

भी जाव राम : फिर भी उनका नियंत्रण ही समस्त है ; जीविती की ईक्सीटेंट हरेक स्टेट गवर्नरेट करते हैं। वे अहो इस भासमें में बाहर-बिकाद में पढ़ना नहीं चाहता है, लेकिन कि र भी इस बहस को समाप्त करते हैं पहले वे माननीय सदस्यों का जनिया पढ़ा करना चाहता है कि हमारे लिये यह तारीखी और ऐसिहासिक बिल है जिसमें कानून के बहिर्भूत में हम कुछ लोगों को खोलीमेटी का ध्यादा पहुँचाने की कठिनी कर रहे हैं।

यहाँ पर एक्सीटेंट्स का भी चिन्ह हृषा है। इसमें कोई शक नहीं कि हिन्दुतात्म में एक्सीटेंट्स की तादाद बहुत ज्यादा है। यह एस. १० में प्रत्येक 10 हजार और्डर्स पर यह ४. 7 है, वैस्ट जर्मनी में 12. 7, फ्रांस में 13. 5 है, परम्परा हिन्दुतात्म में 69 अधिक्षित प्राप्त 10,000 और्डर्स ऐसीडॉइन हैं। यह तादाद ज्यादा है, हालांकि लोगों ने कहा है कि यहाँ हमारे बाहरों की संख्या कम है, लेकिन बाहर का होते हुए भी एक्सीटेंट्स को तादाद ज्यादा है। ऐसी प्राप्ता है कि इस भासमें हम कुछ कदम उठा पायेंगे।

मैं एक बार फिर समाप्ति महोदय, आपका और सदन के भेस्टरों का ग्रन्तिया बढ़ा करता हूँ।

भी हृषम जैव कालायाद : समाप्ति महोदय, मैं ने प्राप्त उठाया है, मंत्री महोदय ने जान-बहार कर उसे टाल दिया है। अब यह कानून केंद्र का है, तो वह इसमें परिवर्तन करो नहीं बार सकते हैं ? वह इसमें परिवर्तन करें।

भी शक्तिवाल जटुर्वेदी (भाग्य) : हृषम एक्सीटेंट्स बनाती है।

भी जाव राम : जैसा कि भी जटुर्वेदों ने कहा है, गेट हम बनाते हैं और रॉज स्टेट्स बनाती हैं। वे हृषम में प्रांतावाह कर सकती हैं कि एक फिल्म को एक देना है।

मैं सदन को एक और आवासन देना चाहता हूँ। टासपोर्ट कौशिल, स्टेट गवर्नरेट्स और कई दूसरे व्यवसियों की तरफ से भूत से सुकाव आये हैं। उन सुकावों पर भी विचार हो रहा है और हो सकता है कि जल्दी ही एक कानूनासिडिड और कार्पिहॉसिस औटर और्डर्स तदस्तु तात्परा आये। माननीय सदस्य, भी कालायाद, ने वे सुकाव दिये हैं, उन पर विचार कर लिया जायेगा और हम देखते हैं कि हम कहाँ तक उनका समावेश कर सकते हैं।

इन लोगों के ताप में प्राप्ता करता है कि हाउस इस बिल को पहल करेगा।

MR. CHAIRMAN: Now, the question is:

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

The motion was adopted.

16.12 hrs

MERCHANT SHIPPING (AMENDMENT) BILL

MR. CHAIRMAN: Now Shri Chand Ram to move for the Merchant Shipping (Amendment) Bill being taken into consideration.

THE MINISTER OF STATE IN CHARGE OF THE MINISTRY OF SHIPPING AND TRANSPORT (SHRI CHAND RAM): Sir, I beg to move:

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

While moving this Bill for consideration, I want to say a few words. This Bill has been brought before the House because we have been feeling a shortage of navigation officers as well as engineering officers. There is a shortage of Navy personnel for running our Merchant Navy and also our shore-based establishments and our ports. There is a big drain of these officers because, in other countries, they get higher emoluments and more facilities than we have been able to give them in view of the conditions obtaining in the country. To prevent that drain, it has been thought necessary to bring forward this Bill and I hope that the House will agree with me that this Bill is a necessity.

We never intended that this Bill should hurt the officers who are at present in service. Therefore, a provision has been specifically made that the provisions of this Bill will not apply to those who are in service at present. So, care has been taken to see that only those who will be trained in future will be covered by this Act. We are spending a lot of amount from the Government funds and that is why we have brought forward this Bill to meet the situation.

MR. CHAIRMAN: Motion moved:

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

[Mr. Chairman]

Shri Vinayak Prasad Yadav is not here; so he is not moving his Amendment.

Shri Venkatasubbaiah? He is not here. So, now, Shri Saugata Roy.

SHRI SAUGATA ROY (Barrackpore): Sir, the Minister has had a very heavy day today. Earlier, in the morning, he announced the calling off of the Port workers' strike. Later in the day, he had to pilot the Transport Act; and now, last but not the least this Merchant Shipping (Amendment) Bill.

AN HON. MEMBER: It is Chand Ram's day today.

SHRI SAUGATA ROY: Yes, today is 'Chand Ram's day'. It should have been a Monday; but it is not so: It should have been Chand. Anyway, the whole object of the Bill, as has been pointed out by him, is very limited, and that is to prevent Indian personnel who have been trained in Indian ships and Indian training ships from drifting abroad. It is a very strange conception that the Minister brings to bring some sort of compulsion on Indian trained person to prevent them from leaving Indian companies. To my mind, the compulsion lies in the fact that the Indian shipping companies, some of whom are owned by big merchants, may be by Chowgule or Sumati Morarji or anybody else, have been able to put a lot of pressure on the Government, because this question of brain-drain is not common to the shipping industry only. Government also spends a lot of money on the training of doctors. On an average, Government of India spends about Rs. 10,000 on the training of one doctor. I am told that the figure is Rs. 60,000....

AN HON. MEMBER: The latest figure is Rs. 1 lakh.

SHRI SAUGATA ROY: He says that the latest figure is Rs. 1 lakh. They must be spending a similar amount on the training of engineers also. But

every year we find that a large number of scientific and technical personnel are migrating abroad for better pastures—because they have less patriotism and more love for money. They also claim that they have no opportunities at home. Therefore, one would like to understand what is the reason, why in the case of merchant shipping only the Government is bringing forward a law to compel those trained in Indian training establishments or shore-based establishments from leaving India and going abroad and joining other companies.

