

## [श्री जयपाल सिंह कश्यप]

लोग हैं। इस सम्बन्ध में लोगों की शिकायतें भी रद्दी की टोकरी में सरकार द्वारा डाल की गई। एटा, मैनपुरी, कानपुर जालौन क्षेत्रों में डाकुओं की तलाशी के नाम पर गांव के गांव पुलिस, बी० एस० एफ० व पी० ए० सी० द्वारा परेशान किए जा रहे हैं, उनको लूटा जा रहा है और बलात्कार भी सामूहिक रूप से ग्रामीण महिलाओं के साथ किये जा रहे हैं, जिस पर सरकार कोई सुनवाई नहीं कर रही है।

डाकुओं की तलाशी के नाम पर आगरा, मैनपुरी, कानपुर जालौन, बांदा व चम्बल क्षेत्र में लाखों लाखों मल्लाह व धीवर समाज के लोगों को परेशान किया जा रहा है। लोगों का जन-जीवन असुरक्षित हो गया है और पुलिस अत्याचार चरम-सीमा पर पहुंच गया है।

सरकार द्वारा इन शिकायतों की अवहेलना ने लोगों में एक अविश्वास की भावना पैदा कर दी है। सरकार इस सम्बन्ध में तुरन्त कार्यवाही करके अपराधी पुलिस व अन्य अपराधियों को दंडित करने की व्यवस्था करे और पुलिस व डाकुओं के बढ़ते हुए अत्याचारों से जन-जीवन को संरक्षण दिलाने और अत्याचार से मुक्त कराने की व्यवस्था करे।

11.33 hrs

MARITIME ZONES OF INDIA  
(REGULATION OF FISHING BY  
FOREIGN VESSELS) BILL—  
Contd.

MR. DEPUTY-SPEAKER : We come to the next item, further consideration of the Maritime Zones of India (Regulation of Fishing by

Foreign Vessels) Bill. The time allotted for this Bill is one hour. We have already exhausted 40 minutes and 20 minutes are left.

AN. HON. MEMBER : No, no we have got 40 minutes.

MR. DEPUTY-SPEAKER : Yes, yes. We have got 40 minutes.

SHRI RAMAVATAR SHASTRI (Patna) : Full time is two hours.

MR DEPUTY-SPEAKER : No, no, records speak. Time allotted is one hour. Balance is 40 minutes. I would remind hon. Members to stick to the time, so that the Minister may reply and we may complete the Bill.

SHRI GEORGE FERNANDES (Muzaffarpur) : How much time is given for the next Bill ?

MR. DEPUTY SPEAKER : Two hours. Now, Mr. M. S. Sanjeevi Rao.

SHRI M. S. SANJEEVI RAO (Kakinada) : Before I start my speech, Mr. Deputy-Speaker, may I know since when has Mr. Jyotirmoy Bosu joined the treasury benches?

THE MINISTER OF AGRICULTURE AND RURAL RECONSTRUCTION AND IRRIGATION AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : He is fishing in our waters.

MR. DEPUTY-SPEAKER : I can assure you., Mr. Jyotirmoy Bosu will never change sides.

SHRI M. S. SANJEEVI RAO : Mr. Deputy-Speaker, I stand to rise to support the Minister of Agriculture to provide regulation for fishing by foreign vessels. I think this very important Bill is long overdue. Thanks to the United Nations

Law of the Seas, we have acquired a tremendous property. You are aware, that we have a coastline of 5,600 kilometres and with this U. N. law we have extended our territory to 320 kilometres. In other words, 5,600 kilometres X 320 makes it 1.8 million square kilometres. Apart from this, we have Andaman, Nicobar and Lakshadweep islands. With this, we have a total of 2.2 m. sq. km. This huge property contains not only precious petroleum, non-ferrous metals like manganese, nickel etc. but above all marine fisheries. But what is the exact position? We are producing only 2.5 m. tonnes of fish and out of this, the fish from the marine sources is only 1.6 m. tonnes. We have approximately one lakh country craft and 16,000 mechanised boats and a mere 70 trawlers. With this small number of 70 trawlers, do we have the means, methods and mechanise to utilise the precious territory we have acquired? I want that our Ministry should think seriously in this respect. I am sure the Minister of Agriculture is aware that the Ministry of Heavy Industry had planned to increase our trawler fleet by a minimum of 450 trawlers by the middle of the sixth plan. But where do we stand now? With this background, I am afraid we have no other alternative except to acquire this fleet as joint ventures or as mentioned in the Bill, by way of permit or licence method. Sir, you are aware that we have a tremendous foreign exchange gap to the tune of Rs. 54 crores. The Ministry of Commerce are looking to the marine fisheries as one of the main items to improve our foreign exchange reserve. But unfortunately, even in this respect, when we exported fish worth Rs. 248 crores in 1979-80, we exported only Rs. 234 crores of fish in last year. But even in our exports, there is this very disturbing trend. 89.1% of our export is frozen shrimp and only to two countries, USA and Japan. This terrible imbalance should be corrected. With this background, I appeal to the House that it is very important from the country's angle

to augment our fisheries resources because deep-sea fishing is a very capital intensive industry. Even the multinationals, the big companies, in India who tried to get into deep-sea fishing are withdrawing. So, unless and until you give real incentives, nobody will come. But while giving incentives you should look to the national point of view also. Look at the episode you had earlier. You agreed to give nearly 70 trawlers from Thailand to three companies. They have increased our export of fisheries, other than shrimp, by nearly 4% in 1977-78. But at the same time, while you have given licence to 70 trawlers, I understand as many as 500 to 600 trawlers poach into our waters posing as one of the licensees. This should be checked. These 70 trawlers are all the time in the territorial waters or continental shelf. So, while giving licence, you must make sure that these trawlers are capable of doing deep-sea fishing and not for just trawling for shrimp. You must see that your staff are well-equipped to detect this poaching. What do the earlier rules say? When you catch hold of these trawlers which are poaching into our territory, you generally give them either a mild warning or a token punishment of Rs. 2000 to Rs. 3000. If you look into your neighbouring countries, particularly Burma, you will find that the entire fishing fleet consists of confiscated trawlers either from Taiwan or from Thailand. Why do you not adopt that method?

