

they have given support to this Bill. I would, first of all, like to answer to the queries made by hon. Member Shri Daga. He has asked how many Rent Controllers and Additional Rent Controllers are there. There are one Rent Controller and six Additional Rent Controllers. The cases pending as on 30-9-1983 are 15,667....

SHRI ATAL BIHARI VAJPAYEE : Since how long are those cases pending ?

SHRI MOHAMMED USMAN ARIF : The hon. Member can very well understand that in courts time is taken ; for years, they must be pending.

But at present I cannot say from which period these cases are pending. That information is not available. That would be collected. ...

MR. DEPUTY-SPEAKER : Advocates like Mr. Daga ask for adjournments and hence delays occur.

SHRI MOHAMMED USMAN ARIF : With regard to the suggestions made by the hon. Members, I must say that a comprehensive Bill is coming in which all the suggestions given by the hon. Members will be considered.

The present amendment is so simple. It is only regarding the Rent Control Tribunal because one Tribunal could not cope with the appeals pending before them. We have made a provision for other Tribunals. About the other points, I may assure the hon. Members that a comprehensive Bill is coming.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Delhi Rent Control Act, 1958 be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1—Short Title

Amendment made :

Page 1, line 4, —

for "1980" substitute "1984" (2)
(Shri Buta Singh)

MR. DEPUTY-SPEAKER : The question is :

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made :

Page 1, line 1, —

for "Thirty-first" substitute "Thirty-fifth" (1)
(Shri Buta Singh)

MR. DEPUTY-SPEAKER : The question is :

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

**THE DEPUTY MINISTER IN THE
MINISTRY OF WORKS AND HOUSING
(SHRI MOHAMMED USMAN ARIF) :**
I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

20.52 hrs.

MERCHANT SHIPPING (AMENDMENT) BILL

**THE MINISTER OF SHIPPING AND
TRANSPORT (SHRI K. VIJAYA BHASKARA REDDY) :** With your permission, I would like to say a few words while mov-

[Shri K. Vijaya Bhaskara Reddy]

ing the Merchant Shipping (Amendment) Bill, 1984 for the consideration of the House.

The Merchant Shipping Act, 1958, has been amended from time to time to give effect to the International Conventions on Maritime matters. The deficiencies which have come to light after the last amendments have been examined by the National Shipping Board and it is now proposed to give effect to their recommendations by amending the Act.

The present Bill deals mainly with the welfare of seamen. One of the salient features of the present Bill is the provision of insurance for the members of the crew of sailing vessels against death or injury caused by accidents in the course of employment. An obligation is sought to be cast on the owner of each sailing vessel to undertake an insurance policy for this purpose. Provision is also being made prohibiting the sailing of the vessels without such a policy. No Customs Collector shall grant port clearance to a sailing vessel until after production of a policy of insurance. Another feature of the amendment relates to the employment of seamen by foreign ships. According to the Merchant Shipping Act, 1958, employment of Indian seamen at Indian ports is done only through Seamen's Employment Offices. As an exception, however, Section 102 of the Act permits the master of a foreign flag ship to engage a seaman, not being the holder of a certificate of continuous discharge at a port of India, otherwise than through the Seamen's Employment Office. It has been noticed that by and large, masters of foreign flagships employ Indians or foreigners who do not hold a certificate of continuous discharge issued by their countries. It is proposed to substitute Section 102 so as to confine the scope to engagement by a foreign flagship at an Indian port to seamen who either belong to the flag state or to the state where the rest of the crew of the ship were engaged, presumption being that in the absence of such seamen being available at an Indian port, employment would naturally be offered to Indian seamen holding certificate of continuous discharge.

Further, there is no provision in the Act at present for the application of moneys

deposited with the shipping master on behalf of the Seamen, where such money remains undisbursed or unclaimed. As a welfare measure, it is proposed to make a provision that if no claim for the money deposited with the shipping master is received for a period of six years, then the said amount would, subject to the orders of the Central Government, be utilised for the welfare of the seamen.

Section 141(3) provides that any amount payable by way of compensation to the deceased seamen can be paid to his legal heirs. As the legal formalities required to be completed for establishing an heir are cumbersome, it is proposed to provide that compensation may be paid to a member of the family nominated by a seaman. For this purpose, it is proposed to amend Section 141(3) and also to define the expression 'family' in Section 3 of the Merchant Shipping Act.

Section 159(b) provides that for considering eligibility for a claim on money due to a deceased Seaman, the shipping master may require production of a probate, letters of Administration or a certificate issued under the Indian Succession Act. As the procedure for obtaining a certificate issued under section 29 of the Administrator General Act, 1963, is more expeditious, it is proposed to amend this section to make a provision that a certificate issued by the Administrator General under section 29 of the Act would be sufficient for payment of wages due to a deceased seaman.

At present there is no provision in the Act for the prevention of Occupational Accidents to seafarers. It is proposed to make a provision in the Act to confer power on the Central Government to make rules so as to ensure safe working conditions on Indian ships and for preventing occupational accidents.

Section 101 of the Act provides that articles of agreement with the crew shall be signed by the master and the seamen. It is considered desirable to amend the section by providing that owners or agents of the ships should also be required to sign the agreement, so as to bind them to obligations cast by the agreement with respect to payment of wages and other provisions protecting the interests of seafarers.