My friend, Mr. Mohd. Shafi Qureshi, was just telling me that, in the last Session, he had put a question asking how many of the Shipping Mates, the Second Mates, who were trained by Shipping Corporation of India left the Shipping Corporation after completing their three-year course, in the last one year, and the Minister had replied 'none'. Apparently, those trained in the Shipping Corporation are not leaving the Shipping Corporation, according to the Minister's reply. So, which companies are they leaving? Are they leaving the great Indian Shipping companies? Are they leaving the Scindia Steam Navigation Company? I would like to know what has been the drainage of Indian shipping personnel—the Mates, the Marine Engineers and other people—who have left the different companies in the last three years, so that it became necessary to make a statutory provision for this particular class of people. If the Government take a general attitude towards brain-drain, if it makes a general policy that, when the Government is making so much efforts to train the personnel, they should be properly utilised for the services of the country, one can understand. Then you have to put restrictions and curbs on the movement of scientists, engineers, doctors, technicians and technologists. But why only in the case of shipping people? This is the point which I would like to get clarified from the Minister, and I would like him to present all the facts and

figures before the House because this is unique in the history of legislation that such a restrictive condition is being put.

Today, if I may say so, in India the public sector shipping has made great advances. The Shipping Corporation, even though it has become rather unwieldy and a little difficult to manage, has, nevertheless become a giant, a public sector giant. But, along with it, the Indian shipping companies have not made sizeable progress. The Indian shipping companies today are in need of having to be looked after much better, and if necessary, slowly the taking over of the Indian shipping companies should start. We have seen in the past how Macneill Berry Company's ships have come over to the Shipping Corporation of India. The Central Inland Water Transport Corporation had to be taken over by the Government some time back. Now these shipping companies of ours are not interested in inland navigation; all they want to do is they want to do the trade routes from India to the Middle East, India to Europe and India to Africa. If you tell them to ply on our internal routes, they are not plying. Mr. Chairman, being from West Bengal, you know that, before the Partition, there was the shipping route from Calcutta through the Sunderban, through Bangladesh, to Assam. Jogniguppa in Assam was a big port. During 1965 it was still with Pakistan. Then many of the ships of Macneill Barry & Co. were impounded in Pakistan as a result of which this Bengal-Assam connection got snapped. There is no connection between Bengal and Assam and Bengal and Bangladesh through the Sunderbans as a result of which both Bengal and Assam have suffered very much. It was necessary for the shipping companies to take some responsibility for this internal navigation but it has not come. Now the CIWTC, as has been pointed out by the Public Undertakings Committee in its report, is not being managed well. I urge upon the Minister to give immediate attention to this problem

where more shipping fleet can be employed in internal navigation of the country itself, especially in the eastern sector of India by bolstering the fleet of CIWTC.

I would also like to know from the Minister what is the position of the Shipping Corporation vis-a-vis the different merchant navies that are operating in the world. If many merchant navy personnel are migrating, there must be a large differential in pay. So, it is necessary to bring our pays and allowances on par with those of the foreign shipping lines. After all we are not hearing of migration of Air India pilots to BOAC or other foreign airlines. Then, why is it that the shipping crew or other Indian shipping companies trade people are leaving Indian companies. These points need to be made clear.

I am not sure whether the object behind this Bill is really for the good of the country or whether it is meant for the limited interest of serving a few big Indian shipping companies or it is for the limited interest of a particular lobby in the Ministry of Shipping and Transport. This point I would like the Minister to make clear. I would not dilate on this subject further because as I said earlier, it was a heavy day for the Minister. I hope he will enlighten the House on these points.

SHRI PURNANARAYAN SINHA (Tezpur): It is a question relating to personnel serving in the merchant navy who after training quit the employment under Indian government or Indian shipping and drift away to foreign ships and foreign companies and thereby cause dearth of personnel for our Indian ships. This is a subject which in the narrow perspective, is so but it has got other questions also.

Even if they have been trained in India with Indian money, it is also the fundamental duty of our government to train up our people to be able to serve anywhere in the world for their living either as shipmates or drivers

[Shri Purnanarayan Sinha]

or engineers. This question is there. Therefore, if a person, after his training with Indian money and with stipend from government, is supposed to confine his service only to India and Indian waters and Indian ships, then it may be harsh on him. Then, of course, we have to see to the interests of the nation also. Therefore, my suggestion to the hon. Minister is that perhaps some pre-condition may be imposed on the lines of that now in force in Sainik Schools and other establishments created by the government that they should put in a period of service under the government or the Shipping Corporation of India or any other government undertaking and, thereafter they may be free to go anywhere or go to foreign companies. These conditions may be imposed on them as a condition imposed in their service also. This is not new. It is there in the case of some people like nurses and the artisans professionals where they trained with government money or on stipends granted by the government. They are supposed to work for government establishments for some time.

That is the principle that can be accepted and applied also in this case. Before a persons is desirous of serving in the Navy for a career, I think, he will be asked to sign a bond by giving a certain guarantee to serve the Navy in Government or in any other undertaking of the Government and in the Merchant Shipping for a period of time. Thereafter, he will be free. But, in a vast country like ours, we have lakhs of unemployed people. If they could learn the art or try to make themselves engineers or Masters of Merchant Shipping and to serve elsewhere I think, we should have no objection to that.

Coming down to the inland water transport, there is scope for us to train more and more men for the purpose of serving in the inland waters. We have the Assam, Bengal Rivers Service. My hon. friend, Shri Saugata

Roy mentioned about that. There is scope to develop the inter-national transport between Calcutta and Assam through Bangladesh. We have got steamers, steam boats. But they suffer because of shortage of service people to run them. We do not have the marine engineers; we do not have the drivers and lascars. We depended entirely before partition on the people coming from East Bengal, particularly, the minority communities who worked on the inland vessels. After Bangladesh has been separated it has become a separate country—there is dearth of these people who know this trade. So, not only for our merchant shipping but also for the sea-going ships, I should think, the same principle should be applied in regard to training of the people. You know there are lakhs and lakhs of unemployed people. In Inland Water Transport System also there are many more jobs of this nature in which we can profitably employ these unemployed people. I would, therefore, ask the Minister to extend the scope of this Bill which is an absolute 1958 bill thereby bringing in the inland water and merchant shipping together for which purpose, we should have a comprehensive Bill for the establishment of more naval training institutes in this country so that we can build up inland water transport system also. For our sea-going ships also, in the Missions abroad we may ask them to supply people who know this trade so that they may spread their knowledge into other parts of the world.

With these words, I support this Bill. At the same time, I make a suggestion that perhaps the scope of the Bill may be widened to cover not only the sea-going ships but also ships of the inland water transport.

SHRI B. K. NAIR (Mavelikkara):
Mr. Chairman, Sir, I am opposing the introduction of this Bill on this very important occasion. I feel that the inland water transport and in fact the world-shipping industry—almost all the companies—are incurring losses. This

includes our Indian companies also. Even the Shipping Corporation which was doing very well in the past years is now facing a crisis. There are very many reasons for that. The most important reason is that there is a hike in the oil price and almost a five per cent further increase by the OPEC in oil price is going to come about from next month. And the shipping industry will be in much deeper crisis. When industries are facing a certain crisis and some employees are facing the retrenchment as a result, it is most unfortunate for the Minister to come forward with such a bill.

