candidate of Tirunelveli Parliamentary Constituency for the 16th Lok Sabha Election. I pay my heartfelt thanks to *Amma* for helping me to win the election and also for making me one of the youngest Members of Parliament from the grassroots level worker of my party All India Anna Dravida Munnetra Kazhagam (AIADMK). I will assure that on the footsteps of *Amma*, I will work hard for the development of the people of Tirunelveli Constituency and also for the development of the nation. It is a pleasure to stand here in this august House and deliver the speech as a young parliamentarian from Tirunelveli Constituency. It is all because of our hon. Leader Dr. *Puratchi Thalaivi Amma* only.

Sir, this is my maiden speech. Hence you may be liberal to me and protect me. We are entering into an international convention through this

amendment Bill. I have great pleasure in stating that I come from Tirunelveli wherefrom hailed the great freedom fighter, V.O. Chidambaram Pillai. He was popularly known as '*Kappalottia Tamizharl*' who kindled national fervour along with Mahakavi Subramania Bharathiyar, Subramania Siva and other leading lights. He took upon merchant navy operations as a swadeshi movement during the freedom struggle. I can also proudly state that I represent a region that is known for maritime relations with several countries of the world from time immemorial.

Through this Bill, the Government seeks the permission of this House to sign international convention that seeks to protect the high seas and the sea organisms from the pollution caused by ship operation. Anti-fouling system meant for bigger vessels leave polluting paint molecules as suspended impurities in the oceans of the world. This calls for certification to be obtained by every ship that carries 400 tonnage or more. By way of entering into this agreement, our Government empowers itself to issue certificates to Indian vessels bearing Indian flags. This will avoid the cumbersome process of running to every foreign Government to enter into their harbours. This also authorises our Government to monitor their harbours. This also authorizes our Government to monitor ships coming from foreign countries and take penal action, if necessary that will provide for compensation mechanism.

I wish our Union Government, while signing this Convention, may also convert this into an opportunity. I would like to suggest that the Government may establish scientific and technical research organisation exclusively for studying pollution that affects our seas. Effects on aquatic plants, invertebrates, fish, seabirds, marine mammals, endangered species and other biota including sensitive and representative organisms have to be studied. Such a data shall enable us to monitor effectively our efforts to overcome the negative impact of pollution. The world Governments have taken note of the adverse effects of the suspended impurities in the ocean affecting the food chain. They may affect the human population in the residues in sea food.

While extending my support to this piece of legislation, I would like to make certain requests to the Minister of Shipping and he may generously consider them to promote industrial activity in the coastal areas of my constituency.

Uvari, a traditional fishing harbour may be modernized to enhance the livelihood and living standards of our fishermen. The Union Government may also go in for identifying certain ancient harbours in the country which can stand the vagaries of weather. For instance, near Manappadu in my constituency, there is a natural harbour which was used by the Britishers before they could move to the other ancient port, Tuticorin. This can be developed as inland commercial harbour or as a hub for coastal tourism introducing ship operations for inland tourists who may cruise along our coasts.

I thank you once again for this opportunity and without fail I thank Makkal Mudhalvar Dr. Puratchi Thalaivi Amma.

PROF. K.V. THOMAS (ERNAKULAM): Sir, I rise to speak in support of the Merchant Shipping Amendment Bill. The very fact that the present NDA Government has approved the Bill proposed and piloted by the UPA-II Government indicates the pro-working class stand taken by our Party. I congratulate the present Shipping Ministry on having recognized the need of the Amendment Bill and on having cleared it in the Cabinet without any substantial change on which the UPA-II Government had given a clear shaping. I believe that the NDA Government will display the same amount of magnanimity in dealing with other UPA piloted pro-poor and pro-weaker sections legislative proposals.

This Amendment Bill is primarily to make the Principal Act in conformity with the International Labour Organisations and Maritime Labour Convention of 2006.

In the first place, I wholeheartedly welcome the power reserved by the Government to extend application for the provision of the Bill regarding the Maritime Labour Standards to non-commercial ships on the recommendations of Director General (Shipping). In this connection I wish to bring to the attention of the Government towards fishing vessels, country's fishing vessels as well as strollers. Nowadays, the fishermen who work in the fishing vessels are not getting adequate protection. Sir, you know it very well. Both in Kerala and Tamil Nadu, a large number of accidents have taken place and due to which fishermen have been killed. A lot of boats have been sunk by ships but no action has been taken. So this is an area where Government has to give due attention.

It is also gratifying to note that the proposed Bill now mandates that the agreement to be signed by the person In-charge of the Indian Ship with the seafarers employed in the ship. It should contain the details of weekly hours of work, quantum of rest and also leave entitlement. This is also an area where we have to give due attention. A number of Indians, especially from the coastal area, work in a number of ships. Many of the ship owners are outside but their agents are in India. Whenever something happened to the ships, the Indian agents should be responsible.

Similarly, the raising of the minimum age of the apprentices, to be employed on the ships, from 15 years to 16 years is quite reasonable and also in consonance with the letter and spirit of our Constitution.

The prohibition of employment of persons below the age of 16 and deployment of minors on night duty is also a welcome step.

