

to come to this House and not others. Therefore, so far as commission charged by the Banks is concerned, I do not think that I can give him a reply. But I assure Shri Digvijay Singh that I will get the position examined and let him know.

So far as Prof. Ranga's point is concerned, I have stated that economic measures to curb expenditure are uppermost in our mind and whatever possible action we can contemplate, we are certainly likely to take. Until we curb our expenditure to a reasonable limit (I do not say that we should stop all the activities), we cannot reach our goal. Government is constantly doing this exercise of curtailing unnecessary expenditure and my colleagues in other Ministries know how much exercise is being done in this regard. His suggestion that we should look afresh into the whole concept of holidays is a good one and the Government will take note of it.

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

14.47 hrs.

MERCHANT SHIPPING (AMENDMENT)
BILL, 1986

[English]

MR. CHAIRMAN : We will now take up Item No. 14 of the agenda.

THE MINISTER OF STATE IN THE
DEPARTMENT OF SURFACE TRANSPORT
(SHRI RAJESH PILOT) : I beg to move :

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

Sir, with your permission, I would like to say a few words while moving the Merchant Shipping (Amendment) Bill, 1986 for the consideration of the House.

The Merchant Shipping Act has provi-

sions for safe and efficient maintenance of Indian mercantile marine in a manner best suited to serve the national interest. Measures have been evolved from time to time for ensuring safety of life at sea and the protection of marine environment to preserve marine resources. In serving the country's trade, Indian ships ply on many overseas routes to all continents of the world. Similarly, ships of other countries call at all major ports and many of the intermediate ports of our country. In the overall sphere of safe operation of ships, the human element, viz. the competence and experience of the merchant navy officers and crew play a most vital role. The perils of the seas have to be countered both by the improved standards of construction of the ships and updated competence to operate the ships by the officers and the crew. The officers of the navigation and engineering departments are required to possess certificates of competency. These certificates are issued to persons who have complied with the training and operational requirements followed by examinations conducted by officers appointed under the Merchant Shipping Act.

Marine safety is of international concern. The need for an international standard with regard to crew qualifications and competence was deliberated at the International Conference on Training and Certification of Seafarers in 1978 and with the active participation of India, an International Convention on Standards of Training, Certification and Watch-keeping for Seafarers 1978 was adopted. The Convention lays down mandatory minimum requirements of training, experience and examination for officers and ratings sailing in various capacities on different categories of ships. A ship is required to be manned by a specified number of persons holding appropriate grades of certificate of competency. The ship is considered un-seaworthy if it is not manned in accordance with the Convention, and may not be allowed to sail from any port of the countries which are parties to the Convention. Our Government has ratified the 1978 Convention and it has come into force with effect from 15 February 1985.

The certification of ships officers are presently in accordance with Part VI of the Merchant Shipping Act, 1958.

[Shri Rajesh Pilot]

of Competency granted under the part meet the present requirements of the International Convention. There is, however, a provision for the issue of Certificates of Service which is distinct from the Certificate of Competency, to the officers of Indian Navy. The sole criterion for the grant of a Certificate of Service is the rank attained by the Officer in the Indian Navy. The holder of a Certificate of Service is presently treated at par with the holder of Certificate of Competency for service in the Merchant Navy. This provision of granting of a certificate without stipulated training specified experience and examination as per approved syllabus conflicts with the Regulations of the International Convention. Making of a ship with the holder of Certificate of Service will not be accepted by the maritime countries which are parties to the convention that any ship found so manned might be detained in their ports.

It is, therefore, necessary to delete the provision for granting Certificate of Service as stated in Section 80 of the Merchant Shipping Act. While proposing the deletion of Section 80 from the Merchant Shipping Act, the Government has also considered that it is already possible

14.52 hrs.

[SHRI ZAINUL BASHER *in the Chair*]

for the Indian Navy officers, subject to suitable sea experience, to appear for the examinations for obtaining Certificates of Competency. It has also been decided that the Certificates of Service granted in the past will continue to be recognised under the Act.

MR. CHAIRMAN : Motion moved :

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

SHRI GOPAL KRISHNA THOTA (Kakinada) : Sir, we are facing two problems in our country; one is population and the other, pollution. If Government takes stern action against them, we can minimise both the problems. At the outset,

we should discuss Section 80 of the Merchant Shipping Act, 1958. According to it, the Lieutenant or Sub-Lieutenant in the executive branch of the Indian Navy is entitled for the Master of foreign-going ships. They automatically become entitled for it, without having any certificate. Our hon. Minister has proposed to omit this Section 80, and wants to bring in other persons, if there are no eligible Navymen. Because of lack of such certification or rigorous training, last year two coastal ships sank with their full crew.