Now, Sir, as my hon. friend was explaining here, it is highly discriminatory. The ratings and officers receive training in our ships. Our training establishment have a reputation among foreign candidates and they come here for training. That is a tribute to the high standard of training we are giving but at the same time the ratings receive training only for six months and the higher officers receive training for four years. Even then the amount spent on training these people is insignificant as compared to the amount spent on training of doctors, engineers and scientists. The doctors, engineers and scientists are going out of the country and there is brain-drain but you want to put a check on the seamen going out of the country. Is it because the doctors, engineers and scientists belong to upper strata of society and so they are allowed to go whereas the seamen belong to lower strata of society and that is why you want to check their going abroad. When there is no bar on brain-drain why put a bar on the brain being drained. It is a highly discriminatory proposal and government should not bring forward such a proposal.

Then I come to another point. The Bill is quite unnecessary. The record shows that we have still lot of unemployment in the trained cadre of these people. The report for 1976-77 says that Seamen Employment offices which

were set-up in Bombay and Calcutta in June 1954 and March 1955 respectively for regulating supply of seamen to foreign ships continue to function satisfactorily. The number of seamen available in Bombay as on 1st October, 1976 for foreign going vessels was 28,430 as against 18,886 jobs available. The position in Calcutta is that the number of seamen available is 11,416 as against 600 jobs available. Inspite of this position you are going to put a hurdle that the trained people should not go outside India. The number of seamen available for domestic employment as on 1st October, 1976 was 786 in Bombay as against 446 jobs. The position in Calcutta is that the number of persons available is 202 as against 114 jobs. So what is, the ground or the reason for the minister to bring forward such a proposal?

The report of the year 1977-78 also shows that there are surplus hands awaiting employment. That is why I say that the Bill is quite unnecessary. It will only cause harassment. It only amounts to tying down people here without employment and get starved. I do not quite understand the logic behind this Bill. Taking into consideration the total unemployment picture on the country should we not encourage people with meagre training to find jobs outside the country if they are available?

16.35 hrs.

[SHRIMATI PARVATHI KRISHNAN in the Chair.]

The Director-General is a very big authority here. The Director General is interested in putting so many hurdles and so many spokes in the wheel of progress. These people are being tied down and they are restricted from going outside. This restriction is there for their applying for such jobs outside. There are long periods of delay in granting such permissions to them. These restrictions should be removed. If any restrictions

[Shri B. K. Nair]

are to be imposed, the Director General should be held personally responsible for paying these boys the necessary subsistence allowance. That should be 75 per cent of their normal salary. You cannot compel them to stay without paying them some such reasonable allowance. Therefore, my suggestion is that the Director General should be obliged to pay these people the minimum subsistence allowance at the rate of 75 per cent of their normal salary as per the jobs to which they are qualified. And there should be no provision for appeal to the Government of India. The Director General should be the final authority. He should have the power to allow these people to go for jobs outside.

MR. CHAIRMAN: You have got certain amendments. You can speak on those amendments.

SHRI B. K. NAIR: The Director General is vested with the authority to provide hands for employment in foreign ships. In this case his responsibility should also extend in seeing to it that they are given the salary and other benefits and other benefits corresponding to international standards. There should be no discrimination at all. When they are serving on foreign ships, they should not be subjected to any kind of discrimination. Many complaints have come about their being ill-treated and being paid lower salary. This should not happen. It is the responsibility of the Director General to see that such things do not happen. There should be no kind of complaint or discrimination on this score. With these words I conclude.

SHRI VINODBHAI B. SHETH (Jamnagar): Madam Chairman, the hon. Minister has asserted that this Bill has been brought forward to stop the drift of the Merchant Navy officers abroad. Well, if this is the real object of the Bill, I would have certainly welcomed it. There have been some statistics which have been brought forward by

my hon. friends from the opposition benches. I hope that the hon. Minister will look into these.

The Bill provides four years for a student to serve in the country, after passing the competency examination. Otherwise he cannot join any foreign flagship. The Government asserts that they have to spend money. I don't know what is the exact figure. Mr. Saugata Roy and others have brought to the notice of the Government do spend money to all educational institutions in this country. Now, I don't know why this particular class of service alone is brought in, in this Bill, especially when the Shipping Industry as a whole is suffering loss and facing a crisis. The hon. Minister should enlighten the House whether he has received any complaint from the Shipowners' Association saying that they are not getting the required trained Merchant Navy personnel. What is his real intention in bringing forward this Bill? That, he should enlighten this House. Government is spending a lot on doctors, engineers, sainik students and so on. On a sainik school student, Government is spending Rs. 2 to 3 lakhs, upto the Secondary Examination stage. In my own constituency, that is, Jamnagar, out of 512 students only six have joined the Army. We can compel the boys of the Merchant Navy to serve the country. We can compel other categories of people like doctors, engineers, technocrats and scientists to serve this country without bringing forward this Bill in this House. When you give them the Certificate of Competency you can compel them to serve the country for a couple of years. Some assurance should be given to them that they would be provided with employment. I have brought an amendment to this effect. I wonder whether my amendment would be considered or not. But let the assurance be given to the Merchant Navy officers. Otherwise, this is going to be a discriminatory in nature and it is liable to be challenged in the court of law. As a Member of Parliament belonging to the ruling

party I raise this point as a fundamental right of a person. Now, can we compel them to serve in this country and do not allow them to serve in any other field he likes? Otherwise efficiency will be retarded if he is compelled to do a certain job against his will. Of course, by bringing forward this particular piece of legislation at a time when the acquisition of ships in the country has increased, it is not going to improve the condition because there is no proper planning between the acquisition of ships and the training of the personnel. When the acquisition of ships is going on, simultaneously you should recruit good officers to train the students. In the world the Indian Marine Officers are considered to be very efficient officers; and there is a demand in the world for them and I think when this demand is there, we should encourage them by giving some incentives, by way of giving concession in taxation. On many occasions I have brought it to the notice of the Government. I do not know whether it has been transmitted to the Finance Ministry or not. But now, the Government give concession to the Merchant Navy Officers. Of course, there is some sort of anomaly in the pay structure and that is the reason why they go outside the country. Further, we cannot ask them to stay at home without giving them job and at the same time without allowing them to go abroad. You must give them some assurance that they would be provided with job opportunities. At present, there are 200 Engineers with Part—A Certificate remaining unemployed. Kindly check up this. I would also request you to have some dialogue with the officers of the Maritime Union of India—Shrimati Maniben Kara and Shri K. P. Kelah—who are dealing with the matters of the association. They also enlightened me on this point and I am satisfied with their view-points. I hope the Minister will definitely look into the matter before passing this Bill. There is recession in the shipping in-

dustry today. At this particular juncture, I would request you to allow the Bill to lapse for a year at least, till end of 1979. I hope the Ministry will be able to convince the Finance Ministry for removing anomaly in so far as the pay structure of these officers is concerned. Now, the officers of the Merchant Navy say that this is a pernicious piece of legislation. I hope the Minister will give sufficient attention to these points, that is, he will give assurance to the Merchant Navy Officers, improve their service conditions, give them some more incentives and remove the anomaly in their pay structure so that these officers may not think of going abroad. They would not like to go away and leave their families; they would like to stay in this country, but the circumstances and service conditions are such that they are compelled to go outside and seek employment.