The proposal to allow the girls to be employed as apprentice is a step in the right direction. I am also keen to welcome the proposal that every foreign-going ship carrying less than the prescribed number of persons shall have medical facility.

It is seen that the Bill provides for verification of possession of maritime labour certificate and declaration by an authorised Government official. Similarly, there are other areas where the officers are deployed in control mechanism. Abundant precaution should be taken against all possible misuse of the provisions of the Bill, especially, those dealing with inspection, control and detention of ships. In this connection, I wish to bring to the attention of this House that India needs a vibrant and National Port Policy. We are a maritime country. We have historical trade relations with a large number of foreign countries. But so far, we do not have a National Port Policy. It has created a large number of problems. Many of the ports like Colombo and Dubai ports have been developed later. We have got natural ports like Chennai, Kochi, Kolkata and Mumbai which have started functioning years back but we have been lagging behind in their development and modernisation. I would request the

Government that while implementing this Bill, the Government should think of a vibrant National Port Policy.

Thank you.

ADV. NARENDRA KESHAV SAWAIKAR (SOUTH GOA): Hon. Deputy-Speaker, Sir, I rise in support of these two important legislation.

I come from a State, Goa, which is having the coastal line of 125 kms. This legislation is an important legislation because of two aspects which it covers. The first one is regarding the environment protection and the second one is regarding the seafarers.

As far as the environment protection is concerned, the antifouling system and the antifouling mechanism which are sought to be introduced through this present legislation is in order to protect the environment. It is a welcome measure by the Government and I support it. As many of the speakers have talked much about this issue, I do not want to go much into it and I support this legislation.

So far as the second aspect regarding the seafarers is concerned, I would like to submit that many of my supporters are from the seafarer community. In fact, I have experienced their issues, their demands. On many occasions, we tried to raise the issues of the seafarers before the then Government as well as the present Government.

We find that the seafarer occupation is interesting and rewarding but at the same time the plight of the seafarers needs to be looked into. Many a time the seafarers feel that there is no protection for them and as a result they feel that they will not be protected by the Government. But now, in view of the introduction of the second piece of legislation on the protection of the seafarers, I would like to congratulate the Government because they have taken into consideration this very important aspect of the merchant shipping.

If my memory serves me right, for the first time the Seafarers' Union was started in Goa somewhere in the year 1810. In fact, the seafarers get a very little and a very meagre pension.

I congratulate the present BJP Government in Goa, which, for the first time and perhaps in the history of India, introduced a pension of around Rs.2,500 to the seafarers and as a result of which the condition and the plight of the seafarers improved.

Therefore, I support both these pieces of legislations moved by the Union Government.

HON. DEPUTY SPEAKER: Members, before the hon. Minister starts his reply. I would like to take the sense of the House to extend the time of the House beyond 6 p.m. till these two Bills are passed.

SEVERAL HON. MEMBERS: Yes.

HON. DEPUTY SPEAKER: All right. The time of the House is extended till these two Bills are passed.

Now, the hon. Minister.

सड़क परिवहन और राजमार्ग मंत्री तथा पोत परिवहन मंत्री (श्री नितिन गडकरी) : माननीय उपाध्यक्ष जी, 1958 के मर्चेंट शिपिंग एक्ट में सुधार करने के लिए जो प्रस्ताव मैंने रखा था, उसका माननीय सदस्यों ने समर्थन किया और विभाग के बारे में बहुत अच्छे सुझाव दिये। इसलिए मैं माननीय सदस्यों के प्रति आभार व्यक्त करता हूँ।

यह जो बिल है, यह फॉरेन वैसल्स के लिए पूरी तरह से एप्लीकेबल है। उसके साथ-साथ इस बिल की दृष्टि से जो प्रोजेक्शन हैं, वे भी उनके ऊपर लागू हैं। जो हमारी पार्लियामेंट की स्टैंडिंग कमेटी थी, उन्होंने एक सुझाव दिया था कि इसके बारे में हमारे देश में जो उन्होंने सुझाव दिया है, वह हमने स्वीकार किया है कि 500 टन ग्राँस वजन के नीचे वाले जो वैसल्स हमारे देश में हैं, उन पर यह लागू नहीं होगा। इनलैंड वॉटर वालों पर भी यह प्रोजेक्शन लागू नहीं होगा। इसलिए स्वाभाविक रूप से इंटरनेशनल स्टैंडर्ड जो हैं, जो आईएलओ में नियम बने हैं, वे निश्चित रूप से इंडियन सी में लागू होंगे, यह मैं आपको विश्वास दिलाना चाहता हूँ।

जहां तक इस बिल को लेकर कुछ लोगों ने सी-फेयरर्स के बारे में चिंता जताई है और विशेष रूप से सोमोलिया में जो हुआ, हाइजैकिंग हुई, किडनैपिंग हुई, उसके बारे में काफी चिंता व्यक्ति की गई है। मैं आपको विश्वास दिलाना चाहता हूँ कि इस समय एक भी हमारा व्यक्ति हाइजैकिंग किया हुआ नहीं है। सबकी मुक्तता हुई है और अभी ऐसा कोई भी व्यक्ति नहीं है।

जहां तक फिशरमैन के बारे में जो चिंता व्यक्त की गई थी, उसके बारे में मैं बीच में रामेश्वरम गया था। मेरे साथ हमारे राज्य मंत्री श्री पोन राधाकृष्णनन जी भी थे। वहां के फिशरमैन के परिवार के लोग भी मुझे मिले थे। उन्होंने अपनी व्यथा मुझे बताई थी। बार बार तमिलनाडु और श्रीलंका के बीच में फिशरमैन के सामने समस्या खड़ी होती है और इसलिए उस परिवार का दुख-दर्द समझने के बाद मैंने यहां आकर माननीय प्रधान मंत्री जी से और विदेश मंत्री जी से बातचीत की।

18.00 hrs.