The remaining amendments in the Bill are of minor or consequential nature. In the above circumstances, I beg to move :

"That the Bill further to amend the Merchant Shipping Act, 1958, be taken into consideration."

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill further to amend the Merchant Shipping Act, 1958 be taken into consideration."

Shri Ramanna Rai.

SHRI M. RAMANNA RAI (Kasaragod): Mr. Deputy-Speaker, Sir, I do not want to make any comments in the way in which this Bill was introduced here.

Anyhow, it was decided that the Bill had to be passed. The Minister is not able to say anything about the urgency of this measure. Anyhow this being a welfare State, for the betterment of the people, particularly to working class and others, an amendment of this nature is necessary. By the amendment of the outdated provision and by making progressive provisions in this Bill, the goal of the welfare State will be reached. But, in this case also, I am not able to understand why Government is shy in not taking steps to nationalise the entire shipping industry. This is the main demand of the people of this country, particularly, of those connected with the merchant shipping etc. It is high time that Government seriously consider to nationalise the entire shipping industry. It is a general complaint of the workers that for the same kind of work, the same wages are not paid. Discrimination is there. For the worker doing the same work, one is paid one-third of that for the other. Particularly, a large number of workers are not made permanent also in this industry.

So, Government should seriously consider all the aspects and take necessary steps to nationalise the Shipping industry. I know that one of the major shipping companies is the private sector concern, namely, the Scindia Steamship Navigation Company. What they are doing is this. 50 per cent lay-off is resorted to by this company intentionally. It cannot be said that there is no facility, there is no scope for them to do their job properly. There is no explanation why 50 per cent is laid off. We know that some

years back there was another Shipping Company—Teja Company. They made lot of money, swindling the Government and I doubt very much whether Government is colluding with Scindia Steamship Navigation Company. That also has to be considered. So my request to the Government is this. Anyhow they are going to pass this Bill. Even if this Bill is passed, that is not the end. That is only the means. So, what should be the end ? The end should be nationalisation of Shipping—particularly Merchant Shipping Industry.

At this time I don't want to give a long speech here. We know that India had a glorious past as far as our shipping is concerned. The Pandiya kings and other kings from the South sent the ships both for commercial purposes and other purposes, throughout the world. The ships sailed up to Indonesia and other countries. But what is the position of our ships ? We sail around the Gulf and the Indian coast. So it is necessary and it is high time for Government to consider this seriously and expand the Shipping industry and have trade throughout the world and become dominant shipping force in the world. We know that among the transports, shipping transport is the cheapest transports. Now we are neglecting this. It is high time that Government give necessary encouragement to the Merchant Shipping Industry...

MR. DEPUTY-SPEAKER : You can welcome the welfare measures.

SHRI M. RAMANNA RAI : Welfare measures are there. It is necessary. Further welfare measures are necessary.

With these words I conclude.

SHRI K. VIJAYA BHASKARA REDDY : Sir, I made it very clear in my introductory remarks that this is part of the administrative measures for improving the condition of seafarers and the crew working on the ships. There should not be any objection from whichever party it may be. I only feel that this measure should have come much earlier, because, there was the recommendation of so many international bodies and other agencies. This was considered by the National Shipping Board from 1967 onwards. Ultimately Government has taken decision to do it. These measures which I have introduced are going

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to be beneficial to the people working on the ships.

I don't want to say much. About Scindia Company let us not attribute any motive. Scindias have played a significant role. They have got a most historical association with the development of the Shipping industry of the country.

They are now in real difficulties. Wish the hon. Member had gone through their business activities for the last five or six years and had he seen it, he would not have mentioned it. The Government is trying to help this important Shipping House to get over this difficult period. I hope that the assistance of the Government will be very useful.

SHRI M. RAMANNA RAI : Instead of helping them so that they may become viable, why don't the Government take over ?

SHRI K. VIJAYA BHASKARA REDDY : The Government is not to take over that. We will not nationalise the shipping industry as a whole. The present system will continue and Government will go to the help of not only the nationalised shipping house but also the private agencies. I hope these measures will be very helpful to the lowest ranks.

I move.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Merchant Shipping Act, 1958, be taken into consideration."

The Motion was adopted.

MR. DEPUTY-SPEAKER : We will take up Clause by Clause consideration of the Bill. Clauses 2 to 22. There are no amendments.

The question is :

"That Clauses 2 to 22 stand part of the Bill."

The motion was adopted.

Clauses 2 to 22 were added to the Bill.

Clause 1—Short Title and commencement.

Amendment made

2. Page 1, line 4,—

for "1983" substitute "1984"

(Shri K. Vijaya Bhaskara Reddy)

MR. DEPUTY-SPEAKER : The question is :

"That Clause 1, as amended stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made

1. Page 1, line 1,—

for "Thirty-fourth" substitute—

"Thirty-fifth"

(Shri K. Vijaya Bhaskara Reddy)

MR. DEPUTY-SPEAKER : The question is :

"That the Enacting Formula, as amended, stands part of the Bill".

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI K. VIJAYA BHASKARA REDDY) : I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

21.08 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, 9th May, 1984/Vaisakha 19, 1906 (Saka).