I would, therefore, request the hon. Minister to examine whether the restrictions as envisaged in this Bill on an individual to serve in any country he likes infringe his Fundamental Rights. Secondly, I would request him to let the Bill lapse for a year.

*SHRI A. ASOKARAJ (Perambalur): Madam Chairman, I am thankful to you for giving me an opportunity to say a few words on The Merchant Shipping Amendment Bill. I am of the view that this Bill should have been part of the parent Act itself when it was passed in 1958. As the people learn by the problems they face in life, the Government have introduced this Bill after its experience of two decades. I am happy that this amending Bill has been introduced at least now and this House should commend the efforts of our hon. Minister of Shipping and Transport.

It must be borne in mind that hundreds of crores of rupees have been spent in the training of youngsters as cadets. The resources of Defence Ministry has been depleted.

*The original speech was delivered in Tamil.

[Shri A. Asokaraj]

to that extent. We cannot afford again to lose the services of technically trained people for manning mercantile shipping and shore-based naval establishments. The drift of trained cadets has affected the running of Indian ships. A developing country like ours cannot afford to lose the services of trained seamen.

We have to welcome the provision in this Bill which stipulates that the Certificate of Competence would include the minimum period of service to be rendered by the cadets on Indian ships, ports and other establishments. But I feel that the total length of service to be rendered compulsorily on Indian ships should have been prescribed. If one trained cadet goes outside without rendering the prescribed service, this amending Bill should also have been stipulated the nature of penalty or punishment to be awarded to such trainees. I do not agree that unemployment alone has been the basis for the desertion of trained youngsters. There should be wide variation in the scales of pay offered here by Indian Shipping companies and those foreign firms which attract them. The Central Government should study the inducements that are offered by the foreign shipping companies. I do not say that we should offer all of them to our youngsters. We cannot, being a developing nation, compete with affluent nations in the matter of salaries and wages. But the Government should go into this question and do the needful in the matter. The cadets should get adequate remuneration which is in commensurate with the arduous jobs they do. There must be some parity between the scales of pay offered by advanced nations and advancing nations.

As I stated earlier, there must be a legal provision for recovering the expenditure incurred by the Government from the parents of cadets who flee away from their commitments. Similarly, there must be a provision in this Bill that such trained cadets in this Bill that such trained cadets would also render minimum period of

service on the recently constituted Indian Coast Guard Service, which requires adequate number of trained personnel.

Knowingly or unknowingly in the selection of candidates for training regional feelings do creep in. Those in the Selection Board do succumb to parochial considerations. I say this emphatically because of the absence of proper representation in these training establishments for all regions of the country. For example, the south of Tamil Nadu does not have adequate representation in this training programme. I should not be misconstrued for saying this. If all the regional claims are represented in such a training activity, it will foster national unity and this has compelled me to refer to this.

Before I conclude, I would like to say that the hon. Minister should give greater consideration to the youth belonging to Scheduled Castes and Scheduled Tribes. On account of grinding poverty their physical features may not meet the prescriptions of the Government. This should not stand in their way of getting recruited for training. After they are admitting, if they are given adequate attention, their physical dimensions will come to those of others. I would also demand that the hon. Minister should ensure that there are no malpractices in the selection of candidates for training. I would also suggest that our trained personnel should not be lured by lavish scales being offered by wealthy nations. A sense of patriotism should be inculcated in them. At the same time, the Government of India should endeavour to narrow the yawning gap between the emoluments offered by developed nations and developing nations. Naturally our youngsters would not be tempted to go to new pastures.

With these words I conclude my speech.

बीजेपी व्यवस्था विह (होमियारपुरा) : समाजिक मोर्चायां, भौती प्रश्नों को गह विल लाए हैं। इन के संबंध में यह कहना चाहता हूँ कि या तो कोई देशी

ऐसुहृष्ट मार्गें हो जर्ही होती कि बातची नहीं चिल रहे हैं, उस के लिए वह हम हातवाम में चिल लाते तो वह आत समझ में आती। बायाप इस के कि सरकार और फैक्ट्री को सिखाने का इंतजाम करे, उन्होंने यह बाट का सेवद इलेमाल करने की कोशिश की है? हम देख में उन को जिस इतिहास के बायापी चिल काम की लिए और चिल ट्रेनिंग के लिए बायाप वह हवायारों की तादाद में नहीं लालों की तादाद में चिल सकते हैं। यह बैन ड्रेन बाली जो कहानी है वह सही नहीं है। प्रभार हम हम हिन्दुस्तान में डाकटरों को देने न दें सके और उन को मुख्यमन्त्री न दे सके, कितने डाकटर यहाँ बैठे हैं और हम यहीं को बैठाए तो तंग जाकर बाहर चले जायं तो हम यह कहें कि यह बैन ड्रेन है, यह बात हमारी बस्त्र में नहीं आती। बैन ड्रेन तो तब समझ में आती है कि भ्राता भ्राप को किसी बाबती की असरदार है और वह भ्राप के यहाँ काम करने के लिए तीयार नहीं है, बाहर चला जाता है तो भ्राप यह सकते हैं कि यह मूल्क के इंटरेस्ट के लिए अपनी बाली फायदे की लालच में आ कर बाहर जा रहा है। कोई एक भी कौस भ्राप ऐसा बनाए रखा पर भ्राती करे और बहां भ्राप को न चिला हो। तो यह तो भ्राप की अपनी दृष्टि है कि ये जितारामी जायाच चलते हैं उन के लिए सरकार ट्रेनिंग का इनजाम कर। इस बैन में लालों का बालान जिताया है जो हर ट्रेनिंग की दैनिक लेने को जाता है। प्रभार एक बार हिन्दुस्तान दें और लालों की तादाद में वह भ्राप के पास आ जाएँ। भ्राप के लिए उन को सेवेकर करना कठिन हो जायगा कि किन को न लें। तो मेरा जाना यह है कि भ्राप उन के लिए ट्रेनिंग का इंतजाम करें, उस में ज्यादा नम्बर बढ़ा दें ये और हस्तरा इंतजाम करें। नेतृत्व भ्रार भ्राप के जरिए कुछ लोग यो बहुत बड़े बाददीर हैं, जिन के पास जहाज है वह वे कहें कि भ्राप के हम कानून का फायदा उठाएं तो यह ठीक है। ये बाहर के मूल्कों के जितारामी जाहाज है वह भ्रापने मूल्क के लोगों को ट्रेनिंग देते हैं और हम देख के सहकरों को से कर ट्रेनिंग देते हैं फिर जो इस देश के तितारामी जहाज है वे क्यों न प्राप्त बनाने को ट्रेनिंग के लिए भ्राती जितारामी दें और भ्रामी दें। यह कहें। वह निम्न बनाकर ही काम कर जो जायं और बाहे ने यह कि जो उन के जहाजों को चलाने के लिए बाददीर आहिए और भ्रार भ्राप से चिल जायें, यह ठीक नहीं है। मैं यह कहांगा कि भ्राप के हम का बिल जाने से पहले भ्रापने तीर पर ऐसा इंतजाम करना आहिए जिस से लोग यहा ट्रेनिंग लें, उस के लिए कोशिश करें और प्रभार भ्राप के पास फिर भ्रातीमियों की कमी आए तो हिन्दुक्षमियेशन तिर्क एक ही जगह पर क्यों रहें? इस देश में हजारों घेंडे हैं और भ्रापने भरवी से वे जाते जाएं वहाँ वहाँ काम कर सकते हैं। भ्राप किसी एक ध्रुवे लालों को मजबूर करें कि वह कंसल्टरी तीर पर लिही जगह पर काम करेगा तो यह तिस्कीपिनेशन होगा और यह बात नहीं होनी आहिए।