उनकी भावना और उनका निवेदन, जो उन्होंने मुझे दिया था, वह मैंने उन्हें सौंपा और उनसे प्रार्थना की कि आप श्रीलंका सरकार से बात करिये। मुझे इस बात की खुशी है कि हमारे प्रधान मंत्री जी ने श्रीलंका सरकार के राष्ट्रपति जी, प्रधान मंत्री जी से बात की और हमारे विदेश मंत्री ने उनसे विदेश मंत्री से बात की और वहां जो फिशरमैन थे, उनकी मुक्ति हुई और अब उन्हें कोई सजा होने का सवाल नहीं है।

जहां तक फाइंड के बारे में आपने कहा, यह सही है कि वह अमाउंट बहुत कम है। परंतु स्वाभाविक रूप से पार्लियामेंट की जो स्टैंडिंग कमेटी है, उसकी रिक्मेंडेशन है, परन्तु उसके साथ बढ़ाना चाहिए, यह आपकी भावना है, परंतु जो रिक्मेंडेशन है, उन्हें हमने स्वीकार किया है।

महोदय, ऐज के बारे में बहुत लोगों ने सवाल उठाये। यह ऐज पहले 15 थी, अब 16 हुई है और इंटरनेशनल प्रैक्टिसेज में यह ऐज 16 ही है। जैसे सम्माननीय सदस्य ने कहा कि यह अप्रेंटिसशिप की ट्रेनिंग का पहला पार्ट है और इसलिए वे ट्रेन होकर बाद में उसमें जाते हैं। इसलिए जो इंटरनेशनल नामर्स और स्टैंडर्ड्स हैं, उन्हीं के आधार पर 16 वर्ष ऐज निश्चित की गई है। जहां तक प्रशिक्षण और रोजगार के संबंध में पश्चिम बंगाल, साउथ इंडिया, चेन्नई और जो अनेक समुद्र तट हैं, उसमें लोगों ने अपेक्षा व्यक्त की है। एक बात यह भी सही है, जैसा अभी सम्मानित सदस्यों ने कहा कि हमारी शिपिंग इंडस्ट्रीज की अवस्था अच्छी नहीं है। हमारे देश के पूरी दुनिया में साढ़े छः लाख ऐसे लोग हैं, जिन्हें इस इंडस्ट्रीज में इंटरनेशनल लेवल पर रोजगार मिला है। परंतु अब हमारे पास ऐसे बेरोजगारों की संख्या छः हजार है, जिन्हें हम अप्रेंटिसशिप की ट्रेनिंग नहीं दे सकते, क्योंकि हिंदुस्तान के शिपिंग इंडस्ट्रीज की अवस्था अच्छी नहीं है। इसलिए मैंने डिपार्टमेंट ऑफ शिपिंग, शिपिंग, शिपिंग और माइनोरिटीज और स्किल डेवलपमेंट के मंत्री के पास एक प्रस्ताव दिया है कि इसमें दस लाख रुपये का खर्चा आता है। क्योंकि विदेशी फ्लैग के शिप पर अगर ट्रेनिंग लेनी है तो हवाई जहाज से उस देश में जाना और वहां एक साल रहना और स्वाभाविक रूप से वहां अप्रेंटिसशिप में कोई तनख्वाह नहीं मिलती। इस तरह से एक साल का खर्चा दस लाख रुपये होता है और दस लाख रुपये खर्च करने के लिए स्वाभाविक रूप से जो गरीब, पिछड़े वर्ग और माइनोरिटीज के लोग हैं, वे यह पैसा खर्च नहीं कर सकते। इसलिए मैंने मिनिस्ट्री को प्रस्ताव दिया कि उन्हें यदि लोन के रूप में या अनुदान के रूप में यह पैसा मिलता है तो वे सर्विस मिलने के बाद छः महीने में यह पैसा वापस कर सकते हैं, उन्हें इतनी अच्छी तनख्वाह मिल सकती है। मुझे इस बात की खुशी है कि उन्होंने इस प्रस्ताव को मान्य किया है और हमने पचास करोड़ रुपये स्किल डेवलपमेंट के लिए एक प्रस्ताव कैबिनेट को भेजा है।...(व्यवधान)

प्रो. सौगत राय : आप अपने ट्रेनिंग शिप क्यों नहीं बनाते?

HON. DEPUTY SPEAKER: Hon. Member, please do not interfere.

Mr. Minister, you please continue.