THE MINISTER OF AGRICULTURE AND RURAL RECONSTRUCTION AND IRRIGATION AND CIVIL SUPPLIES (RAO BIRENDRA SINGH) : That is what I want to do. That is why this Bill has been brought forward.

SHRI M. S. SANJEEVI RAO : It is high time that you should be much more aggressive in taking action. But what are the means, methods and mechanism to catch these poaching vessels? How

[Shri M. S. Sanjeevi Rao]

many ships in the Coast Guard do you have? How many vessels the Navy have to patrol this tremendous area of 2.2 million square kilometres. How are you going to tackle the situation?

If anybody wants to go in for a joint venture or to acquire new trawlers, he has to go through nearly 11 ministries—Ministries of Agriculture, Finance, Shipping, Commerce etc. A man who wants to go in for a joint venture, has to struggle for nearly six to eight months for that. I have my own experience as Chairman of the Andhra Pradesh Fisheries Development Corporation. Therefore, I suggest that just like the Electronic Commission or the Atomic Energy Commission, you must have a high-powered body which can go into such things so that this unnecessary delay and going to various Ministries can be avoided. This is one of the most important points which you should take into consideration.

While giving permit or licence to the foreign vessels, you should encourage the sophisticated technology—technology which is not available in the country particularly in the case of squid and cuttlefish rigging. This is the technology which is not available in the country.

We find tremendous amount of tuna fish particularly in and around Andaman & Nicobar Islands. This is a field which we have neglected very much. I appeal to the Minister to see that we go in for collaboration in this high technology particularly in long lining with South Korea and prussian method with the United States or Japan. These are the countries which are very well equipped in these technologies. So, this point should be taken note of by the Minister.

May I also request the hon. Minister to see this vast property for himself? It is most unfortunate that in the Government of India whether Janata Government or Cong. (I) Government, the Agriculture Minister is always either from Haryana or Punjab, who does not know the importance of fishing.

RAO BIRENDRA SINGH : I did send my Deputy Minister.

SHRI M. S. SANJEEVI RAO : May I make a request to my friend, Rao Birendra Singh, to come and see the big fishing harbour which he has sanctioned and provided funds for and get himself acquainted with the vast problems which this industry is facing.

श्री जगपाल सिंह (हरिद्वार) : उपाध्यक्ष महोदय इस बिल पर सब से पहले तो मैं अपने कृषि और सिंचाई मंत्री राव साहब को धन्यवाद दूंगा कि 34 साल की आजादी के बाद यह पहले कृषि मंत्री हैं जिन्होंने इतने लम्बे चौड़े बार्डर और उस बार्डर से सम्बन्धित करीब 85 लाख मछुवारों का जिस पर जीवन निर्भर करता है उस तरफ ध्यान दिया है। मैं समझता हूँ कि इस बिल को लाने के बाद, जो फारेन वेसल्स हमारे बार्डर पर मछली पकड़ने के साथ साथ जासूसी का काम भी करते थे, वह भी अब हमारे देश की सामुद्रिक सीमा में घुस नहीं सकेंगे। 34 साल की आजादी के बाद यहाँ पर जो यह बिल लाया गया है वह मैं समझता हूँ बहुत इम्पोर्टेंट है। हमारे देश के 3300 किलोमीटर बार्डर पर 85 लाख लोग मछलियाँ पकड़कर अपना जीवन निर्वाह करते हैं लेकिन फारेन वेसल्स हमारे देश की सामुद्रिक सम्पत्ति को लूट रहे थे, उनको रोकने का एक बहुत अच्छा काम इस बिल के द्वारा हो सकेगा।

मैं एक अमेंडमेंट के तौर पर माननीय कृषि मंत्री जी का ध्यान इस बात की ओर दिलाना चाहूंगा कि केवल फारेन वेसल्स को ही अपनी सामुद्रिक सीमा से बाहर निकाल देने से ही हमारे देश के 85 लाख मछुआरों के जीवन को आप सुधार नहीं पायेंगे। उनके अतिरिक्त इस देश के भी जो बड़े बड़े ट्रालर्स हैं, उनके भी हमारे देश के 85 लाख मछुआरे शिकार हो रहे हैं। ऐसी दशा में इस बिल में आपको यह प्रावधान रखना चाहिए कि इस देश के भी जो बड़े बड़े ट्रालर्स हैं वह भी सामुद्रिक सीमा में 20 किलोमीटर (या जो भी आप सीमा रखें) मैं अपना कार्य नहीं कर सकेंगे।

कोआपरेटिव सोसायटीज के सम्बन्ध में आप ने जो बात रखी है, मैं चाहूंगा कि आप मछुआरों की कोआपरेटिव सोसायटीज को ज्यादा प्रायटीज दें। ये लोग हजारों साल से अपने इस धंधे को करते चले आ रहे हैं लेकिन आज भी उनके पास वही लकड़ी की छोटी छोटी किशतियां हैं। वे आज भी रात में शिकार के लिए जाते हैं और जाल डाल कर आते हैं लेकिन 10-15 किलो से ज्यादा मछली नहीं पकड़ पाते हैं। उनका पूरा परिवार मिलकर कई घंटों में उस जाल को खींच पाता है। इन छोटी किशतियों को हर वक्त खतरा भी बना रहता है क्योंकि किसी समय भी वह बह सकती हैं। आप कोआपरेटिव सोसायटीज के जरिए से उनको अच्छी किशतियां दें ताकि सामुद्रिक सम्पत्ति का सही दोहन हो सके और उनकी आर्थिक स्थिति में सुधार हो सके।

चैप्टर (11) में आपने फारेन वेसल्स को लाइसेंस देने की बात कही है। आपने बिल में रखा है कि मैक्सिमम 60 परसेंट शेयर होगा तो इस बिल के ऐक्ट बनने

के बाद फारेन वेसल्स को लाइसेंस देंगे लेकिन इसमें भी आप एक सीमा रखकर फारेन वेसल्स को लाइसेंस देने की बात सोचें। हमारे देश की सीमाओं से लगा हुआ जो सागर है उसमें आपने फारेन वेसल्स को लाइसेंस दे दिए तो हमारे देश के जो मछुआरे हैं उनको आर्थिक नुकसान होगा और उनका जीवन-स्तर नहीं उठ पाएगा। इस लिए आप इस बिल में ऐसा प्राविजन रखें कि 20 या 30 किलोमीटर, जो भी सीमा आप निश्चित करें—उसके अन्दर फारेन वेसल्स को लाइसेंस देने पर आप प्रतिबंध लगायेंगे।