मैं हम पर और ज्यादा न कहते हूए यही कहूंगा कि भ्राप फिर सोचिए और बैन-ड्रेन बाली जी बात है

उत्तरों दिवायाद के लिखान स्थितिश्च। इस बैन के लोग इस देश में काम करना चाहते हैं भ्राप उनको किसी चिल का काम मोहिता कीजिए। हमारे देश से लोग देवितानाम में भी जाकर काम करने के लिए तीयार हैं। भ्राप उनको जहाज पर, फैक्ट्री में या किसी और जगह पर काम देने की कोशिश करें और उनको ट्रेनिंग देते का इनजाम करें। जो निवारती जहाज है, जो हिन्दुस्तान के बैन बहे कालानोदार और समर्विकार है जोकि आहते हैं कि लिखानामे हुए लोगों को बाहर ले जायें, उन्हें इसके लिए कोई वैता बचत न करता पड़े, उनसे भ्राप कहिए कि वे भ्रापना इनजाम बुद्ध करें, और भ्राप ड्रेन तो वैकालान से घासमियों को लेने की कोशिश न करें।

**SHRI MANORANJAN BHAKTA
(Andaman and Nicobar Islands):** The present Bill is a disappointing one. It is a complete surrender to the shipping lobbies on the one hand and on the other hand to bureaucracy.

At the present moment there are a lot of problems on the shipping side. As we are all aware there is recession in shipping throughout the world. Very recently our Minister has had the experience of dealing with Port and Dock strike. He knows very well how shipping interests suffered. Then there are dry docks in our country. These are not sufficient. We are sending our vessels to Singapore and other foreign countries for dry docking and repairs. We are spending a lot of foreign exchange for repairs of our ships.

The Minister is speaking for ship building. He has brought the Bill hurriedly for stopping the ratings and the officers from going abroad. In this connection I may very well support the views of Shri B. Vinodbal Sheth who was rightly pointed out that in many maritime countries some benefits are given to the maritime officers. In our country, in different forums, always there was a demand from the Government that income tax benefits and other benefits should be given to the officers so that our officers do not go abroad. It is also necessary to mention that the gap between the salaries of officers in Indian Flagship and officers in other countries' flagship is very wide. The benefits given by

[Shri Manoranjan Bhakta]

other foreign companies, if our officers go and serve there, are much more than what we give. Therefore, our officers always like to go and work in foreign companies.

My friend Shri Balbir Singh has also rightly pointed out that there are so many persons in the country and there is a lot of unemployment, why not, therefore, train more people. The conditions should be improved and let there be a comparative competition and if somebody goes outside he may not have much of advantage.

In Section 21 of the Merchant Shipping Act, there is a provision that Cooperative Society can not obtain a vessel. But it is the Government's policy that co-operative societies should be encouraged, then why the tribals in my constituency were deprived of this benefit? In my constituency the tribal's, to save themselves from exploitation, formed a tribal co-operative society. They wanted to purchase a ship for sending their crops outside the island. At that time they applied to the Government of India. That was examined and later on the Government of India said no, there is no provision for the co-operative society to obtain a merchant shipping vessel. The Minister is well aware of it. Time and again I had the privilege to mention it to him. I wonder there is nothing mentioned in the Bill about it. Government could have very well brought an amendment to this Bill itself saying that a cooperative society also can obtain a vessel under the Merchant Shipping Act.

The purpose of the Bill is very limited. I do not think it will serve any useful purpose. It will be discriminatory because in no other venture where the country is spending lot of money is having such a restriction and restriction is only imposed in this case, which will be discriminatory. That is why I oppose the Bill and request the Minister to withdraw it and bring a comprehensive Bill.

SHRI P. M. SAYEED (Lakshadweep): Madam, the scope of the Bill is very limited. I think Mr. Chand Ram is subjected to a high conspiracy hatched against him by the shipping magnates. The Bill lays down that persons who have been trained and who have got proficiency certificate should compulsorily serve under the Government-Shiiping Corporation and also other shipping companies—for four years. I wonder how the Government can restrict the employment of the citizens who are not at all having an opportunity inside the country whereas the Indian personnel trained in the merchant navy cadre have got ample chance to get employment outside. Firstly it is the pay structure. Our trained personnel are going out because they get better salary and better service conditions outside. My friend Mr. Nair has given the statistics to show that in all categories of trained personnel in the shipping line, they are wanting jobs in this country and waiting for years. I come from a place where the merchant navy people are graded as top class seamen. The entire population in one of the Lakshadweep islands, i.e. in Minicoy, are engaged in merchant navy and they are employed in various companies of the world. I was told by the Director of Shiping, Seamen's Employment, in Bombay and Calcutta that the seamen who are trained in the three establishments in this country are getting name and fame for the country. Since I know them personally, I am aware of their problems. Sometime ago, the Seafarers' Association demanded stoppage of training in all the three centres because of the huge back-log of trained people available in this country and wanting jobs. I do not know how the Government is bringing such a Bill which seeks to prohibit our trained men from taking employment elsewhere. Even the Scheduled Castes and Scheduled Tribes boys and girls who are sent for special training in medicine, engineering and other technical courses, are compulsorily given an option to serve

under the Government for one year after getting such concessions like scholarship and what not. But here only the cadres are trained by the Government and in this very case, the restriction is put for four years. I can understand if the Government comes forward with an amendment saying that the trained persons will be required to serve only in the Government company, but here they are required to work under other private companies also. Therefore, firstly, the scope of this amendment is likely to be challenged in a court of law and secondly the restriction which is sought to be imposed through this amendment, is going to create tension in the minds of trained personnel of this country who are available for employment and especially when there are bright chances for them to get employment in Greek shipping and other foreign shipping companies. Therefore, I oppose this Bill.