The IMCO (Inter-Government Maritime Consultative Organization) consists of 108 countries as members in it. Its main aim is to prevent pollution from marine ships. These ships are discharging oil into the sea. The Merchant Shipping Act is likely to be amended soon, to enable the Government to take stern action against pollution. But the West already has taken steps to prevent sea pollution. It is a great threat to marine wealth. Marine wealth is not an ordinary thing. It earns a lot of foreign exchange. So, Government should not forget to protect the sea from pollution. We should also consider the question of construction of tankers with a provision for operation of cargo. Otherwise, cargo and oil are dumped, and there is a lot of scope for pollution.

The IMCO also adopted a resolution to minimise the accidents to ships in the sea, in close cooperation with the International Labour Organization. It decided to improve the standards of certification, training and watchkeeping of seafarers. In some cases, the syllabus and the scope of training are not enough. I think there is only one training ship, at Madras. I would like to suggest that training facilities should be increased. This should also include training programme in regard to emergency landing, medical treatment, departure of vessels in the case of relief operations, etc. There is also need for more training ships.

If we develop the shipping transport we can minimise the burden on railways and road transport. I would like to point out here that the total length of navigable water channel is about 14,500 kms; of this 5,209 kms are suitable for operation of mechanised vessels without any investment. Then Krishna and Godavari basins in Andhra

Pradesh have plenty of chances for navigation. The Kakinada Port is a natural port which needs to be developed. I would urge upon the hon. Minister to take up very seriously the question of development of the Kakinada Port. There should be coordination between Rail, road, air and water transport systems.

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : I rise to support the Merchant Shipping (Amendment) Bill 1986. The present Bill has a very limited scope. The Bill which has been brought in this House is only to delete Section 80 of the Merchant Shipping Act and subsequently 87 (a) of the Principal Act. These are the consequential amendments. Here the main intention of the Bill is to meet Section 80 as has been already spoken by the Minister to maintain the international standard, international convention which has been accepted by our country regarding the issue of certificates for the persons who are manning the vessels. The main purpose of the Merchant Shipping Act is to regulate the Shipping, to regulate sea men, their service conditions, to regulate from the construction stage, then to regulate the passenger services, their conditions, to look after the passengers' welfare, welfare of the sea men and the maintenance of the tonnage in the country. These are the intentions of the Merchant Shipping Act and by which the country's shipping is regulated.

I am really disappointed to see that such a Bill has come with a very limited scope, though there are many other clauses, there are many other sections, where we require some amendments and some new approach by the government in the changed Shipping conditions in the international arena, because we all know the shipping in the international field now with its recession condition, and we also know that most of the countries are now giving up passenger services and they only go in for big type of vessels, not small ships. In our country only we have got two island groups where we require to maintain passenger vessels particularly Andaman and Nicobar Islands and Lakshadweep, and the passenger services in these areas and the facilities provided to the passengers, and the safety which has been one of the very important

criteria in the Merchant Shipping Act in such absolutely hopeless condition.

You know, a few days before, a vessel, namely, Chidambaram passenger vessel, which used to go from Madras to Singapore, was gutted and some passengers also died. Now I understand that the government has condemned that vessel. It is not going for that service, whatever it is. There are a number of sections where it is required to change and bring an amendment, and instead of going through all the pros and cons, government want on a very limited scope to amend Section 80 of the Merchant Shipping Act.

15.00 hrs.

Now, I would like to mention the position about 'home trade'. In the Merchant Shipping Act, the definition of 'Home trade' is given that it should not be exceeding 3,000 tonnes and Ceylon, Maldives, Malaysia, Singapore and Burma, these are the countries coming in the category of 'home trade.' But, the neighbouring country, Bangladesh, it is not mentioned. What will be the result? Foreign trade vessels will be going there but it should be regularised under the Merchant Shipping Act. The amendment was needed here.

Now, I will mention one thing more that in Part 8 of the Merchant Shipping Act, it says about passenger ships, how the passenger ships should be maintained, how the facilities are to be provided, and so on. I would like to mention there that there used to be a special trade passengers' welfare committee which used to look after the interests and facilities of the ship passengers. I like to know from the hon. Minister whether during the last three years after it was constituted, did it hold any meetings, was any report submitted by the Committee, whether the Ministry of Shipping had seen it, and whether any resolution was adopted by the ship Passengers Committee and whether any remedial measures have been taken by the Ministry. All these things should be answered.

[Translation]

SHRI NARAYAN CHOUREY (Midnapore) : Has any action been taken ?