इसके अतिरिक्त फारेन वेसल्स के कांफिस्केशन की जो बात आपने रखी है उस में जो आप ने यह प्राविजन किया है कि 50 परसेंट आफ टोटल कैपिटल देकर वेसल ले सकते हैं, मैं आपको सुझाव दूंगा कि इस प्राविजन को आप समाप्त करें। फस्ट क्लास मजिस्ट्रेट के पास केस चलेगा, उसका जजमेंट आयेगा उसके बाद जो होना होगा वह होगा लेकिन 50 परसेंट देकर वेसल छुड़वाने का जो प्राविजन है उसे आपको समाप्त करना चाहिए। फारेन वेसल जिसकी कि कीमत हजारों-लाखों-करोड़ों रुपये होती है, यदि पकड़ी जाती है, तो 50 प्रतिशत देकर उनको छुड़वाने में कोई प्राबल्य नहीं होगी।

आपने बिल में जो अनुसंधान के लिए प्रावधान किया है, मैं उसकी ओर आपका ध्यान आकर्षित करना चाहता हूँ। फारेन वेसल्स साइंटिफिक इन्वैस्टिगेशन के लिए जो आपने बिल में रखा है, उसको आप कम करिए। अगर आप रखना ही चाहते हैं तो आप एक सीमा निर्धारित करिए कि इस सीमा तक फारेन वेसल्स साइंटिफिक इन्वैस्टिगेशन के लिए आ सकते हैं और इस सीमा तक नहीं आ

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सकते हैं। मैं समझता हूँ कि इन्वैस्टीगेशन के नाम पर हमारी बार्डर की सिक्वोरिटी के लिए खतरा है। बार्डर सिक्वोरिटी को ध्यान में रखते हुए एक सीमा निर्धारित कीजिए कि 40-50 किलोमीटर तक और बाकी जो आपका इकोनामिक जोन है, उसमें मैं समझता हूँ कि 200 किलोमीटर तक कोई भी फारन वैसल्स हमारी सम्पदा को नहीं ले जा सकता है। टैरिटोरियल वॉटर की बात मैं नहीं कर सकता हूँ, लेकिन एक्सक्लू-यूजिव इकोनामि के लिए भी आप प्रति-बन्ध लगाइए कि 50-40 किलोमीटर तक साइडिफिक इन्वैस्टीगेशन होगा और बाकी सारा समुद्र पड़ा हुआ है। मैं यह भी कहना चाहता हूँ कि फारन वैसल्स को आप लाइसेंस मत दीजिए जब तक कि आप इस बिल में एक सीमा निर्धारित न कर दें।

उपाध्यक्ष महोदय, ज्यादा समय न लेते हुए मैं आपसे यह कहना चाहता हूँ कि आपने जो बिल में आवर्ती और अनावर्ती व्यय के लिए दो ढाई लाख रु० का प्रावधान रखा है, वह बहुत थोड़ा है, उसको बढ़ाइए।

मैं एक शब्द इन्वैस्टीगेशन आफिसर्स के सम्बन्ध में कहना चाहता हूँ। सुझाव के तौर पर मैं यह कहना चाहता हूँ कि अगर आप उनको अच्छे वैसल्स नहीं देंगे, चैक करने के लिए, पकड़ने के लिए, तो वे उनको पकड़ नहीं पायेंगे। जहाँ दूसरे देश वैज्ञानिक दृष्टि से आगे बढ़ रहे हैं, वहीं, हमारे देश में पुरानी कश्तियों या छोटी बोटें देकर आप उनको पकड़वाना चाहते हैं, तो वे उनको कैसे पकड़ पायेंगे। इसलिए मैं आपसे कहना चाहता हूँ कि आप अपने इन्वैस्टीगेशन को अच्छे आधुनिक वैसल्स दीजिए, तभी वे उनको

पकड़ पायेंगे। वरना आपका बिल बिल्कुल बेकार होगा और आप कुछ नहीं कर पायेंगे।

अपनी बात समाप्त करते हुए मैं कहना चाहता हूँ कि जो मैंने सुझाव दिए हैं, उन पर चर्चा करते हुए, विचार करें। आपका बिल बहुत अच्छा है—हमारे देश की सुरक्षा की दृष्टि से और मछुआरों को ऊपर उठाने के लिए। इन शब्दों के साथ आपको धन्यवाद देते हुए कि आपने बोलने के लिए समय दिया, मैं अपनी बात समाप्त करता हूँ।

SHRI XAVIER ARAKAL (Ernakulam): Sir, I must thank our hon. Member, Shri Sanjeevi Rao for enlightening us on this Bill because he has highlighted many of the points which I do not want to repeat. However, if you refer to the Statement of Objects and Reasons, you will see that the main object of this Bill is to prevent poaching by foreign vessels. But one thing we have to bear in mind is that sea is a great source of energy and the food. The food it provides is highly protein. But fish is not cheap any more. It is very dear and expensive and is beyond the reach of ordinary people of this country.

India used to be seventh in the world in the matter of fish production. Now it has gone down to eighth position. That is a point which we have to think as to why India is going down. And if you refer to the territorial water area of our sea coast, there are three classifications. On earlier occasion I mentioned about these three classifications of the territorial water area. One is called territorial area up to 12 miles, the second is contiguous zone up to 24 miles, and by the Act of 1976 there is an exclusive economic zone up to 200 miles. A total coastline of 6,100 kilometres—in other words 2/3rds of the land surface—is available in this area.

Just imagine the enormous potentiality of this area. Two-thirds of our land area is available in this place, more than double the arable land in our country, which means, if properly managed, exploited, explored and utilised, we can solve many of the problems of our country. Take the other side. What is the position of Inland Waterways? Rivers and tributaries alone we have 27000 kilometres. canals and irrigated channel 1,2200 kilometres. You may ask why I am citing all this. My first submission is that if you want to explore, exploit and utilise to the maximum these resources, we should have an independent Ministry of Fisheries. This is a subject which the Government has to think about. We have to think how to harness these resources, solve the problems of our nation and also how we can help other countries as well in the field of food, employment, etc.