श्री नितिन गडकरी : आपने बहुत अच्छी बात कही। मैं आपको बताना चाहता हूँ कि हमने आलरेडी शिपिंग कारपोरेशन ऑफ इंडिया का जो एक शिप है, उसे ट्रेनिंग शिप बनाकर चालू करने का निर्णय किया है और उस पर भी ट्रेनिंग हो रही है।...(व्यवधान) इसका निर्णय हो गया है, जल्दी की बात नहीं है। लेकिन समस्या यह है कि एक शिप पर हमारी वेटिंग लिस्ट पांच हजार की है और एक शिप पर हम साल भर में कितने लोगों को ट्रेनिंग दे सकते हैं।...(व्यवधान) पांच सौ भी नहीं। एक शिप पर कैपिटल इनवैस्टमेंट इतना बड़ा होता है कि यह मुश्किल है। दूसरी ओर जो फॉरेन फ्लैग शिप है, उनके पास लोगों की जरूरत है, परंतु वे दस लाख रुपये खर्चा करने की स्थिति में नहीं हैं, इसलिए स्वाभाविक रूप से इस स्कीम के अंदर हमारे भारतीय युवाओं को फॉरेन फ्लैग शिप में कैसे अवसर मिले, इसके लिए एक योजना शुरू की है और इससे हमारे यहां के बेरोजगारों को इसमें निश्चित रूप से रोजगार मिलेगा।

इसके अलावा प्रशिक्षण के लिए चेन्नई में हमारी युनिवर्सिटी भी है और यह बात सच है कि शिपिंग और इनलैंड वाटरवेज में हम लोग बहुत पीछे हैं। अभी माननीय सदस्य ने जो बात कही है और मुझे भी इस बात का दुख होता है कि हम लोगों ने इस बारे में अभी तक ठीक प्रकार से काम नहीं किया है। यह क्षेत्र बहुत बड़ा है और स्वाभाविक रूप से इसमें इम्प्लायमेंट पोर्टेसियल भी बहुत ज्यादा है, उसमें इकोनोमी भी है और एनवायरनमेंट भी है। उदाहरण के लिए माना जाए कि अगर रोड से जायेंगे तो डेढ़ रुपये खर्चा आता है और रेलवे से जायेंगे तो एक रुपये खर्चा आयेगा और पानी से जायेंगे तो पचास पैसे खर्चा आयेगा और यह पाल्यून को समाप्त करने वाला है। परंतु हमारे देश में यह होता है कि जो ज्यादा पाल्यून करते हैं, हम उन्हें ज्यादा सब्सिडी और इन्सुलेंट देते हैं और जो कम पाल्यून करते हैं, हम उन्हें पैनलाइज करते हैं या उन्हें कोई प्रोत्साहन नहीं देते हैं, ऐसा हमारी नीति में है। इसलिए इनलैंड वाटरवेज को हमने गुड्स और ट्रांसपोर्ट के मामले में एनकरेज करने का तय किया है। आपने जो चिंता व्यक्त की है, वह बिल्कुल सही है।

अभी जैसा बताया गया कि चेन्नई में आटोमोबाइल इंडस्ट्री है और वहां अनेकों अच्छी गाड़ियां बनती हैं। वहां की गाड़ियां ट्रकों से दिल्ली, राजस्थान और हरियाणा में आती हैं। यहाँ की मारुति की गाड़ियाँ ट्रक में भरकर वहाँ जाती हैं। अभी हमने रो-रो सर्विस शुरू की है। यह रो-रो सर्विस यह है कि चेन्नई से डेढ़ सौ, दो सौ ट्रक जहाज में लेकर मूंदड़ा पोर्ट में आएं और यहाँ के, दिल्ली के ट्रक वहाँ चढ़ेंगे और वहाँ के ट्रक उतर जाएंगे। इस सर्विस का हमने अभी टैंडर निकालने के लिए बताया है। दूसरी ओर अच्छी बात मैं आपको बताऊँ।...(व्यवधान)

प्रो. सौगत राय : मूंदड़ा ही क्यों?

श्री नितिन गडकरी : पहली शुरुआत हम वहाँ से कर रहे हैं।...(व्यवधान) आप चिंता मत करिए। आप मेरे ऊपर विश्वास रखिए, पिछले 25 साल में पश्चिम बंगाल में जितना काम नहीं हुआ होगा, उतना पाँच साल में हमारी सरकार आपके राज्य में करेगी।...(व्यवधान)

श्री सुदीप बन्दोपाध्याय : पिछले 25 साल में तो कुछ नहीं हुआ, हम आपकी इस बात से सहमत हैं।

श्री नितिन गडकरी : अभी सागर पोर्ट का निर्णय भी हमने किया है।...(व्यवधान) मैं आपको बताऊँगा, आप चिंता मत करिए। यह बात जरूर है, आपने कहा कि मैं नागपुर से हूँ, पर प्रधानमंत्री ग्राम सड़क योजना मैंने बनायी, नेशनल हाईवे के बारे में पहली योजना बनायी, जब वाजपेयी जी प्रधानमंत्री थे। मैं यह प्रमाणिकता से कबूल करता हूँ कि इनलैंड वाटरवेज का महत्व कभी मेरे ध्यान में नहीं आया और यह कहने में मुझे कोई संकोच नहीं होता है।