SHRI MANORANJAN BHAKTA : They want to remain stationed in the Ministry because there they get promotions and all other facilities. What is the need to go from there, why should they work when they get promotions without any work? Therefore, this needs to be looked into.

[English]

I know, in my place, Port Blair, there is an office of the Shipping Corporation of India. I always see passengers waiting in rain, and there is not even place to stand there outside, and they are not allowed inside to sit. Even at night, at 3 O'clock people will be there to collect the tickets! It is a pathetic situation to see. There is no arrangement even for sitting for them! The Shipping Corporation of India is not taking any interest to look after the interests of those passengers. Many a time I have written to the Government and I raised this issue, but nobody takes interest.

Then there is a surveyor's role. Those surveyors are supposed to look after the interests of the passengers and the vessels. But for some time past we have found that they do not take any interest at all. The surveyor only creates problems for the passengers. The passengers suffer because the ships do not sail in time. In spite of our bringing it to the notice of the Government and the Minister no action has been taken in the matter.

I would also bring to your notice that there is discrimination in the matter of passengers.

[Translation]

SHRI NARAYAN CHOUBEY : It really causes a lot of difficulty.

MR. CHAIRMAN : Please listen.

SHRI MANORANJAN BHAKTA : Choubey ji, you do not board the ship, you travel by train.

SHRI NARAYAN CHOUBEY : I support you.

SHRI MANORANJAN BHAKTA : First you listen, then support.

[English]

Sir, the point is this, that in the passenger shipping, there are two kinds of rules. Here also in the Act, there is some kind of a discrimination. Pilgrims ships, going on a pilgrimage, they are treated according to one set of rules and those who are normal passengers travelling by the ship they—are treated under a different rule. I will cite an example. In Calcutta, I think, it is due to the mercy of CPI(M) or Left Front Government in West Bengal, sometimes, ships are help up due to strike or due to some other reason or that reason. Then what happens is that these passengers who are stranded at Calcutta, Madras, Vizag or any other place, they do not have the money to eat and place to stay. For 10 to 15 days these passengers are stranded at Calcutta and Madras because the ships are not sailing on due date and the Shipping Corporation of India and the Ministry of Shipping and Transport are not taking any responsibility to look after these passengers. If it is a pilgrim ship and the ship is not sailing on due date; then they will pay compensation. What crime the other passengers have committed that they are not looked after or provided those facilities? I am happy that my good friend, Mr. Pilot, is there. Even a pilot is required to take the ship to the wharf. I feel that he will be in a position to do something.

In section 264 of the Merchant Act there is a provision that if a voyage is sailing for 48 hours, then there should be enough medicines along with the Medical Officer in the ship. In Andaman and Nicobar, the inter-island shipping from Port Blair to Great Nicobar, the voyage takes more than 48 hours. But in that voyage there is neither any medical officer nor any medicine provided. All these facilities are required to be provided in that voyage.

According to the present conditions, in that part the passengers are suffering the most and this suffering must be ended at any cost and more facilities should be provided.

While I support the Bill, I appeal to the Minister to kindly look after the interest of passengers and at the same time, to see that more facilities are provided to the seamen who are working in the sea. I also request him to bring forward a comprehensive Bill on Merchant Shipping for consideration by the House.

SHRI V.S. KRISHNA IYER (Bangalore South): I heartily welcome this Bill. I consider the shipping industry as one of the most important industries in our country. Moreover, it is also a second line of defence, because we have a very vast coastline.

The hon. Minister has brought in an important clause that is to delete section 80. We do understand that it is very necessary that the safety of operation must be the foremost thing. Those persons who are competent, experienced and trained they alone should man the ship and nobody else. That is very important from safety point of view. The Merchant Shipping Act provides for this. But there has been an exemption so far as Navy officers are concerned. The Navy Officers need not undergo training and examination. A certificate is issued to them on the basis of the rank they hold in the Navy. This amendment deletes that section. It is very necessary because we are now the members of the international convention. We have ratified that convention and we are bound by that regulation. If I have understood correctly, if our officers do not possess the certificate under the Merchant Shipping Act, they will not be allowed to sail in any port of any country of international convention. A Navy officer, even if he may not have the competence or the experience, would have been issued a certificate under the existing provisions but the amendment prohibits that. So, from that point of view I welcome this Bill.

In this connection, I would like to make one or two suggestions. Hon. Member from Andaman and Nicobar spoke from his experience but since I am very far away from the sea, I will speak from my bookish knowledge. In the last session we discussed about the two missing ships but till this day we are not able to locate them. Where are those ships and where is the 40-member crew who was in those ships?