What is the potentiality of 30 miles of coastal area? It is said 15 million tonnes of fish can be produced per year. Now the catch is 2.5 million tonnes per year. Mr Rao said only India's catch is 1.5 million tonnes. The balance catch is 1 million tons by the foreign vessels here. Why does it happen? We have only 67 trawlers That is ownership trawler. At present we do not have chartered vessels. I shall take the issue of chartered vessels after a minute or so.

We have to think of another side of the problem. One million country boats are here. 16,000 mechanised boats are here. A total of nearly 2 million people are employed there. So, you have to have a check and balance, how far we can go and exploit the resources by mechanised boats and other facilities, and retain and improve the existing country made boats as well as mechanised boats because the statement of Objects and Reasons says—'this is to protect the fishermen as well. This has to be balanced properly, We have bear in mind that the total

area within our jurisdiction is 2/3rd of India's land surface. Thailand has 6,000 trawlers, Japan has 12,000 but we compete with 67 trawlers.

Just imagine the enormous problem and how to tackle it. If you go through the Bill or the paper which I have it is not clear. I went through the guidelines of January, 1981 in the matter of licensing trawlers. There is a rescreening Committee which met only once. If you refer to the screening Committee, I am told over 35 to 36 applications were submitted in January and only six were allowed to have indent but no sanction was given.

14.57 hrs.

[SHRI GULSHER AHMED—in the chair]

PROF. N. G. RANGA (Guntur): Why?

SHRI XAVIER ARAKAL: That is the question which I am asking. I am happy Prof. Ranga is keenly listening to me. Out of 36. 7 were given the indent, but no sanction. There is no chartered vessel reaching this area at all. There is delay.

My friend Shri Rao was saying 11 departments are there. There is a newly created Department—Ocean Development Department. In the Supplementary Appropriation Bill there is an amount earmarked for this. If you refer to the enormity of the resources and explorable wealth of our country, do you not think that we should have an independent department which is capable of co-ordinating and utilising these resources and departments. I have been repeatedly asking in this House to have an independent full-fledged Ministry for Fisheries like the Ministry of Agriculture. Many of our nutritious problems, unemployment problems can be solved if we have an initiative. The hon. Minister is fully aware of the green revolution and how it took place.

[ Shri Xavier Arakal ]

My submission is that if we are serious about it, we can have an aquatic revolution in our country.

These are a few remarks which I have to make. I fully support the Bill. But as my hon. friend, Mr. Rao, said, when you think about the implementation part, it is very difficult to do it. We do not have the necessary infrastructure or equipment to prevent poaching in this vast coastal area. I have gone through the statement of Objects and Reasons and there is a reference to the Coast Guard as well. But if you look into the staff they have, the number of boats they have and all these things, it is very difficult to stop, arrest and confiscate foreign fishing vessels and prevent poaching activities thereof.

15 hrs.

However, I would again urge upon the Government to see that the interest of traditional fishermen about 2 million of them, should be protected and, at the same time, to see that there are proper mechanised boats embarked on a large scale for fishing which will solve many of our problems.

\*SHRI M.S.K. SATHIYENDRAN (Ramanathapuram) Mr. Chair man, Sir, on the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Bill, 1981, I wish to express my views.

There has been an increase in poaching activities of foreign fishing vessels in our exclusive economic zone. To prevent such activities and to protect our fishermen from the hardship caused by the menace of poaching this legislative endeavour has been undertaken by the Government. The foreign vessels are in fact looting our marine wealth. The Government have not so far been armed with adequate authority to search, to seize and to detain such vessels. Though this Bill empowers the Government even to impound the foreign vessels caught poaching, I am afraid whether such illegal poaching can be ended by

the issuance of licences. I wonder whether the Government will be able to achieve the objective of eliminating unauthorised poaching by means of this Bill.

It is a fact that we have not so far been able to exploit fully the potential marine wealth of our country. Our nation has the longest coast-line of 51,000 kilometres. We have nearly 1680 islands off our coast. The annual catch of 1.9 million tonnes of marine fish against the potential of 14 million tonnes of marine wealth is an indication of our failure to explore and exploit full the marine wealth of our country. Unfortunately the paucity of trawlers has been the primary reason for this tardy performance. Regrettably the paucity of coast-guard vessels is also the primary reason for our inability to prevent poaching by fishing vessels from Thailand, South Korea, Japan and Taiwan. The vessels from these countries are exploiting our marine wealth in our exclusive economic zone. Recently a vessel from Taiwan was seized off Tuticorin coast and it was brought to Tuticorin port. But no penal action can be proceeded within the absence of legal sanction. This Bill seeks to fill this lacuna. I hope that the Government will meet with success in their efforts.

I would like to bring to the notice of this House that our fishermen, particularly fishermen of Tamilnadu are being subjected to untold misery and harassment by Sri Lanka Naval fleet on our territorial waters. Not only they are being physically assaulted but also are being deprived of the fish caught by them. After beating them mercilessly, Sri Lanka naval authorities carry away the fish in their boats. They damage the catamarans and boats and leave our fishermen on the high seas. I request the hon. Minister to find a lasting solution to this menace also.

Sir, I would take this opportunity to refer to the frequent confrontations

\*The original speech was delivered in Tamil.

between the mechanised vessels and catamarans on our shores. Our fishermen with their traditional catamarans cannot go deep into the sea. They have to be helped to catch fish on the shore zone. But the mechanised boats, being operated by big multinational companies and also national companies, try to compete with the catamarans on the shore-zone, instead of going into the deep-sea. Consequently, many times the catamarans are cut into two and the nets are torn as under by these mechanised vessels. Again the poor fishermen are made to suffer. I suggest that the Government should specify a certain limit on the shore for the catamarans and boats and ensure that the mechanised vessels do not poach into this prescribed area. Then only the fishermen can carry on with their livelihood.

It cannot also be denied that the nation is being denied of valuable foreign exchange in hundreds of crores of rupees because of lack of concerted drive for exporting more and more of our marine wealth. Unfortunately, the export of fish is in the hands of a few monopoly concerns. It is high time that the Government of India constitutes a cooperative institution for export purposes or set-up a Fish Export Corporation solely with the objective of boosting our fish exports and earning more foreign exchange.