मैं यह मानता हूँ कि अगर हिन्दुस्तान का जी.डी.पी. बढ़ाना है, अगर नया एम्प्लायमेंट पोर्टेसियल खड़ा करना है तो इनलैंड वाटरवेज को सबसे ज्यादा प्राधान्य देना चाहिए और देने का काम यह सरकार करेगी।...(व्यवधान) मैं आपको कोलकाता की अच्छी बात बताता हूँ। आप थोड़ा समय दीजिए, आपके सब प्रश्नों का मैं जवाब दूँगा।...(व्यवधान) जो इंपोर्टेड कोल हल्दिया में आता था, पहली बार हमारी सरकार ने उस इंपोर्टेड कोल को हल्दिया से कोलकाता तक बाजेज में डालकर पहले उसे पहुँचाने का काम शुरू कर दिया। यह पहली बार हुआ है।

दूसरी बात, गोवा से मुम्बई, जो जे.एन.पी.टी. में कंटेनर आते थे, वे मुम्बई-गोवा रोड से आते थे, हमारे कोंकण के एम.पी. सदन में उपस्थित हैं। मैं रोड ट्रांसपोर्ट का भी मंत्री हूँ और मुझे बड़े दुख के साथ यह कहना पड़ता है कि हर साल वहाँ पाँच लाख एक्सीडेंट्स होते हैं और डेढ़ लाख लोगों की मृत्यु होती है। मुम्बई-गोवा रोड तो एक मृत्यु का ट्रैक बना हुआ है। अब हम उसको फोर लेन कंक्रीट रोड बना रहे हैं, लेकिन उसमें समय लगेगा। जब मैं गोवा गया तो मैंने कहा कि यह जो पूरा कंटेनर ट्रैफिक है, यह जे.एन.पी.टी. टू गोआ, आप प्राइवेट किसी को दे दो और शुरू करो। मुझे इस बात की खुशी है कि चौगुले शिप कंपनी ने सप्ताह में एक बार गोआ के पूरे कंटेनर शिप में डालकर जे.एन.पी.टी. में पहुँचाने की शुरुआत की। यह इतना सक्सेसफुल हुआ कि सप्ताह में एक बार की बजाय अब दूसरी बार भी उन्होंने अनुमति माँगी और अब दूसरा शिप भी शुरू हो रहा है। धीरे-धीरे हम यह कोशिश शुरू करेंगे कि जो हमारा इम्पोर्टेड कोल आ रहा है, आयरन-ओर आ रहा है, कंटेनर ट्रैफिक है या ऑयल के लिए एडेबल ऑयल इम्पोर्ट हो रहा है, इन सबके बारे में हम पोर्ट में निश्चित रूप से इसकी व्यवस्था करेंगे।

आपने ड्राफ्ट के बारे में भी कहा। जहाँ 20 मीटर ड्राफ्ट होता है, वहाँ दो लाख टन का शिप आता है। हमारे यहाँ 13 मेजर पोर्ट्स हैं। माइनर पोर्ट्स स्टेट गवर्नमेंट के साथ हैं। एक-एक पोर्ट में यह ड्राफ्ट मैन्टेन करना बहुत कठिन है। इसलिए गोवा में पहली बार हमने निर्णय किया, क्योंकि, गोवा पोर्ट का ड्राफ्ट 14 मीटर है। वह ड्राफ्ट 20 मीटर करना

था। उसके लिए 550-600 करोड़ रुपये लगने वाले थे। अब सरकार के पास तो इतने पैसे नहीं हैं। देश का पहला रोड पी.पी.पी. मॉडल में करने का सौभाग्य मुझे मिला। मैंने कहा कि इसको पी.पी.पी. मॉडल में किया जाए और स्टेट बैंक के कैपिटल कैप के जो इंस्टीट्यूशंस हैं, उन्होंने इसका अध्ययन किया और गोवा में पहला पी.पी.पी. मॉडल पर 20 मीटर का ड्राफ्ट बनाने का प्रोजेक्ट शुरू हो रहा है, जिसके कारण दो लाख टन का शिप आयेगा और 25 डॉलर प्रति टन की बचत होगी। जितनी बचत होगी, उससे कुछ बचत उस खर्च में जाएगी और तीन-साढ़े तीन साल में उसके पैसे वसूल हो जाएंगे। सरकार का पैसा खर्च किये बिना यह काम हो सकता है।... (व्यवधान) स्टेट बैंक के एम.डी. कल ही मुझसे मिले हैं और उन्होंने उसका अध्ययन किया है।