SHRI MOHD. SHAFI QURESHI (Anantnag): From the Statement of Objects and Reasons of this Bill it appears that the Government of India was concerned about the cadres who are being trained by the Shiping Corporation of India and who are leaving the country and are taking up jobs in other countries. It says:

"Government of India is responsible for the training of the Merchant Navy personnel and it incurs substantial expenditure on the training institutions for the officers. By the drift abroad of the trained personnel, not only the expenditure incurred on training becomes infructuous but Indian shipping industry is also handicapped to a great extent as it is unable to find adequate qualified personnel to man their ships.

With a view to increasing the availability of the trained Merchant Navy personnel for employment on Indian ships, shore-based establishments, etc. It is proposed to cast obligation on the holders of certifi-

cate of Competency and other certificates under the Merchant Shipping Act, 1958, to serve for a certain, minimum period on Indian ships, ports and other establish-ments."

I had asked a question from the Minister in August 1978. The question was: (a) what was the number of persons trained by the Shipping Corporation of India as second mates during the last three years; (b) the number of trainees who have passed the second mates examination and (c) how many of these have joined the SCI? The reply was:

(a) During January 1975 to June, 1978, 556 Cadets, who completed sea-training, were trained for Second Mate Examination by the SCI. This figure includes cadets from batches recruited by them much prior to January, 1975 also.

(b) 354 Cadets have passed the second mates examination.

(c) All the 354 cadets, who passed the second mate examination during January, 1975 to June, 1978, have joined SCI."

Now what do I make out of this? It seems that there is an absolute confusion in the mind of the Ministry. It is not for the Shipping Corporation of India that they are worried, but it is for the private shipping companies that they are worried, to keep these people as slaves, as bonded labour for them by bringing such a draconian Bill.

These cadets have to undergo training for three years. They have to bear the rigours of long stay over the seas and they have to go to various other countries. What do you pay them? A meagre sum of Rs. 200 to Rs. 300! Is it not virtually a bonded labour that you are keeping? And you are saying that you are protecting the citizens of this country and the future citizens of this country. This is the plight of these cadres. After three years, they are like bonded labour. They are given

[Shri Mohd. Shafi Qureshi]

the meagrest possible pay. There is no amenity given to them as compared to others. When they go to other ports of others countries, they find the cadets there in a much better condition. Unfortunately, Chand Ranji, you and I come from an area from where the sea is far away. I am sure in Haryana there is not a single river also. So, you do not understand the difficulties these people have to face in the open sea. It may be worthwhile for the Minister for health reasons to go to Bombay and Madras just for a sea breeze for some time. But it is entirely different to see the cadets who are working in the engine rooms and on the decks, how difficult it is for them to work in different climates.

SHRI CHAND RAM: Mr. Qureshi, it is a belated realisation on your part.

SHRI MOHD. SHAFI QURESHI: Both of us come, as I said, from areas which are far away from the sea.

MR. CHAIRMAN: Mr. Qureshi should not be deflected by the interruptions of the Minister. After all, the Minister can always have the last word.

SHRI MOHD. SHAFI QURESHI: They have replied to my question that there is no brain drain, nobody is going out and everybody who is passing the examination is absorbed within the country. I do not know whether the hon. Minister has gone through this Bill. He should see the clauses which are sought to be amended, because they are not helpful to the cadets. You are not able to provide jobs to all the cadets who pass the examinations and, at the same time, you are not in a position to give them permission to join the other shipping companies. You are asking them to wait. What do you tell them or how do you ask them to wait? You say that they

should wait "for a reasonable period of time". Now what is the reasonable period of time? You cannot tell a hungry man to wait for a reasonable period of time so that his hunger can be satisfied. Likewise, when a cadet comes out after full training for three years, we expect him to serve as a slave, because we say "you wait for some time until we find out a job for you". Till then they have to do bonded labour under the Government of India in the Shipping Corporation. So, it is not a benevolent measure which you are bringing before the House.

Then what will happen? These boys will get frustrated. You may give them three years' training and give them a degree of second-mate. On the basis of the degree which the Government of India gives, these cadets can go to any other country, appear in the examination there and get a higher degree from those countries and get employment there. Then you can keep that degree pasted in your cosy room, because those boys will no longer be there to serve you, unless you improve their service conditions. Why do these boys go away? Because, there is bigger temptation, better facilities and higher salaries waiting for them in other countries. Why don't you raise the grades of pay and facilities for these cadets? They are young men, they have to remain away from their families for months together in the open seas. You have also to think of exempting them from income-tax, because that is the practice which is being adopted in other countries.

I know that this Bill would in any case be passed, because you are in a majority; you can pass any law you like. So, I would request the Minister to personally look into all this. After all, you are a benevolent and efficient Minister. You have to look into the problems and hardships these cadets are facing. I know many cadets who have passed this examina-

tion. For years they have not been able to get jobs. So, they are going to the private companies. Do you know how much these private companies are paying? As against Rs. 9,000 which is being paid to these cadets who have passed the second-mate's examination in foreign countries, the private companies pay them Rs. 1,500. That is why I say that in order to save these cadets from exploitation, Government should come forward with a better measure. I know that this Bill will be passed. But Government can make rules, providing for better amenities and facilities and better service conditions for these cadets so that they do not have the temptation to go to foreign countries for employment.

SHRI CHAND RAM: Madam Chairman, this is a very simple Bill. I do not know why so much controversy has been raised and apprehensions have been expressed. The salient features of this Bill are, firstly, an Indian citizen who has obtained a certificate from any merchant navy training institution shall be liable to serve the Government or Indian ships for four years from the date he obtains such a certificate and, secondly, this condition of four years may be reduced at the discretion of the Government. And thirdly, a citizen who has obtained two or more certificates shall be liable to serve under the Government or in any Indian ship for a period not exceeding 7 years. Again, an important feature of this Bill is that it will not apply to the existing marine personnel. It will apply only to those who get the certificate after this Bill comes into force. That, I think, removes the apprehension that we are barring them for all times to come. Mr. Vinodbhai Sheth and some others have expressed the apprehension that it will be declared unconstitutional or declared null and void by the courts. If under Article 19 reasonable restrictions are imposed, that will not impinge on the right of citizens for all times to come,

MR. CHAIRMAN: Their point is that it is an unreasonable restriction.

SHRI CHAND RAM: This is only reasonable. It is only 4 years in case of certificate of competency and 7 years in case of two or more certificates.

My friend, Mr. Qureshi has talked of unemployed marine personnel. I don't know why he said that, but let me cite the figures.

SHRI MOHD. SHAFI QURESHI: I have taken your own figures.

SHRI CHAND RAM: Some hon. Members have also charged us that we have fallen into the trap of the private lobby, the private ship owners. I think you know that the Shipping Corporation of India itself owns about 146 ships and 54 per cent of the total tonnage of the country, and you also know that there has been a brain-drain. Mr. Balbir Singh was talking of the doctors. He was telling that the doctors are unemployed and because we have not been able to give them employment here, therefore, we should not prevent them from going out. If they are unemployed marine personnel, I have no objection. They can go anywhere. There will be no restriction on them.

SHRI MANORANJAN BHAKTA: You give guarantee about it.

(Interruptions)

MR. CHAIRMAN: don't think these interruptions will help anybody. Let the Minister reply fully. Kindly give the Minister the opportunity to reply fully. I don't think interruptions will help anybody.

SHRI MOHD. SHAFI QURESHI: Madam, I am on a point of order. The Minister is confusing with the unemployed marine personnel.

MR. CHAIRMAN: This is not a point of order. He is coming to the point. Please give him an opportunity to finish.

SHRI MOHD. SHAFI QURESHI: He says unemployed marine personnel. I said employed married persons. There is a difference between 'married' and 'marine'.

MR. CHAIRMAN: That is all right, he may correct it. Mr. Minister, you just continue. I would request the hon. Members to allow the Minister to finish what he is saying.

SHRI CHAND RAM: It is not correct that unemployed marine personnel are available. I will be too happy if you get me 50 people. They can be employed even tomorrow.

SHRI P. M. SAYEED: I can give you 100.

MR. CHAIRMAN: Mr. Sayeed, please allow him to continue. I don't think this is helping either you or the Minister. Let him reply and when he finishes, if you find that there is something more, you say it at the end. I won't shut you out then. But I think all other Members who are sitting here would like to know completely what he said. If something is left unsaid, nobody is going to stop you. But I don't think this is very helpful having this sort of one-sentence dialogue. Please continue.

SHRI CHAND RAM: I am very much surprised to see the ignorance of the hon. Member from Lakshadweep. He has not cared to read the Bill. The Bill does not speak of restricting seamen, while he was all the time talking of them. We are not barring the seamen from seeking employment abroad, we are only seeking to put some reasonable restriction of five or seven years as the case may be on those who are scarce in this country, not those who are surplus. Government spends money on them, but they are not patriotic enough to serve their own country. They get training from here and go to other countries. We are paying Rs. 4,000 to Rs. 5,000 to a cadet here, and they are getting Rs. 16,000 or Rs. 18,000 elsewhere. How can we give that much salary in our present circumstances?

They were talking of private ship-owners. The shortage of marine personnel at the major ports as on 30th June, 1978, was: Bombay—13; Madras—9; Marmagao—9; Vizag—9; Cochin—5; Kandla—5; Paradeep—3; Calcutta—32; total 85. Ports are not owned by private individuals.

17.21 hrs.

[**SHRI DHIRENDRANATH BASU** in the Chair]

Our estimated shortage as on 31st March, 1979, of officers on the navigation side is about 1,200, and on the engineering side about 250. On the basis of the average of the last three years, approximately 200 officers on the navigation side and 150 officers on the engineering side are going away to other countries annually. This is the annual brain drain. We train them and they go away.

SHRI MOHD SHAFI QURESHI: Do they go away after joining or after training?

SHRI CHAND RAM: Even after joining, even after getting mature experience. That is why we have not been able to run the merchant navy smoothly.

I was very much surprised that Mr. Qureshi's observation that we are not paying them enough. Only a year back he was in the Government. The Congress Government had continued for the last 30 years, and this realisation did not dawn on him when he was part of the Government.

We are not merely imposing these restrictions on them, we are also seeing to it that more and more persons are trained. We are also thinking of setting up a shore-based academy. I am happy that the Chief Minister of Andhra Pradesh has offered a gift of 200 acres of land for setting up some kind of a marine academy there. I am also happy that the Maharashtra Chief Minister has also offered 65 acres of land in Bombay itself, so that we can set up a shore-based academy there, so that we can train more and more people.

I have also taken steps so that the private ship owners also take more and more cadets. While they go on working they should also take instead of three, four, five, six or seven cadets for training. In the Rajendra ship, the training ship, we have also provided that instead of 125 now we are going to admit 250 and the course has also been reduced from two years to one year and of course, the educational qualifications have been increased. So we want to see to it that more and more persons are trained on the engineering side and navigation side. It is not that we are not going to train more people and put more burden on the existing personnel. It takes time to train the officers. It is not that we can train them overnight. After all they have to run the ship.

I can assure the hon. Members that we are taking various steps so that the intake of these cadets is increased. We also allow some persons to go out. After all, they also earn foreign exchange for the country. But at the moment when there is shortage of marine personnel, we have to look to the interest of the nation also. Again, this restriction of four years and seven years is the upper limit and not minimum limit and therefore, we can reduce the period. I have already said that it can be done at the discretion of the Government.

SHRI MOHD. SHAFI QURESHI: It is imprisonment for four years.

SHRI CHAND RAM: We are putting this restriction only for those personnel who will get training after this Act comes into force. You should remember this. On the existing personnel, there is no restriction whatsoever. In the interest of the country, I think the House should agree and pass this Bill.

SHRI MANORANJAN BHAKTA: What about the income-tax relief?

SHRI CHAND RAM: I have taken up that question with the Finance

Ministry. I have already recommended the case and it is pending with the Finance Ministry. I hope that a favourable decision will be communicated by the Finance Ministry.

SHRI MOHD. SHAFI QURESHI: Would you amend the Rules and make it more favourable for the cadets because the present rules are very harsh?

SHRI CHAND RAM: That can be examined.

SHRI MOHD. SHAFI QURESHI: You should.

SHRI CHAND RAM: How can I assure you without examining the rules? If they are harsh, we can look into them.

SHRI MOHD. SHAFI QURESHI: If you cannot do it, then you ask your superior officers to do it because you are working under their dictates.

SHRI CHAND RAM: This is a charge which is undignified and unfounded. I do not know why the hon. Member is saying that I am working under certain dictates. I have cited the figures which warrant that we should bring forward this Bill. It is patriotic that those who get training at the expense of the Government serve the country at least for a reasonable period of time.

SHRI MANORANJAN BHAKTA: What about a cooperative society acquiring a vessel?

SHRI CHAND RAM: About that we are going to amend the Act and that will be brought forward in the next session.

MR. CHAIRMAN: The question is:

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

The motion was adopted.

MR. CHAIRMAN: It is 5.30 and now we shall take up the half-an-hour discussion.

years, the facility is that the Government can reduce the time. But with regard to seven years, there is no such provision and, therefore, I want to add that also here.

As regards my second amendment, what I say is that there should not be any discretionary power. It means that will lead to favouritism and nepotism. Therefore, I have suggested that for the words "a reasonable period", the words "one year" be substituted. It is specific and it can very easily be implemented without any discretionary power or without any partiality.

As far as my third amendment is concerned, here, the Government compulsorily wants cadets to wait till they give the appointment. Why should they ask them to wait? Suppose he has to wait for one year. Why not reduce the period by one year? Instead of four years, he will have to complete only three years. That is my suggestion.

SHRI CHAND RAM: So far as the first amendment is concerned, I have no objection to accepting it. But the word "for" will have to be deleted. It will read:

"or such shorter period as the Central Government may, by a general or special order published in the Official Gazette, specify."

So far as the second amendment is concerned, I think, the words "a reasonable period" should remain because that gives more flexibility and objectivity to the Director-General of Shipping. That is not acceptable to me.

SHRI P. RAJGOPAL NAIDU: It will give the officers the facility to show partiality.

SHRI CHAND RAM: As regards the third amendment, that is also not acceptable to me. It is to exempt the person altogether from the operation of the obligation to serve on the Indian vessel, etc. In view of this, the question of reducing the period does not arise.

SHRI P. RAJGOPAL NAIDU: When you are not giving the appointment, he should get this benefit. Is it not your duty to give the appointment?

SHRI CHAND RAM: It is just a question of 6 or 7 days or any period. If your amendment is accepted, it will create complications.

SHRI B. K. NAIR: I would like one point to be clarified by the Minister. In the Statement of Objects and Reasons, it is stated:

"With a view to increasing the availability of the trained Merchant Navy personnel for employment on Indian ships, shore-based establishments, etc., it is proposed to cast obligation on the holders of Certificate of Competency and other certificates under the Merchant Shipping Act, 1958, to serve for a certain minimum period of Indian ships, ports and other establishments."

He was just now explaining that this will apply only to officers. Then, should it not be made specifically clear that other certificate holders will not be held back? That point should be clearly explained and understood. It has been stated here that any certificate holder will be restrained: your net is too wide. It should be restricted only to officers like Engineers and other senior people. But that has not been made clear. Even the definition of 'certificate' says:

(b) "certificate" means—

(i) a certificate of competency referred to in section 78;

(ii) a certificate of service referred to in section 80; or

(iii) a certificate of competency or service referred to in section 86.

I feel that all kinds of certificate are included in this. The Statement of Objects and Reasons is also very clear that all certificate holders are to be covered. But just now he was explaining that it will be restricted only to officers. Then why not make it

[Shri B. K. Nair]

clear? It has not been made clear here.

My other point is that when you put down a period like a 'reasonable period', what occurs to the Director-General to be a reasonable period may not be a reasonable period to the employee concerned. For him, even three months or one month may be quite reasonable, but a qualified man like this would not like to be unemployed even for a day; so even a day or a fortnight may not be reasonable to him whereas even six months or one year may be reasonable enough to the Director-General. So, you have to specify the period. Let them understand what the Director-General thinks is a reasonable period; let them come to know. So, a very clear definition should be there as to what is a reasonable period.

Another point is that I am saying that the waiting period should not be more than two years. You have made it four years. For a multiple-certificate holder the period is four years. Now, whether it is two years or four years, it is quite a long period; but it is much too long for serving in an agency where there are conditions of disparity or poor service conditions. So, two years should be sufficient for an employing company to make the conditions reasonable enough. They can make the situation tempting enough for the employee concerned. Let them make the conditions reasonable and the terms and conditions tempting enough for him to stay on. Two years is quite a reasonable period of trial for both sides. So, you can leave it to the employer to make the conditions tempting enough for him to continue, within a period of two years. Why go on putting a noose round the employee's neck for all time to come? I think four years is too long a period. The 'reasonable period' should be restricted to six months at the most.

MR. CHAIRMAN: Please conclude; there is no time.

Now, are you accepting the amendments moved?

SHRI CHAND RAM: No; how can I accept them? Most of the points have been dealt with by me already.

SHRI EDUARDO FALEIRO (Mormugao): Sir, the List of Business shows that at 5.30 p.m. the Half-an-Hour discussion will start, and the Half-an-Hour discussion itself would require extension....

MR. CHAIRMAN: Ten minutes more have been allowed for this to be completed....

SHRI EDUARDO FALEIRO: Ten minutes are now over: it is 5.40 p.m.

MR. CHAIRMAN: Yes. So we shall now start.

I shall now put the Government amendment No. 2, to the vote of the House. The question is:

"Page 1, line 18,—
for "Amendment" substitute
"Second Amendment" (2)

The motion was adopted.

MR. CHAIRMAN: I shall now put Amendment No. 3, as modified, to the vote of the House. The question is:

"Page 2, line 37,—
add at the end—
"or such shorter period as the Central Government may, by a general or special order published in the Official Gazette, specify" (3)

The motion was adopted.

MR. CHAIRMAN: Amendments Nos. 4 and 5. Mr. Rajagopal Naidu, are you pressing them?

SHRI P. RAJAGOPAL NAIDU: No, Sir; I want to withdraw.

Amendments Nos. 4 and 5 were, by leave withdrawn.

MR. CHAIRMAN: Amendments Nos. 9, 10, 11, 12, 13 and 14.

Mr. Nair, are you pressing them?

SHRI B. K. NAIR: I am pressing only Amendments Nos. 13 and 14. I would like to withdraw the other Amendments, Nos. 9, 10, 11 and 12.

Amendments Nos. 9 to 12 were, by leave, withdrawn

MR. CHAIRMAN: I shall now put Amendments Nos. 13 and 14 to the vote of the House.

Amendments Nos. 13 and 14 were put and negatived.

MR. CHAIRMAN: The question is: "That Clause 2, as amended, stand part of the Bill".

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 was added to the Bill.

Clause 1—(Short title)

Amendment Made

Page 1, line 3,—

for "Amendment" substitute (1)

"Second Amendmen (1)

(Shri Chand Ram)

MR. CHAIRMAN: 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.

The Enacting Formula and the Title were added to the Bill.

SHRI CHAND RAM: Sir, I beg to move:

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

The motion was adopted.

17.45 hrs.

HALF-AN-HOUR DISCUSSION

MERITS OF JAGUAR *vis-a-vis* OTHER AIRCRAFT AND FOLLOW UP MEASURES AFTER JAGAUR DEAL.

SHRI CHITIA BASU (Barasat): I rise to raise the half-an-hour discussion.

Sir, the Jagaur deal is not merely a commercial deal between two companies. It is also not a simple contract between two governments. It has, as a matter of fact, wider ramifications, having vital bearings on the economic policy of the country, on the foreign policy of the country, on the question of self-reliance, on the question of defence potential and on the question of defence preparedness of the country. Therefore, it should not be treated in a cavalier manner and the decision should not have been taken in such an unusual manner, if I may be permitted to say so, because the deal is not of an ordinary nature as I have mentioned earlier.

The scope of the discussion has been limited and therefore, I would merely endeavour to seek certain clarifications on certain aspects of the deal, namely, the economic aspect, the political and the strategic aspects of it. So far as the economic aspect of the deal is concerned, we are given to understand that the Jaguar offers comparatively larger economic advantages in comparison to that of French Mirage or the Swedish Viggen they say. But Viggen is left out because of the non-clearance by America for political reasons. So we have no option for Viggen. The option is limited between French Mirage and British Jagaur. We are given to understand that the British Jagaur offers comparatively larger economic advantages in comparison to that of French Mirage.

I am constrained to submit with all humility that in a deal like this, the only consideration should not be the economy of the deal. Other considerations, as I have mentioned earlier, namely, political considerations,