Till this day the House has not been informed what has happened to them. Why did it happen and how did that happen is very important. May I know from the hon. Minister whether the Government has made an inquiry into these accidents and whether they have been able to find out the reason why those ships are missing? I understand from very reliable sources, from several persons who are closely connected with the shipping industry, that the wireless machines of these ships were not working and in spite of that the officers gave them green signal to go ahead. It happened with the connivance of the officers. It also shows the callousness of the officers. So, it is not enough to have the legislation but the enforcement authorities also must be very very honest. Unless they enforce the laws properly, safety not only of the human life but of the property also would be at stake. So, I am sure, the young Minister who is also a pilot both for the air and the ships, will look into it to see that the officers, particularly of the Shipping Corporation of India, who are in charge of these things should see that the Act is implemented not only in letter but also in spirit.

Another thing I would like to know from the hon. Minister is what is the percentage of coastal traffic we have in our country and what is the foreign trade through Shipping we have in our country. I understand that our country is very very far below compared to other countries so far as foreign trade from our ships is concerned.

Finally, I would also like to make another suggestion. When the Minister had piloted the Inland Water Transport Authority Bill, at that time he had assured the House that all importance will be given to inland transport. Many Members had spoken on that Bill. He may remember that we stressed that inland transport is more important than air transport or rail transport because it will be cheaper. The transport through ships is definitely cheaper than air or rail or road transport and it does not involve so much of foreign exchange also. So, even to save our foreign exchange, it is necessary that we should develop our inland transportation.

[Shri V.S. Krishna Iyer]

I am sure that the hon. Minister, while replying, will tell us what action he has taken in this regard.

Finally, I would like to say a word about seamen. I understand that there are about 10,000 seamen in our country who are unemployed and who have registered their names in the employment exchanges. Government must look after their welfare. I think previously they were being given three months' unemployment allowance but even that has been stopped now. They should be looked after and it should be seen that they get jobs. I know that there is recession in the shipping industry but you cannot get trained seamen whenever you want. Hence, there is need to engage them. With these words, I welcome this Bill and I support this amendment.

[Translation]

SHRIMATI PRABHAWATI GUPTA (Motihari) : Mr. Chairman, Sir, I welcome the amendment moved by the Hon. Minister for Transport. It is a minor amendment under which section 80 of the original Act of 1958 has been sought to be deleted and sections 87 and 87 (A) are proposed to be amended. This amendment is quite in order. Today, the Merchant Shipping Industry is facing a great crisis. The Government should take it seriously and not lightly. In ancient times, our maritime trade and commerce was a flourishing one. We should encourage it in the present times as well in the same manner. In the Seventh Five Year Plan, we have not made sufficient provision for this purpose. The amount provided therein should be increased so as to expand our trade. The first and foremost aim of the merchant shipping is to augment our trade and commerce and secondly to prepare a second line of defence. Therefore, it should not be taken lightly. For this purpose, it will be better if you bring forward a comprehensive bill at the appropriate time after considering the pros and cons of the matter.

Mr. Chairman, Sir, I feel and you may also be feeling that Merchant Shipping is a very complicated and technical matter but it is not being handled properly. The extent to which our fleet has been expanded

and how many of our ships are equipped with latest technology will have to be borne in mind. It is heartening to note that since independence, a lot of attention has been paid towards it and the capacity of our ships has also been increased. But I feel that there is need to introduce an Integrated Development Scheme in Inter-Water Transport and Ocean Transport because there is about 1500 Kms. of waterways in our country. Although a lot of expenditure is being incurred on the development of rail, air and road transport, no attention has been paid the development of waterways and I hope that our young Minister, Shri Rajesh Pilot will do the needful.

Mr. Chairman Sir, I would like to say one or two things more. It was necessary to delete section 20 because if we do not follow the international standards of training then our ships would not be able to harbour at other ports. So it is correct that the provision of certificate for training and efficiency has been done away with. In your earlier speech you have mentioned that the government has accepted the standards of efficiency, technology and technical know-how as prescribed at the international level seminar of 1978. The government has rightly accepted this. I want to make only one suggestion about the conditions of people engaged in shipping industry. The sailors go to the seas for 7 to 8 months and leave behind their families. They serve the country by increasing its commerce and trade and thus earn foreign exchange for the country. I want to know the improvements proposed to be brought about in this service conditions. They have been getting the same pay-scales for the last 10 to 20 years. Instead of improving the service conditions of sailors staying away from their families, you are increasing the pay-scales of people working here and indulging in unionism. Is it justified? You should attend to the needs of persons staying away from their homes. Now you should do something to improve their conditions. Many persons leave the shipping transport and join foreign companies. There they receive 20 to 25 thousand rupees as salaries but you pay them only 3 thousand rupees. Here even peons are paid upto 2 thousand rupees. Their service conditions should be improved and they should also be covered by EWS.