With these words I conclude my speech.

\*SHRI R.K. MHALGI (Thane):  
Mr. Chairman, Sir, I rise to support the intention of Maritime Zones of India Bill, 1981. But at the same time I would like to point out that the Government has delayed bringing this Bill. An act dealing with Exclusive Economic Zone was passed by the House on 25th August, 1976,

but the provisions of this Act were not effectively implemented. During 1980-81, the fishing vessels of Sri Lanka and Taiwan intruded in our Exclusive Economic Zone and caused great loss to our marine wealth by taking away fish worth lakhs of rupees. One of our vessels was sunk and an Indian sailor died. I want to know whether the Government has enquired into the matter. If this has not been done, when would the Government do it? I would insist that the Government should enlighten the House about it.

The Coast Guard Organisation Act was passed in 1978. But this Act is not effectively implemented. As a result of it, foreign vessels enter our Exclusive Economic Zone to catch fish. I am of the opinion that a Joint Committee of the Ministry of Agriculture and Defence should be appointed to consider this problem. The Report of this Committee should be presented to the House from time to time.

I don't think that the hon. Minister will be in a position to claim that legislation on this subject would result in promoting fishing industry. However, it is true that it will protect this industry and promote the defence of our country. If we are very keen on stopping poaching by foreign vessels, I am of the view that setting up of the above mentioned Committee is very necessary.

Regarding fishing industry, I may point out that we exported fish to the tune of Rs. 250 crores during 1979-80. But during 1980-81, our fishing exports come down by 14%. The Government should enquire about decline of fishing exports.

The country owned 2000 fishing vessels in 1960 which increased to 16000 in 1977. But after 1977 on

\*The original speech was delivered in Marathi.

wards there was no significant increase in the number of fishing vessels. The House should be told why did our fishing exports suffered so badly. Fall in the number of fishing vessels and reduction in exports alone would prove that the Government is not paying sufficient attention to fishing industry and exports. I would like to make the following suggestions in this context.

Central Fisheries Corporation is presently running into losses. The Government should enquire why does it suffer losses and take necessary steps to ensure its efficient functioning.

The Government should plan National Fisheries Survey Scheme to promote fishing in our vast coastal line. This will help to step-up fishing through planned programmes.

In the 6th Five Year Plan, it is estimated that we will be in a position to export fish worth rupees six-hundred crores every year. A phased programme should be chalked out detailing increase in yearly exports.

Deep fishing requires more vessels. Knowledge of advanced technology alone would enable us to manufacture vessels in our country. It will take some time to master the technology and we may lose our 13th position among the countries who engaged in exporting fish. Therefore, we can import vessels from foreign countries till we are equipped with technology to manufacture vessels.

In his reply to the debate on my Private Members' Bill on 6th March, 1981, Mr. Swamy Najhan had assured me that Government would come forward with a Bill to protect small fisherman by regulating poaching activities within 15 Kms. from Seashore. About seven months have passed but it has not come before the House. I hope the hon. Minister

Shri Rao Birendra Singh will assure that Government would protect small fisherman so that his profession does not suffer.

Hon. Member Shri Jaipal Singh made a very important point about the Financial Memorandum. The provision of a few lakhs as recurring expenditure is quite meagre and that is sure to belittle the importance of the Bill itself. This amount should be increased substantially to meet all the expenditure.

Lastly, I would like to point out vis-a-vis delegated legislation that giving whole sale powers to the bureaucracy is not proper. Government should pay attention to the problems that it would create.

SHRI N. DENNIS (Nagercoil): I fully support the Bill. India is one of the major fish-producing countries of the world. One of the major handicaps in the development of fishing industry is the intrusion and interference of foreign fishing vessels in our territorial sea-waters. Illegal fishing by foreign vessels in our waters has become a frequent occurrence in recent times and it is increasing. Trawlers of Japan, Thailand, and South Korea encroach into our sea waters and frequently engage in illegal fishing. Measures taken so far to check the illegal fishing have not proved effective. This intrusion and interference has become a regular occurrence in our sea waters. Even they take courage to enter very close to our sea waters for illegal fishing. There have been several occasions and instances where they have snatched away the fishing utensils of the traditional fishermen and destroyed their nets. The fishing occupation of our fishermen is severely affected and thereby the poverty of the fishermen is also aggravated and they are put to a lot of difficulties and troubles.

So far our Coast Guard has not been in a position to check effectively the interference of foreign vessels in our sea waters. May be it is due to the inadequate number of our crafts or may be due to their not having enough powers to deal with these foreign vessels. So it is proper and appropriate to pass a legislation to curb the interference of foreign vessels in our territorial sea waters.

One point—the interference of these vessels also poses a threat to the security of the country. So, in the interests of national security, in the interests of the fishing industry and also in the interests of the poor fishermen it is absolutely necessary to introduce a Bill of this sort.

This will give adequate powers to the Coast Guard to arrest and seize erring foreign trawlers. Moreover heavy penalties are also provided against the offenders and even confiscation of the vessels is also provided.

Regarding the Bill I would like to make the following suggestions. Sections 4 and 5 of the Bill regarding issue of licences and issue of permits—these provisions should not be misused against the interests of the poor fishermen. It should not be exercised to their detriment and also to the detriment of the fishing industry. Strict scrutiny has to be followed and observed in the issue of the licences and permits. Rules have to be framed for adequate scrutiny and issue of these licences and permits.

Another point I would like to suggest is that the number of coast guards should be increased. Our coast is very lengthy and there are several isles also. The present provision of the Coast Guard is not adequate and it has proved ineffective and it is not successful to check the intrusion and interference of foreign vessels in our territorial sea waters.

Another point I would like to bring to the notice of the hon.

Minister is that the number of vessels also should be increased in order to be effective and take action.

One more point that may be outside the scope of the Bill but it is an important point—that is regarding the solution of disputes among the fishermen of different types.

There are frequent disputes among the different types of fishermen, that is, these owning traditional country-craft—catamarans—boats and-mechanised boats and trawlers. The fishing zone for the fishing should be demarcated. That should be done in some way or the other by a different legislation or some provision has to be made for this purpose.

MR. CHAIRMAN: Now, the hon. Minister.