हमने वाराणसी और कोलकाता, हल्दिया के बीच में सेवा शुरू की है। इलाहाबाद नहीं हो पायेगा। पहला वाराणसी टू हल्दिया होगा। इलाहाबाद में थोड़ी प्रॉब्लम है, वह सेकेंड फेज में होगा। वाराणसी टू हल्दिया यानी कोलकाता के लिए 4,200 करोड़ रुपये हमने दिये हैं और तीन महीने के अन्दर हम टर्मिनल्स का काम शुरू कर रहे हैं। वैसे तो अभी भी हमने कुछ और सुधार किए हैं, पर निश्चित रूप से पैसेंजर और गुड्स का ट्रांसपोर्ट हम एक साल के अन्दर गंगा में कर सकेंगे। यह संभव है और इस काम की शुरूआत तीन महीने के अंदर शुरू हो जाएगी।... (व्यवधान) यह इस बिल के संबंध में नहीं है, लेकिन आप पूछ रहे हैं, इसलिए बताता हूं। इसकी 45 मीटर की विड्थ है और पांच मीटर का ड्राफ्ट है जैसे एयर पोर्ट बने हैं, वैसे वाटर पोर्ट और सी-पोर्ट बनाने का विशेष रूप से एम्सोडैम हॉलैंड की सरकारी एजेंसी को लेकर उसकी डिजाइनिंग कर रहे हैं और उसके ऊपर यह काम हो रहा है। इसमें चार हजार दो सौ करोड़ रुपए सरकार ने दिए हैं और वे भी वर्ल्ड बैंक ने दिए हैं, उस पैसे से ही यह काम होगा।

हमारे यहां एक और प्रॉब्लम है कि गुड्स ट्रांसपोर्ट में चाइना में टोटल गुड्स ट्रांसपोर्ट और पैसेंजर ट्रांसपोर्ट 20 परसेंट पानी में होता है और हमारे देश में 0.05 परसेंट है। यह हमारे देश के लिए अच्छी बात नहीं है। इसे हम प्राथमिकता देने वाले हैं। इसमें हम दो चीजें कर रहे हैं। एक हॉवर-क्राफ्ट्स बनाने की ब्रिटिश कम्पनी है, हमारी डिफेंस मिनिस्ट्री ने और गोवा शिप यार्ड ने उसके साथ ज्वायंट वेंचर किया है और 70 हॉवर-क्राफ्ट्स गोवा में बनाने वाले हैं। मैं उस कम्पनी के हॉवर-क्राफ्ट के साथ रामेश्वरम में गया था। अभी 15 दिन पहले मैं लंदन में भी था। मैंने उनसे चर्चा की कि क्या हम 250-300 सीट के हॉवर-क्राफ्ट्स बना सकते हैं। उसकी स्पीड 80 किलोमीटर प्रति घंटे तक जा सकती है। उन्होंने उसकी तैयारी बताई है और आज मेरी डिफेंस मिनिस्ट्री से बात हुई है, वे 70 हॉवर-क्राफ्ट्स गोवा में बना रहे हैं, जरूरत होगी तो उनके साथ, नहीं तो हम उसकी अलग व्यवस्था करेंगे, क्योंकि कोलकाता में हुगली डॉक में हमारा एक बहुत बड़ा यूनिट बंद पड़ा हुआ है, तो हॉवर-क्राफ्ट वहां बनाने के बारे में भी हम सोच रहे हैं। मैं वहां कभी गया नहीं हूं।

प्रो. सागत राय : आप कभी वहां जरूर आइए।... (व्यवधान)

श्री नितिन गडकरी: सम्माननीय सदस्य, मुझे आश्चर्य है कि आपके मुख्यमंत्री और मेरी मीटिंग तय हुई है, लेकिन आपको यह कैसे पता नहीं है। मैं वहां आने वाला हूं और आपको बुलाने वाला हूं। पूरा एजेंडा और तारीख भी तय हो गई है।... (व्यवधान)

श्री सुदीप बन्दोपाध्याय : एक बार पहले भी प्रोग्राम तय हुआ था, लेकिन आपने कैंसिल कर दिया था।... (व्यवधान)

श्री नितिन गडकरी : यह सच है कि एक बार प्रोग्राम तय हुआ था, लेकिन प्रधानमंत्री जी के साथ एक कार्यक्रम था, इसलिए वह प्रोग्राम कैंसिल करना पड़ा। मैंने स्वयं अपने आफिस से मुख्यमंत्री जी के आफिस से चर्चा करके तारीख निश्चित की है।... (व्यवधान)

मैं आपको एक और अच्छी बात बताना चाहता हूं कि हमारी सरकार आने के बाद हमने सी-प्लेन को भी अनुमति दे दी है। पानी पर उतरने वाले पहले प्लेन को हमने मुम्बई में उतरने की अनुमति दे दी है। मैं चाहता हूं कि हिंदुस्तान के हर तालाब में ऐसा हो, क्योंकि उसमें सिर्फ सौ मीटर जगह लगती है। अंडमान-निकोबार में यह प्लेन सेवा शुरू है। इससे हमारा पर्यटन भी बढ़ेगा। हमारे एयर स्ट्रिप से प्लेन निकल कर पानी पर उतरेंगे तो नए प्रकार का ट्रांसपोर्ट हमें मिलेगा। यह प्लेन सभी जगह उतर सकता है। इसमें प्रॉब्लम केवल यह है कि इसकी मैनुफैक्चरिंग कनाडा में होती है, इसलिए इसकी कॉस्ट ज्यादा होती है। हमारे इंडियन सिनेरियो में उसकी कॉस्ट कम करने के लिए मैंने डिफेंस मिनिस्ट्री से रिक्वेस्ट की है। अगर ज्वायंट वेंचर हो तो इससे कॉस्ट कम होगी और टिकट कम होगा। पहले से ही अंडमान-निकोबार में यह व्यवस्था है और मुम्बई शिरडी की शुरू हुई है।