Pay Commission. Their service conditions should be patterned after those in Oil and Natural Gas Commission other wise the shipping industry will collapse. You are very much downgrading the shipping industry.

The second thing I want to mention is that you have 25 thousand trained cadets. Only 12000 cadets have been employed and the fate of the remaining 13000 cadets is hanging in the balance. Are you paying them unemployment allowance? Allowance for a period of three months will not do. It is like a tip of the iceberg. So you should think over this matter. Nine thousand sea-men are registered with the Calcutta Office. But only 1200 have been employed while about 7500 persons are jobless. What are you doing for them? They should be given some permanent allowance till they are provided will permanent jobs. The sailors remain away from their homes for 8 or 9 months and so their service conditions should be improved on the model of O.N.G.C. Commercial fleet should be enlarged and modernised and these persons should be given jobs. Private shipping companies should be merged. Merchant shipping is the second line of defence. It is very important. So it should be equipped with the latest weapons. The sea-men should be provided with all amenities and facilities. All private shipping companies should be abolished and merged with Shipping Corporation of India. I hope that the Hon'ble Minister will bring forward a detailed bill covering all these points and take right steps to increase sea trade and strengthen the second line of defence for the well-being of the nation. With these words, I conclude my speech.

[English]

DR. SUDHIR ROY (Burdwan): Mr. Chairman, the Bill has been introduced to do away with the discrepancy between the International Convention ratified by India in November 1984 and the existing Indian Merchant Shipping Act. Viewed in this respect, we have to oppose the Bill. But I would like to know from the Minister why two years' delay is involved in introducing this Bill.

While supporting the Bill I would like to point out that while the International

Labour Organisation prescribed that seamen should have continuous employment in India, the seamen here have only casual employment. They are employed for 8 to 10 months, but as soon as they are thrown out of employment, they have to wait for two or three years and they have to suffer miserably. Therefore, I would like the hon. Minister to look into the case so that there may be continuous employment for India's seamen.

Sir, the Nanda Committee recommended that there should be an unemployment allowance for the Indian seamen, but they are not getting it. For this, the Nanda Committee recommended that the Government of India should withdraw a huge sum lying with the London Bank. It has been stated that 35 million Pounds are lying with the London Bank. This sum was paid to Indian seamen as wage differential by the British ships to the serving Indian seamen. But now the Government of India has taken the stand that the British seamen objected to the withdrawal of this fund. But other countries of Asia and Africa have already withdrawn the funds lying with the London Bank. Not only this. In this connection I would also like to point out that the hon. Minister did not give me a correct reply in the last Budget Session when he said that only 16 million Pounds are lying with the London Bank. But other papers say that 35 million Pounds are lying with the Bank. I hope the hon. Minister would do his homework properly before giving a reply and try his best for introducing unemployment allowance which the Nanda Committee recommended. Not only this. I would also say that there was an agreement between the Government and the seamen that 70 per cent of the seamen would be recruited from Bombay while 30 per cent of the seamen would be recruited from Calcutta. But what is the situation now? The grim reality is that only 16 per cent seamen are recruited from Calcutta. The Government has taken a stand that the Bombay seamen are objecting to this agreement. Sir, an agreement is an agreement and the Government should honour that agreement. Would they not realise that the Calcutta seamen would be deprived of their benefits if the agreement is not implemented? Why should they starve for years together.

[Dr. Sudhir Roy]

Then, Sir, I would also raise the question of m.v. Viswashoba which like m.v. Viswasiddhi went to Russia last may. Seamen are fearing that they may be exposed to radio activity. Therefore, they are demanding a certificate of assurance that in future if they suffer from any disease, the Government should come forward for their treatment. I have already gathered the information that the seamen who served in m.v. Viswasiddhi have been given such an assurance. I would request the hon. Minister to give such certificate to the seamen of m.v. Viswashoba also.

I would also like to point out that many ships are turning to scraps and as a result, it is causing widespread unemployment among seamen. The Shipping Corporation should come forward in expanding the strength of Indian merchant navy. Not only that, but there should be containerisation of the services. Therefore, the Shipping Corporation of India should compel the ship owners to introduce new ships whenever old ships are turned into scraps.

I should also point out that seamen in India have to serve as bonded labour. When they are in sea, they do not get adequate food. They get substandard food and the quality of medical treatment is also not up to the mark; their grievances are not properly heard. Hence the Minister should see that the seamen get proper treatment from the ship owners. The widows of the deceased seamen are harassed like anything. Whenever a seamen dies in harness, his wife, sons and daughters are put to great difficulties. They are not paid compensation and other dues in time and there is a lot of delay. Even in Calcutta, it has been told that they are not supplied forms in which they have to apply. India is called a Socialist State. But is this a justice? The workers are given a raw deal by the Government as well as the Shipping Corporation of India. There are some companies which are defaulters; they do not pay their dues in time. I went to Khidarpur Marine House and I have been told that Ratnagar Shipping Company is a habitual defaulter and it does not deposit its money in time. Consequently, the seamen do not get their dues. I would request the Minister to look

I would also urge the Minister to take proper steps so that strike at the Haldia Port comes to an end. Casual workers were assured time and again that they would be departmentally absorbed. Even the Chairman of the Calcutta Port Trust agreed, in the presence of the then acting Chief Minister of West Bengal, Shri Benoy Chaudhuri that these casual workers would be absorbed departmentally. There is even a Supreme Court judgement that if a casual worker works for more than six months in the CPWD, he should be considered as a semi-casual worker. But these workers are serving for more than 6 or 7 years. There are only 87 workers. But they have not been departmentally absorbed and consequently the strike has been launched. It is affecting the normal services of the Haldia Port and even the thermal plants in Tamil Nadu have suffered.

Therefore, I would request the Minister to exercise his good offices so that this strike comes to an end.

In this connection, I would also like to point out that the post of Deputy Chairman of the Haldia port is laying vacant for several months to come.

With these words, I conclude.

MR. CHAIRMAN : Shri Rajhans.

DR. G.S. RAJHANS : I do not want to speak on this issue.

MR. CHAIRMAN : Why have you given your name ?

[Translation]

SHRI HARISH RAWAT (Almora) : Mr. Chairman, Sir, there used to be the sea in place of the Himalayas. Our ancestors witnessed that sea and and that is why I know about it. So far as this Bill is concerned, it is a mere formality but it has afforded us an opportunity to think about our merchant shipping industry. This industry is very old and not new. Since independence, efforts have been continuing to tone up this industry but we have not been able to cater to the needs of internal as well as foreign trade along

fact that our coastal shipping industry is simply hopeless. This situation can be tolerated, but we have been completely unable to contribute our due share in the international trade. We have been stagnating at 41 per cent for the last 7 to 8 years. Many efforts have been made to improve the situation but without any notable success. Our young Minister is quite enthusiastic and we hope that he will pay the needed attention to remedy the situation. We can gain much from foreign trade and we can not do without increasing it. I think you will do your best in this regard.

Most of our ships have become overaged. The tone-up capacity of our ships is very low while the tone-up capacity of the ships of other countries is much higher than ours. If the capacity of our ships is from 7 to 10 thousands then the capacity of foreign ships is 20 to 25 thousand. We have got a very less number of containers. Our sea coast is shallow and due to all these factors, the operative cost in our country is much higher than in other countries. As a result, we can not compete with other countries. So I would like to say that necessary steps should be taken to remove shallowness of our coastal waters so that the ships may reach our coastal line. We should try to increase their tonnage capacity, Emphasis should be laid on the use of containers. Besides, other steps should be taken so that we may able to compete with other countries and thus prevent the loss of foreign exchange.

Secondly, I want to say something about sea-men. Most of our sailors are unemployed. This is due to the fact that we have not been able to enlarge our fleet according to our needs. Many persons would have been employed if new ships had been included and working conditions improved. You should take some concrete steps in this direction so that atleast the trained and registered persons may be provided with employment. You should try to provide them jobs either by drawing funds from welfare account or some other source because they have specialised only in this trade. If they are not employed in shipping industry then they can not get

some arrangements for their livelihood. I think that you will do the needful. With these words, I support this Bill.

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF SURFACE TRANSPORT (SHRI RAJESH PILOT) : I thank all the hon. Members who have really taken keen interest in the subject and some of them have not only brought amendments but commented on the working of the Shipping Department. Some of them have pointed out the various aspects of the shipping industry and given their views. I would like to touch each one of them but I am sorry to say that some of them have spoken and left the House after seeing the Minister doing home work.

One of the members has pointed out about Sec. 80 that some Lieutenants and Sub-Lieutenants were given certificates earlier and why after such a gap this amendment has been brought. We have ratified this convention recently and after that we moved this amendment in the Rajya Sabha and at the earliest possible opportunity we have brought it to Lok Sabha. He mentioned about pollution. The Department is taking care and we have given necessary instructions in the ports. In the Seventh Plan we have given allocations specifically so that pollution in the ports is reduced.

Similarly with regard to ships, when we purchase new ships, we are making efforts to see that the pollution is not there. The whole world is very much concerned about pollution and the Government is giving their utmost attention to this aspect.

He also mentioned about some scope in the coastal area for shipping and specially in the Godavari and Krishna rivers and in the Kakinada port. The hon. Member met me yesterday in the office. I have mentioned to him and I have explained to him what efforts the Government are putting to help the minor ports where we can give them some facilities in the case of coastal shipping. For the information of the hon. House, I would like to say that both Godavari and Krishna are under consideration of the

[Shri Rajesh Pilot]

Government in the Seventh Plan to be declared as National Waterways and the work is on. We do appreciate their feeling that water transport is cheaper than the rail and road transport and the Government is putting efforts to make the maximum possibility of utilising the inland water transport.

My friend, Mr. Manoranjan Bhakta—he is not here now—mentioned a lot of things. He has mentioned that safety is not taken care of and other things. On the official side he has some reservations on their working. I only request the hon. Member. Safety is a technical subject. We have the qualified people who are put on this job and on their recommendations sometimes the ship is delayed due to some reason. There the safety is given priority. At that moment every passenger says 'It is all right'. I remember one day I was flying from Delhi to some place. An announcement came that one of the engines is bad and it is not working. One passenger was saying, 'There are two engines. We can take off. Only one is bad'. That sort of feeling is wanted. Safety is given the first priority. A qualified man is put on the job and he should be given that place. It is his duty to see that utmost safety is taken. A lot of complaints are received. A ship is ready to take off but due to safeguards not being available, it is stopped. Sir, safety is given the priority.

Another thing. He mentioned about the functioning of the Committee of sea-farmers. I do agree with him that this committee has not been very active. Our Department will put more efforts to see that this committee meets very often and the decisions taken by them are implemented fast. Mr. Bhakta also mentioned about facilities for passengers at Port Blair. I will certainly look into this question and reply to the hon. Member on this subject.

Mr. Krishna Iyer has mentioned about two ships missing. The circumstances in which these two ships are missing really call for a doubt and that is why a magisterial enquiry was ordered. It is also correct that the certification was not perfect

in regard to both the ships. Earlier the system was that the owner of the ships normally used to know about the movement of the ships. Five months ago we have taken a decision and we now have a control room in the DG, Shipping and all the movements of the ships anywhere in the world will be informed to the DG, Shipping at the earliest. Earlier the system was not there. The moment a ship sails we used to inform the owner of the ship at the earliest. The DG, Shipping was not kept informed. So we have modified those rules. Now a ship whether it is a private ship or a government ship but which is holding the Indian flag, wherever it is sailing, it is our responsibility to see that the ship is safe and the location of the ship is known to the Government so that we are not brought into such like situations where those both ships were missing. The Magisterial inquiries into the disappearance of Nitya Nanak have been conducted. They have given their recommendations and findings to the Government. We are looking into this.

He pointed out that the certification in respect of both the ships was not upto date. I do agree with him; there was some lacuna in the certification. There was some mistake by some people and we have taken action against them. We have taken action to ensure that, in future, it does not happen.

He also mentioned about the Shipping industry, coastal traffic and foreign trade. The shipping industry is in recession; there is no doubt about it. There is an international recession. It is not that our industry is bad. To tell you very frankly, our industry is doing much better than the international shipping industries. Developed countries like the USA and UK have subsidised their shipping industries to the extent of millions of dollars, whereas we are surviving on our own in a recession. Some of the private companies have defaulted. We have taken action against them. One hon. Member pointed out about Ratnagar Company. Government have already taken action against the defaulter and legal action is going on.

Shrimati Gupta pointed out about the welfare of sea-men. We are equally worried about it. Because of recession

employment chances have reduced. Earlier we used to train people and they used to get into private lines. Now the private lines have suddenly stopped taking them because recession is there also. We have cadets trained and they are waiting for two and a half years or so. Government took a decision recently that we should employ them stage-wise. Even if we give them employment for six months, at least for six months they can wait and after six months they could get a chance. Recently we have issued orders for 32 officers who have been trained in Rajendra and they are getting job in SCI. We are also requesting the private companies to absorb some of the trained officers and the seamen as early as possible, but unfortunately, because of recession you cannot force them. When one is already in loss, you cannot tell him, "You take 20 chaps more". We are putting our efforts. We know their problem. Government is equally concerned, and seriously concerned, about it.

He mentioned about radiation effect on the crew of two ships. I was supposed to have replied to that question today. The crew of both the ships have been medically examined by the Bhabha Atomic Research Centre, Calcutta. They have been cleared. We have given an assurance to the ship crew that, if ever they have any problem because of radiation, the SCI will look after that; it will be the responsibility of the SCI at any time, when they are found affected by radiation in their medical category...

SHRI BASUDEB ACHARIA : Have they been issued certificates ?

SHRI RAJESH PILOT : It has been cleared by the doctor that there is no effect.

SHRI BASUDEB ACHARIA : The doctor should issue a certificate.

SHRI RAJESH PILOT : The doctor is giving a certificate to them that there is no effect of radiation on them.

Harish Rawatji has pointed out about foreign trade. It is a fact that, when our ships go from here, we carry less cargo, less foreign trade, but when we come from other countries, we get more foreign trade.

That is why, this proposal is under consideration that we will give cargo support to our shipping industry, so that they can sustain this recession and that is why this consideration of 40-40-20; 40 per cent of the cargo has to be given to the Indian bottoms and 40 per cent should go to any other company...

SHRI INDRAJIT GUPTA : For two years I have been hearing that a Bill will be brought as they have in other countries a law that a minimum amount of cargo, so much percentage, must be carried in the bottoms of that country...

SHRI RAJESH PILOT : It must be six months, not two years.

SHRI INDRAJIT GUPTA : Are you contemplating any such legislation ? It was said before you were Minister. This is what your predecessor had told me...

SHRI RAJESH PILOT : I have initiated it. The legislation is in the Law Ministry and it is likely to be brought before Parliament soon.

PROF. MADHU DANDAVATE (Rajapur) : Do not leave it to your successor. That is all.

SHRI RAJESH PILOT : He has mentioned about training; he has given some suggestion. We will take the suggestion into consideration.

I am thankful to all the hon. Members who have taken really keen interest in this subject and given their valuable ideas; I thank them for making their valuable contribution.

MR. CHAIRMAN : 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.

MR. CHAIRMAN : The House will now take up clause by clause consideration of the Bill. The question is ;

That clauses 2 to 5 stand part of the Bill"

The motion was adopted.

Clauses 2 to 5 were added to the BHI.

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

SHRI RAJESH PILOT : Sir, I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : The question is :

"That the Bill be passed."

The motion was adopted.

15.46 hrs.

MINES AND MINERALS (REGULATION AND DEVELOPMENT) AMENDMENT BILL, 1986

[*English*]

THE MINISTER OF STEEL AND MINES (SHRI K.C. PANT) : Sir, I beg to move :

"That the Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957, as passed by Rajya Sabha be taken into consideration."

Minerals constitute vital raw materials for many basic industries like iron and steel, aluminium, fertilizers, cement, chemicals etc. The economic development of the country depends to a great extent on easy and ready availability of the minerals. As these are finite, exhaustible and non-renewable resources, their utilisation has to be done with utmost care so that maximum benefit can be derived from their use. Our country is fortunate in having large reserves of such important minerals like coal, iron ore, bauxite, manganese ore, limestone, dolomite, etc. We have significant reserves of copper, zinc, lead, barytes etc. The

exploitation of these minerals has to be speeded up to give support to the rapid economic development, which has been envisaged in the plans. At the same time, we have to ensure that in our desire for rapid development, we do not lose sight of the need for scientific mining, conservation, and preservation of the environment and ecology.

The legislative framework for the regulation of mines and the development of minerals is provided in the Mines and Minerals (Regulation and Development) Act, 1957. The Act was last amended in 1972. Since then the Act has come in for much closer scrutiny. The efficacy of the provisions for preventing unscientific and slaughter mining, and for preserving the environment have come to be tested. For quite sometime, the need for liberalisation of certain provisions of the Act has been felt with a view to making the process of grant of prospecting licence and mining leases easy and less cumbersome. Suggestions have been received from time to time in various forums like the Mineral Advisory Council for the amendment of the Act to bring it in tune with the changing socio-economic conditions of the country. The State Governments have also been making suggestions for the amendment of certain provisions of the Act. All these suggestions have been taken into consideration while formulating the proposed amendments. The State Governments have been consulted and their views have been given due consideration.

Mining, as Hon'ble Members are aware, generally leads to disturbance of land surface, deforestation and occasionally water pollution. The amending Bill makes provision for the protection of the environment by controlling or preventing any pollution caused by prospecting or mining operations. The licensee or the leasee would be required to rehabilitate the flora and other vegetation destroyed during prospecting or mining operations. To ensure this, premature termination of a prospecting licence or a mining lease would be possible in the interest of preservation of the environment, and for other reasons.

It has been observed that there is no mechanism in the Act to ensure that the leasee, after the grant of a mining lease,