श्री रामावतार शास्त्री (पटना) : सभापति जी हमारी पार्टी से कोई नहीं बोला है ।

राव बीरेन्द्र सिंह : शास्त्री जी आप मछली खाते नहीं, आप क्यों बीच में आते हैं ?

श्री रामावतार शास्त्री : मैं खाता नहीं, अगर आप खिलायेंगे तो मैं खा लूंगा ।

एक माननीय सदस्य : देर तक बैठ लेंगे ।

SHRIRAMAVATAR SHASTRI: Every party should be given time. Our name is there.

RAO BIRENDRA SINGH: The Business Advisory Committee has fixed the time for this Bill.

श्री रामावतार शास्त्री : वह मैं नहीं कह रहा हूँ, राव साहब । यहाँ हर दल के लोग अपने विचार देना चाहेंगे, अगर आप अपने आप से पास करना चाहें तो कर लें ।

अध्यक्ष महोदय : मि० शास्त्री, आप बहुत नाराज मत होइये।

you will take only two minutes.

श्री रामावतार शास्त्री : सभापति जी, शुरू से ही टाइम रेशनल कीजिये, बड़े दलों के लोग देर तक बोलते हैं, छोटों का टाइम कट जाता है। आप शुरू से ही बड़े दलों का टाइम भी काटिये।

MR. CHAIRMAN: Mr. Rajan.

SHRI K. A. RAJAN (Trichur): Mr. Chairman, Sir, I welcome this Bill. Poaching is going on by fishermen using mechanised boats equipped with modern instruments on our territorial waters. We were looking for the trawlers. We are having only sixty and odd trawlers. Japan is having 15,000 of them while Taiwan is having 7,000. That is the present position. We have to develop this deep-sea fishing in a big way. We have been seeing poaching by foreign vessels on our waters. Unless this is stopped, it will only be telling upon the economy of this country. About our exports of marine product, I have got statistics for the years 1978-79 and 1979-80. The export is going down every year.

What is the reason for our decline in the export of our marine products? That is because we are concentrating only on one product instead of diversification on many marine products. Secondly we depend for our exports of the marine products on one or two markets in U.S.A. and in Japan. There are many countries where the demand for fish is on the increase. The Marine Development Authority is not doing the job. This job has to be done by that authority. Our export has to be accelerated.

The other point I would like to emphasise on is demarcation of

fishing zones for the country craft for the traditional fishermen or those using mechanised crafts. We find fishing is done by using the advanced, sophisticated, trawler in fishing zones. We find in our coastal areas in Karnataka or Kerala or Goa the fishing zone is limited. Some legislation has to be brought in which should limit the area upto which the fishermen can go with the countrycraft to catch fish. In the absence of this thing, we are faced with a lot of difficulties. My last point is regarding this particular Bill. In case foreign trawlers come into our zones they are just confiscated. This will alone not do. We have to have advanced and electronics equipments or sophisticated machine. Without that, we won't be able to stop effectively the poaching that is going on in our waters.

So, I would like to impress upon the Minister that the purpose of the Bill would be served only if it is implemented in time.

राज बीरेन्द्र सिंह : क्या शास्त्री जी नहीं बोलेंगे ?

श्री रामावतार शास्त्री : मेरे दल की तरफ से किसी सदस्य को बोलना था। वह बोल चुके हैं।

श्री जयपाल सिंह कश्यप (आंध्रप्रदेश) : सभापति महोदय, इस विधेयक पर मुझे केवल दो तीन बातें कहनी हैं। मैं मंत्री महोदय को बधाई देता हूँ कि इस विधेयक के द्वारा इस देश के मछुओं के बारे में कुछ व्यवस्था की गई है और खास तौर पे उन्हें बड़े बड़े विदेशी मछुओं से बचाने की कोशिश की गई है। होना तो यह चाहिए कि पूरे देश में मछली के उत्पादन को बढ़ाने के लिए प्रयास किया जाए, मछली उत्पादन को एग्रीकल्चर के स्तर पर रखा जाए और एग्रीकल्चर को एक उद्योग का दर्जा दिया जाए, ताकि उद्योग

को मिलने वाली सभी सुविधाएं मछली उत्पादन को दी जा सकें।

हमें देखना चाहिए कि पूरे देश में—समुद्र से ले कर मैदानों तक—पानी का सेटलमेंट किस तरह हुआ है। वह मछुए को नहीं हो पाता है। बल्कि जो बिचौलिया और ठेकेदार हैं, उन्हें होता है। मैं चाहूंगा कि मंत्री महोदय एक व्यापक बिल तैयार करें, जिसके द्वारा पूरे देश में मछुओं और मछली उत्पादन के विकास की व्यवस्था हो और इस देश के लाखों करोड़ों मछुओं—धीवर, मल्लाह, केवट, कहार, कोलो, माझी और निषाद आदि—का उत्तम समवेश हो सके, उनके सामाजिक तथा आर्थिक उत्थान की व्यवस्था की जाए, एक फिशरमैन कमीशन बने, जो पूरे देश में अध्ययन कर के मछली-उत्पादन के विकास के सुझाव दे।

मैं चाहता हूँ कि मछली के लिए कोल्ड-स्टोरेज और मार्केटिंग की व्यवस्था की जाए। हमारे देश की झींगा मछली दूसरे देशों से बहुत अच्छी होती है। हम उसके एक्सपोर्ट को बढ़ा सकते हैं। इसका मछुओं से डायरेक्ट सम्बन्ध होना चाहिए, ताकि जो छोटे मछुए परम्परागत तरीके से काम करते रहे हैं, उनकी रक्षा हो सके, उनका शोषण न हो सके और उन्हें ठीक कीमत मिल सके। आज मछुए चाहे समुद्र में मछली का उत्पादन करते हैं और चाहे अन्तर्देशीय नदियों में, उन्हें ठीक कीमत नहीं मिलती है।

मैं इस बिल के लिए मंत्री महोदय को धन्यवाद देता हूँ और उम्मीद करता हूँ कि वह मछुओं के सार्वजनिक और आर्थिक उत्थान के लिए और मछली उत्पादन के विकास के लिए एक व्यापक विवेक लायेंगे, जिससे करोड़ों मछुओं के हितों की रक्षा हो सके।

श्री हरीश चन्द्र सिंह रावत (अल्मोड़ा) : मंत्री महोदय माननीय सदस्य को धन्यवाद दें, क्योंकि उन्होंने पहली बार समझदारी की बात कही है।

राव बीरेन्द्र सिंह : मछली की बात आई, तो समझदारी की बात करने लगे हैं।

श्री रामावतार शास्त्री : राव साहब एक दिन सब को मछली खिलाएं।

कृषि तथा ग्रामीण पुनर्निर्माण तथा सिंचाई तथा नागरिक पूर्ति मंत्री राव बीरेन्द्र सिंह) : मन्जूर है। आपका नाम सब से ऊपर रखेंगे। Sir, I am very grateful to the hon. Members from both sides of the House who have given us so much valuable support for this Bill. This will certainly go a very long way in stopping this menace of poaching in our seas. The nation already realises the vast potential of this national resource and it is really heartening to note that the Parliament of the country is conscious that this national resources should be fully exploited and higher allocations should be made for fisheries—whether inland or marine fisheries. At the moment we are dealing with marine fisheries. I admit that the progress that we have made so far in the matter of marine fishing industry is not very happy; we have not been able to find adequate finance. There have been suggestions made that fisheries should be a separate department, a full-fledged Ministry. Well, I shall be very happy if separate Ministry for fisheries can be created. But, as you know, it is not only creation of Ministry alone which can help; it is only finance which can help, which we can find to be allocated to various Departments of the Government. Now Fisheries remain part of Agriculture. If hon. Members want to know my opinion as Minister

[Rao Birendra Singh]

of Agriculture I shall be very happy if, like fisheries, Poultry, our Cattle-breeding and Meat Industries and Dairy Industries could be upgraded as separate Departments. But as it is, Agriculture consists of all these departments dealing with agricultural production, whether it is Poultry, Meat Industry, Forest Products, Dairy, Milk and of course other agricultural crops, commercial or foodgrain crops. Our potential for marine fishing is said to be very large. So far we could go only up to 1.9 million tonnes; it is said that our potential is upto 15 million tonnes per annum. Compared to that what we have done is not much; very insignificant. This is on account of various constraints and also because we do not have a large trawler fleet in our country. Advantage was taken by other countries having large number of vessels and for them fishing is one of their major industries. Shall countries like Japan have 15,000 trawlers; Thailand has between 6 to 7 thousands; even Taiwan is reported to have 7,000 trawlers; Korea has a very large number, I mean<sup>9</sup> both Koreas. Compared to these countries India is such a large country both in area and population and also its maritime zone; but it has a very small fleet; as you know, Government does not own any fishing vessels. Government vessels are for survey and training only. If I am correct, the number of trawlers we have is only 57. For some time the chartered vessels are not operating because we have stopped them since we were bringing forward this Bill and we would like to streamline the procedure for giving permission for chartering. Now, It is also a fact that we have not been able to take deterrent action against Poaching so far. As I said in the beginning while moving the Bill for consideration, our Coast Guards have been very vigilant; they try to do all they could; but it is a matter of taking action against foreign vessels. Therefore we must be properly armed with

the Acts of our Parliament. It was because this was brought to the notice of the Prime Minister, who holds charge of the Defence Ministry, by the Coast Guards and other authorities responsible for patrol duties of the Coastal Areas, that the Prime Minister herself directed that we should take immediate action to bring this legislation before Parliament. Therefore, here, the Bill is before you. Sir, some hon. Members wanted to know why during the last year, that is, 1980-81, our exports in fishing had diminished as compared to the previous year. I have no hesitation in admitting that the export earning came down from Rs. 240 crores in the year 1979-80 to Rs. 234 crores in the next year, that is, in 1980-81. It was due to various factors. As hon. Members know, some of the advanced countries are resorting to protections. They do not easily allow our fish produce to be imported in their countries. This is one reason. The other is the high cost of fishing, particularly on account of rise in the price of diesel and various other constraints. But it is only to meet this situation that we have brought this piece of legislation in this House. As for as the general criticism or the suggestions are concerned, I am sure there has been no remarks made with the purpose of criticising the intentions of the Bill from any of the hon. Member. There have been useful suggestions. I think it is my duty to clear some of the impression that are in the minds of the hon. Members.

Now, most of the hon. Members have raised the question of the need to protect the country-craft, both the traditional country-crafts and the mechanised boats. The number of country-crafts in the country is estimated at one million or so and there are about 15,000 or 16,000 mechanised boats. The very purpose, the very object of trying to develop fishing industry is frustrated if we do not protect our people who are traditionally engaged in coastal fishing through country-crafts of various types. We have already circulated much earlier

a model Bill giving details about demarking the areas for fishing in the coastal waters for the country-crafts as well as the mechanised boats. I can assure the hon. Members that these foreign fishing vessels will not be allowed to fish in our territorial waters. They will be reserved for our own fishermen who depend upon this industry in very large numbers. Some of the States have already adopted the model Bill that was sent by the Government. Kerala has already passed a legislation to this effect. Goa has also passed a legislation. Orissa has already obtained our consent and certain other States are also taking steps to enact this legislation as suggested by the Government and with all the coastal States taking action in this regard, we are sure that, according to the policy that we are pursuing, the interests of the local fishermen will be absolutely safe and protected.

SHRI R.K. MHALGI: I would like to know whether Central Bill in that respect will be followed by the State Governments or the State Governments are having powers to enact their own legislation in this regard.

RAO BIRENDRA SINGH : The State Governments have the powers to do it. They have done it.

SHRI R.K. MHALGI : That means the Central Government is not going to bring forward a Bill for the States for this purpose.

RAO BIRENDRA SINGH : It is better for the State Governments to bring forward, legislations on the basis of their own requirements, the local conditions and the situations obtaining in their States. They can prepare their own legislation and have that passed in their respective Assemblies. But if need be, we are not altogether refusing to take action in this regard. If the States come forward and request the Central

Government to have a uniform law for all the coastal States we shall certainly consider that suggestion too. The area of maritime zone recognized for the country-craft is 200 miles. That is the Act which Parliament has passed. Parliament has said that 200 miles of exclusive economic zone belongs to India, and we are authorized to legislate for this zone. That is why this Bill is there.

SHRI R. K. MHALGI : Two years ago, that model Bill was circulated, but the States have not responded properly.

RAO BIRENDRA SINGH : We are pursuing the matter, and the concern voiced by the hon. M.N.'s will certainly prompt State Governments to enact this legislation.

Another suggestion made by hon. Members is with regard to enforcement. If a legislation like this is to be enforced, our coastal forces, coast-guards particularly, will have to be strengthened. But we cannot at present give any estimate of how much strengthening we shall require on account of the new legislation which Parliament is going to pass. We have given only some estimate of the small sums of money that will be required.

There has been some apprehension in the minds of hon. Members that these powers for licensing and issuing of permits may be misused. Mr. Sudhir Kumar Giri was the first to say : "You will now be setting up an authority for licensing and issuing permits ; and they will be misusing their powers." Can he give an alternative ? If we don't have any authority for issuing permits and licences for vessels, what is the alternative ? Do we have it free ? After all, some authority has to be set up ; and it is only to enable the issuing of licences and permits that this Bill has become necessary. Otherwise it is free for all. Nothing is needed.

**SHRI SUDHIR GIRI (CON-TAI)** : I want to emphasize that the issue of licences and permits must not lead to corruption.

**SHRI JYOTIRMOY BOSU** : (Diamond Harbour) : One should be asked only to inform the Government.

**RAO BIRENDRA SINGH** : We don't depend so much on you. You may be introducing some very undesirable party. Therefore, we have to be careful.

**SHRI JYOTIRMOY BOSU** : We are not having too many people from Haryana and West Bengal—fortunately.

**SHRI SUDHIR GIRI** : I wanted to emphasize that the conditions under which licences and permits are to be issued, should be laid before the House.

**RAO BIRENDRA SINGH** : There is no necessity for it; and this is not done. After all, these are routine matters. Government sets up a machinery; but you can always bring to the notice of Government any question of misuse of power. You certainly have got a right to put questions, and we will certainly try to answer. But these small matters are not for parliament to take notice of, i.e. as to what the licensing authority is doing.

There has been demand from all sides of the House for deterrent punishment. It is only to provide for a deterrent punishment that we have introduced this Bill in Parliament. So far, there were no powers. Vessels were apprehended and brought to the shore; but, ultimately after warning, they had to be released. We cannot confiscate vessels, unless we have got the sanction of law behind it. So, we now have provided that the foreign fishing vessels who poach in our areas would not only be confiscated, but their catch will

also be confiscated and the crew will also be punished with imprisonment. All that has been provided; and we hope that with this very strong measure, we shall be able to stop poaching on our waters.

Some hon. members have talked about the Central Fishery Corporation. That is a subject apart from the subject of this Bill. I had said in the House earlier that we are trying to save this Corporation, but this Corporation was earlier set up only to look after the needs of Mr. Jyotirmoy Bosu's area. He represents part of Calcutta. This was for supply of fishing to Calcutta city. That Corporation ran into heavy losses. There were enquiries earlier made several times. There is no need for a fresh enquiry now. So, it was decided on more than one occasion by the Government that this Corporation should be wound up. That decision still stands. But we are trying to revive this Corporation as has been suggested by hon. members several times. That would enable us to look after the interest of the workers as well as perhaps this Corporation will be used for a much wider field for setting up hatcheries, for supply of finger ling, fish seeds and various other purposes for development of fishery in the country.

Harbours have also been mentioned, but we are setting apart large sums of money for major harbours as well as minor harbours. For minor harbours, we provide 50 per cent subsidy. Fifty per cent of the expenditure is borne by the Central Government and 50 per cent is borne by the State Governments; but on major fishing harbours, it is 100 per cent cost incurred by the Government of India. Since we are trying to increase our fish product, on, we shall have to look after the arrangement for fishing harbours also on a very big scale. Some hon. members talked about red tape in getting joint ventures approved. There was a particular complaint from Andhra Pradesh out of it. Mr.

Sanjeevi Rao is not here. Other hon. members also mentioned about it. We are trying to reduce the red tape. As you know already, we have set up an advisory committee for screening applications for chartering and recently we have given the permission for chartering about 25 vessels to several parties also. We have revived the scheme for soft loan for purchase of trawlers, upto Rs. 65 lakhs per trawler. (*Interruptions*). This is for the whole of India anybody. Loans have already been decided to be advanced to parties for about 11 trawlers on production. . . . (*Interruptions*) indigenously also we are manufacturing them. We have decided to provide 33 per cent subsidy so that our trawler manufacturing industry also flourishes in the country because we do not have to depend upon foreign countries.

I think I have covered all the points. Mr. Jagpal Singh mentioned that the system of releasing vessels by the court after depositing 50 per cent of the cost was not good. The poachers might take undue advantage of it. I maintain that this sort of bail is to be granted by the court if circumstances so warrant. To a poaching fishing vessel, 50 per cent in cash is to be deposited. This is quite a substantial amount of money and we cannot entirely refuse to provide for bail to be enlarged by any court in India while the punishment is going to be so deterrent and even the vessels can be confiscated. With these words, I hope the hon. Members will now unanimously pass this Bill so that we can immediately move forward to frame the rules. Anything that is required to be looked after and has been left out, it can always be provided in the rules. Anything that is not looked after and all eventualities that may crop up, I assure the Members, will be taken into account along with their suggestions while framing the rules.

MR. CHAIRMAN : The question is :

"That the Bill to provide for the regulation of fishing by foreign vessels in certain maritime zones of India and for matters connected therewith, be taken into consideration."

*The Motion was adopted.*

MR. CHAIRMAN : Now the House will take up the clause by clause consideration of the Bill. Clauses 2 to 26. There are no amendments. The question is :

"That clauses 2 to 26 stand part of the Bill."

*The Motion was adopted.*

*Clauses 2 to 26 were added to the Bill.*

MR. CHAIRMAN : The question is :

"That Clause 1, the Enacting Formula, and the Title stand part of the Bill."

*The Motion was adopted.*

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

RAO BIRENDRA SINGH : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : The question is :

"That the Bill be passed."

*The Motion was adopted.*

SHRI RAMAVATAR SHASTRI : The Minister has given an assurance about fishing.

MR. CHAIRMAN : It has been recorded in my heart and he will fulfil it.