मैं आपको एक और अच्छी बात बताना चाहता हूं। मैं अभी यूरोप गया था। वहां मैंने बस देखी जो पानी में और रोड पर, दोनों जगह चलती है। मुझे उस बस में बैठने का भी मौका मिला और उसे चलाने का भी मौका मिला। हमारा जवाहर लाल नेहरू पोर्ट ट्रस्ट है, उन्होंने पहले इस बस का आर्डर देने का निर्णय किया है और मुम्बई में यह बस तीन महीने में शुरू हो जाएगी जो रोड पर भी चलेगी और पानी में भी चलेगी। अगर यह प्रयोग सक्सेसफुल हो गया तो यह भी हमारे लिए बहुत बड़ी उपलब्धि होगी। इसके बाद कैंटरमैनन के बारे में आस्ट्रेलियन कम्पनी की हमारे साथ चर्चा हुई है। वहां से लाने में टिकट कॉस्ट बढ़ती है, क्योंकि कैपिटल कॉस्ट ज्यादा है। मेक इन इंडिया जो प्रधान मंत्री जी का मंत्र है, अगर उसके अनुसार हम उसे इंडिया में मैनुफैक्चर करेंगे तो उसकी कॉस्ट कम हो जाएगी और अगर उसकी कॉस्ट कम होगी तो उसके टिकट के दाम कम हो जाएंगे। हम उसके ऊपर भी काम कर रहे हैं। उस इंडस्ट्री को प्रोबेवली हुगली, कोलकाता में हम शुरू करने के बारे में सोच रहे हैं।... (व्यवधान)

महोदय, जहां तक हमारे सम्माननीय सदस्यों ने चेन्नई की सर्विस के बारे में कहा है तो मैं उन्हें यह बताना चाहता हूं कि साउथ में चेन्नई, मंगलौर, गोवा है। इधर गोवा से गुजरात का बॉर्डर है।... (व्यवधान) हां, त्रिवेद्रम भी है। त्रिवेद्रम के बारे में भी मुझे चिंता है।

मैं अपनी सरकार के बारे में आपको विश्वास दिलाना चाहता हूं कि आप किसी भी पार्टी के हों, आप मेरे पास आइए। अगर आपका काम लेजिटीमेट और जेन्यून होगा तो मैं आपको वह काम 110औं कर के दूंगा।... (व्यवधान)

सर, मैं आपके माध्यम से एक और अपील करूंगा। हमारे आई.एम.यू. का कैंम्पस कोलकाता में है, कॉकण में गोवा में भी है। इसमें और सुधार करने की आवश्यकता है।... (व्यवधान) विशेष रूप से शिपिंग और इस इंडस्ट्री से जुड़ी हुई जो टेक्नीकल कोर्सेज हैं, जो मैन पावर को टेम करने वाले कोर्सेज हैं, जिसकी मैरीटाइम यूनिवर्सिटी चेन्नई में है, उसकी अपनी कुछ समस्याएं हैं। पुरानी सरकार ने जो यूनिवर्सिटी बनायीं है तो स्टेट गवर्नमेंट को नयी सरकार को को-ऑपरेट करना चाहिए। यह हमारी बात आप आदरणीय जयललिता जी को जरूर पहुंचाए। अगर यह होगा तो इस यूनिवर्सिटी का देश के लिए बहुत बड़ा उपयोग हो सकता है।... (व्यवधान)

महोदय, कुछ माननीय सदस्यों ने कहा है कि हम इंडियन वेसेल को क्यों नहीं लगा रहे हैं तो इस पर पार्लियामेंटरी स्टैंडिंग कमेटी का ही रिक्मेंडेशन है कि जिसका वजन गॉस 500 टन है, उससे इसको ड्रॉप किया जाए। इसलिए कमेटी ने जो सुझाव दिया है, वही हमने इस बिल में किया है।

सी-फेयरर्स के बारे में आपने कहा है। सी-फेयरर्स में पुरुष भी हैं और महिलाएं भी हैं। आपने यह बात बिल्कुल सही व्यक्त किया है कि हम लोग इक्कीसवीं सदी में जा रहे हैं तो पुरुषों के साथ महिलाओं को भी प्रधानता देनी चाहिए। आपकी बात बिल्कुल सही है। सरकार इसको स्वीकार करेगी और इसे जरूर मानेगी।

जहां तक पोर्ट्स के बारे में थॉमस साहब ने अभी कहा है तो पोर्ट्स को मॉडनाइज़ करने की बहुत आवश्यकता है। मैं अभी रॉटरडम, हॉलैंड गया था। वहां नदी के दोनों बाजू में बहुत बड़ा पोर्ट है। मैं बेल्जियम गया। वहां देखकर मुझे बड़ा दुःख हुआ कि हमारे यहां अभी तक हमने इसे ठीक प्रकार से नहीं किया है।... (व्यवधान)

महोदय, मैं आपके माध्यम से यह विश्वास दिलाना चाहता हूँ कि यह जो प्रस्ताव आपके सामने हमने रखा है, यह देश के हित में है, इनवायरनमेंट के हित में है और विशेष रूप से जो मज़दूर हैं, उनके अधिकारों की रक्षा करके उन्हें न्याय देने वाला है। इसलिए केवल इनकी जो पेंशन की बात हुई है तो ऑलरेडी इनकी वेल्फेयर एसोसिएशन की स्थापना हुई है। उसमें शिपिंग इंडस्ट्री के मालिक कंट्रीब्यूट करते हैं। उन्होंने मज़दूरों को पेंशन देने की शुरुआत की है। मैं गोवा सरकार का अभिन्नंदन करूँगा कि उस सरकार की जिम्मेदारी न होते हुए भी उन्होंने गोवा में सी-फेयरर्स के लिए पेंशन शुरू की है। चाहे उनकी हेल्थ सर्विसेज हो, मेडिकल सर्विसेज हो, उनके अधिकार हों, उनका इनवायरनमेंट हो, इन सब बातों की रक्षा करने के लिए यह बिल आया है। यह बिल इंटरनेशनल लेबर ऑरगेनाइजेशन में उनके अधिकारों को ध्यान में रखकर लाया गया है।... (व्यवधान)

मैं मुम्बई का रहने वाला हूँ। अभी तो मुम्बई में उसके बाजू में ट्राफिक जाम है। हम लोग सोच रहे हैं कि बीपीटी का कैसे अच्छी तरह से विकास करें। उसका प्लान तैयार हो रहा है। मुम्बई हमारे देश की फाइनेंशिएल कैपिटल है। इंटरनेशनल स्टैंडर्ड्स की डेवलपमेंट मुंबई पोर्ट ट्रस्ट एरिया में होगी। वहां सभी प्रकार के सुधार लागू होंगे। मैं आपको विश्वास दिलाना चाहता हूँ कि उसको प्रायोरिटी मिलेगी।

मैं आप सबसे एक बार फिर इसके लिए अपील करता हूँ।... (व्यवधान) यह महत्वपूर्ण प्रस्ताव था, इसके ऊपर आप सब लोगों ने सुझाव दिए, मार्गदर्शन किया, शिपिंग इंडस्ट्री के बारे में, इनलैंड वाटर वेज के बारे में आपने अच्छे-अच्छे सुझाव दिए, इसलिए आपके प्रति मैं आभार व्यक्त करता हूँ और आप सबसे प्रार्थना करता हूँ कि इन दोनों अमेंडमेंट्स को आप मंजूर करने की कृपा करें।

HON. DEPUTY SPEAKER: Now, Item No. 14 A

...(Interruptions)

SHRI BHARTRUHARI MAHTAB : Sir, I would like to ask just one clarification.

HON. DEPUTY SPEAKER: Okay. I cannot allow others. Only one Member will be allowed as time is already over. Everybody has taken their own time.

SHRI BHARTRUHARI MAHTAB : It is relating to tonnage of ships. You have mentioned in one Bill, that is, the second amendment that lower tonnage of ships come to our shores and they have pollutants and chemicals in the paint. Should we not have control over it? I am asking this because we are not actually doing it. I think 5-6 years back an accident also occurred on the shores of Paradip Port where a small ship named 'Black Rose' – a Mongolian ship – carrying iron ore capsized and it is still there on the mouth of the Paradip Port, which is also another irritant.

Secondly, there is no registry. Internationally, there is no registry of ships, and there are instances of a number of ships with the same name also coming to our shores may be to Kandla, Chennai or Tuticorin with the same name, same company, but different ship. Should not the Government of India, at the international level, try to have a common registry so that one name for one ship will be there so that one can monitor it regularly? These are the two questions that I want to ask from the hon. Minister.

श्री नितिन गडकरी : फॉरेन फ्लैग के जितने शिप्स हैं, उन पर यह कानून बिल्कुल लागू होता है, चाहे उसका वजन कितना भी हो। इंडियन शिप्स के बारे में कहना चाहूँगा कि जो हमारा एन्वायरनमेंट एक्ट है, उसके अनुसार जो कानून है, उसके अनुसार उसके पर कार्रवाई होगी।

दूसरी बात, आपने रजिस्ट्रेशन के बारे में कही, मेरे पास उसकी निश्चित जानकारी नहीं है, लेकिन आपका मुद्दा महत्वपूर्ण है। मैं उसकी डिटेल में जाकर जानकारी लूँगा।

HON. DEPUTY SPEAKER: Now, the House will take up Motion for consideration of the Merchant Shipping (Amendment) Bill.

The question is:

"That the Bill further to amend the Merchant Shipping Act, 1958, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

HON. DEPUTY SPEAKER: The House shall now take up clause by clause consideration of the Bill.

The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

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

HON. DEPUTY SPEAKER: The Minister may now move that the Bill be passed.

श्री नितिन गडकरी : महोदय, मैं प्रस्ताव करता हूँ कि विधेयक, राज्य सभा द्वारा यथापारित, पारित किया जाए।

HON. DEPUTY SPEAKER: The question is:

"That the Bill, as passed by Rajya Sabha, be passed."

The motion was adopted.

HON. DEPUTY SPEAKER: Now, Item No. 14 B. The House will take up Motion for consideration of the Merchant Shipping (Second Amendment) Bill.

The question is:

