

[Mr. Chairman]

Sibsagar in the State of Assam, as passed by the Council of States, be taken into consideration."

The motion was adopted.

Shri K. K. Basu (Diamond Harbour): I want to ask a question about clause 6. Is it left to the Central Government to decide in case of any confusion about the interpretation of a law or particular group of laws which should be in force in that particular area? What is the provision for removal of such difficulties under clause 6? Will the hon. Minister kindly explain?

Dr. Katju: That is the usual thing that is done in these cases; if there is any difficulty, the Central Government intervenes and clarifies.

Shri K. K. Basu: What is the difficulty, with regard to the time or the interpretation?

Dr. Katju: There is no difficulty as regards the interpretation, whether this thing applies or does not apply. The interpretation is for the courts.

Clauses 1 to 6, the Schedule, the Title and the Enacting Formula were added to the Bill.

Dr. Katju: I beg to move:

"That the Bill be passed."

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

INDIAN LIGHTHOUSE (AMENDMENT) BILL.

Shri Raghavachari (Penukonda): Sir, I again wish to raise the point raised earlier that we were under the impression, because of the discussion that arose out of the recommendations of the Business Advisory Committee and the order of priority of Bills that they recommended, which was discussed on the floor of this House and which we were told would be adhered to, that this will not come up. We have not given any amendments nor have we got here all the papers. No doubt, the time of the House should not be wasted and we must be ready when it is on the Order Paper.

Mr. Chairman: So far as I am concerned, I think the same objection was raised previously and I do not think I have got any appellate powers. I think the same ruling stands. However, it appears that this was on the agenda and this is a measure over which there should be no grievance.

The Deputy Minister of Railways and Transport (Shri Alagesan): It is a very small non-controversial measure.

Shri Raghavachari: The whole point is this; not the technicality of it. The House must be given some attention and the Members must not be under a wrong impression as to when these Bills are to be taken up. That is the point.

Mr. Chairman: I am told that this is on the Order Paper since the 20th of this month.

The Minister of Law and Minority Affairs (Shri Biswas): The position was explained by the Deputy-Speaker in connection with the previous item.

Shri M. S. Gurupadaswamy (Mysore): I suggest, Sir, that we may adjourn.

Mr. Chairman: No, no.

Shri Alagesan: I beg to move:

"That the Bill further to amend the Indian Lighthouse Act, 1927, be taken into consideration."

Hon. Members will find that this is a very simple and non-controversial and also a very light measure. The Bill before the House is a very simple measure designed to augment the resources of the Lighthouse Department. This Department is responsible for the administration of the Indian Lighthouse Act, 1927, which is a Central Government enactment. The lighthouses, lightships, light buoys and other marks within the ports limits or outside on the approaches to such ports in the high seas are commonly known as aids to navigation. The Lighthouse Department in India provides or/and maintains these aids for the benefit of ships voyaging to or between the ports in India. The aids are positioned in danger areas which the ships must keep clear off, that is shoals, submerged obstructions, rocks, etc. The existence of properly equipped and efficiently functioning lighthouses is thus a potential measure for the safety of life and property at sea.

Under the present set-up in India, lighthouses which are of benefit to general shipping are classified as 'General' and their administration is looked after directly by the Centre through the Lighthouse Department. The responsibility for the administration of all navigational aids in the Parts B, C and D States has also devolved on the Centre. Lighthouses which are of benefit to ships proceed-

ng to a particular port are treated as 'local' and are maintained by the State Governments in case of minor ports and the Port Trusts in case of major ports.

The lighting system of India, it is felt, should now conform to the growing requirements of the expanding shipping and, in particular, the lights in the Gulf of Kutch which have come to the charge of the Centre from the former maritime Princely States need particular attention.

Shri S. N. Das (Darbhanga Central): On a point of order, Sir. The Order Paper that has been circulated to us shows that the programme for the 27th, 28th and 29th is the further consideration of the Bill further to amend the Indian income-tax Act, 1922, as reported by the Select Committee and Shri C. D. Deshmukh to move that the Bill be passed. I want to submit, Sir, that in view of this agenda, we did not think it necessary to go through the other Bills so that we may speak on them or move amendments. I think, in view of this, the House should now adjourn.

Mr. Chairman: What is the point of order? This Bill was on the Order Paper. I do not think there is any point.

Shri M. S. Gurupadaswamy: On a point of order, Sir. There is an asterisk there. It has been said that these Bills are to be taken up on Tuesday the 28th and the 29th April, 1953, if time permits. Not before.

Mr. Chairman: The Order Paper is quite clear. This Bill is the last one on that Order Paper and I think it is perfectly in order. I think it is a small measure and we will be able to finish it within a short time. I do not think hon. Members seem to be in a hurry to adjourn. We are going to adjourn after a short time.

Shri Punnoose (Alleppey): We are not against it; but the impression is that the House is doing business without knowing what it has to do. I cannot understand it.

Mr. Chairman: That is not it.

Shri Alagesan: For these and other aids a programme of development and modernisation of the various lights has been drawn up which is estimated to cost about Rs. two crores for the period ending 1955-56. The object is to make navigation far safer in the Indian waters than it has been hitherto and also to cater to the needs of Kandla which is in the process of being developed as a major port. This is proposed to be achieved

having due regard to the latest discoveries in the field of lighthouse engineering and international standards of lighting system.

The Lighthouse Department is maintained on a self-supporting basis and the income is chiefly derived from the light dues which are levied on ships. The present rates of light dues are one and a half annas per ton on steam-ships and half an anna per ton on sailing vessels. After meeting the expenditure of the Department, the surplus or deficit is adjusted against a Fund known as the General Reserve Fund. There is another Fund called the Depreciation Reserve Fund which is built by transferring yearly amounts of depreciation in respect of the various assets of the Lighthouse Department. The balance in the two Funds—about Rs. 85 lakhs—is not sufficient to cover the estimated expenditure and it is, therefore, necessary to raise the light dues. The present ceiling limit prescribed in the Indian Lighthouse Act is two annas per ton and it is proposed to raise it to four annas. This limit will, however, be reached in progressive stages. The Central Lighthouse Advisory Committee which is a statutory body representing important shipping and commercial interests have agreed to the ceiling limit being raised to four annas. It is, therefore, necessary to make a small amendment to section 10(1) of the Indian Lighthouse Act, 1927.

Opportunity is also being taken to make a formal amendment in the extent clause of the Act. The Act has been extended to the whole of India, including Part B States by a notification issued in 1950 and section 1 of the Act, as it stands now, is sought to be amended to conform to this position.

With these remarks, I commend the Bill to the House.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Indian Lighthouse Act, 1927, be taken into consideration."

Shri Kasliwal (Kota-Jhalawar): This Bill makes a very minor amendment in the old 1927 Act. I wish the hon. Minister had brought a more comprehensive Bill, because he himself said in his speech that, with the growing requirements of shipping, some other measure may be necessary to be in conformity with the growing requirements. Instead of making this small amendment, he should have come forward with a really more comprehensive Bill.

[Shri Kasliwal]

Apart from this question, certain other questions arise in my mind. I wonder if the hon. Minister has ever gone round and seen any particular lighthouse. I have gone round the whole of the coast of India and seen the condition of our lighthouses and I can say that several of them are not in a good state. I must also say that the persons who man these lighthouses are also not in a happy state. I wish the hon. Minister had said something about this. I wish the hon. Minister had gone through a particular book which has been written on the British lighthouses. That would have given him a lot of information. I want him to go through that book and bring forward a more comprehensive Bill on the lighthouses.

Shri K. K. Basu (Diamond Harbour): It is really in the fitness of things that we should be closing our debate today with a discussion on lighthouses after so long groping in the dark. The previous speaker emphasised the necessity of a comprehensive Bill to deal with the problems, which today are growing in view of the target that we have fixed for the development of our coastal shipping, if not the overseas. The hon. Minister said that the Bill is a short one, the first part being consequential and the second part having the support of the Central Lighthouse Advisory Board, which consists of the trading and shippers' interests.

My hon. friend said that more money is required to make this organisation self-sufficient. He wants more revenue so that the present drain on the resources may not be continued. I have not read the particular book to which my hon. friend the previous speaker referred. But we know very well the conditions in which the persons who take the responsibility of working these lighthouses, and help the navigation of our ships live. We do not know what part of the amount that is spent on the organisation is devoted to the welfare of these people. The House may possibly be aware how some time back on the Bombay coast some of these people were marooned. Of course, something was done to rescue them.

We do not know how these extra revenues are going to be utilised—whether to improve the organisation, or to offset the extra expenditure that might be incurred for the building up of the Kandla Port. I wish the hon. Minister in his introductory speech had apprised the House of the am-

ount that would be devoted for the welfare of the personnel who man these lighthouses.

The main object of the Bill is to increase the light-dues from two annas to four annas. I do not know whether in this enhancement they are going to differentiate between the coastal shippers and those who ply overseas. The hon. Minister said that he has the support of the Central Lighthouse Organisation wherein trading interests are represented. But I am afraid the coastal shipping, which is done mainly by our national shipping interests might be adversely affected because of the extra amount they would have to pay. I, therefore, think that there should be some sort of a differentiation between coastal shippers and overseas shippers, wherein our national interests have only a small share. I hope Government will give due consideration to these suggestions.

सेठ अबल सिंह (आगरा जिला—पश्चिम) : यह जो सरकार ने Indian Lighthouse (Amendment) Bill पेश किया है, मैं उस का समर्थन करता हूँ इस बिल का पास होना बहुत जरूरी है। इस समय हमारे भारतवर्ष का समुद्री तिजारीती बेड़ा बढ़ रहा है और जो नया पोर्ट कांडला का बना है, इस सब को देखते हुए अगर हमारे लाइट हाउसेज का प्रबन्ध ठीक नहीं होता है, तो इस से हमें काफी मुकसान पहुँच सकता है, इस लिये यह जो दो आने फ्री टन अभी तक लिया जाता रहा है उसके बजाय यह जो चार आने लेने का प्रस्ताव आया है, उस का मैं स्वागत करता हूँ, इससे लाइट हाउसेज के सम्प्रुवर्मेंट और डेवलपमेंट में काफी मदद मिलेगी और जो टैक्स पेयर्स हैं उन को फायदा होगा दो आने से चार आने का बढ़ोतरी से लाइट हाउसेज की एफिशियेंसी भी बढ़ेगी, और जो घन बच जायगा वह रिजर्व फंड में रहेगा। इस लिए मैं इस बिल का स्वागत करता हूँ और माननीय मन्त्री जी को इस को पेश करने के लिए बधाई देता हूँ।

Shri S. C. Samanta (Tamluk): I wholeheartedly support the Bill. At the same time I should like to have a clear idea about two points. The light-dues are sought to be doubled from two annas to four annas. A portion of this amount is proposed to be spent on the Kandla Port. I would like to know from the hon. Minister whether the Advisory Board, to which he referred, actually calculated whether the organisation in charge of the lighthouses is incurring at present any losses, to meet which the dues are being enhanced, or this enhancement is meant to improve the lighthouses, buoys, etc.

In this connection I would like to refer to the Calcutta Port, navigation in which is somewhat hazardous at present. This can be completely obviated only by the completion of the Ganga Barrage Scheme. Meanwhile Government should see that the lighthouses and buoys from Calcutta to the Bay of Bengal are looked after properly.

An important question which I would like to ask the hon. Minister is whether the Advisory Board is confident that the doubling of the rate sought to be done now will do, or they will have to come forward with another enhancement. If that is so, I would request the Government to calculate the whole thing and come forward with a comprehensive Bill before the House. I have nothing more to add and I give my support to the Bill.

Shri Punnoose: I must confess that I am not very much enlightened by this Lighthouses Bill. On occasions like this, one has to be led by his own lights. The hon. Minister was saying that the parties concerned have agreed to the enhancement of the rates. Very recently, I met some people engaged in coastal shipping. They complained that a lot of cargo which in the ordinary course should have been transhipped by coastal shipping is now being carried by train, because of the very high cost of shipping. They have been persistently asking for subsidies from Government and vociferously protesting that help has not been forthcoming. In that context, I do not understand how those very interests have agreed to this increase of the rate from two annas to four annas. I wish to bring to the notice of the Government that the whole question of the coastal shipping and its development has to be looked into and Indian interests have to be encouraged.

Another aspect to which I wish to draw attention is with regard to Part

B States. I do not know—and the hon. Minister did not say anything in this regard—whether Part B States have been consulted on this issue, because the income from this source is of vital importance for Part B States. It is a growing source of income for them. In Travancore-Cochin, we have a major port at Cochin. There are minor ports also, and they still remain in the hands of the State Government. But with regard to Cochin, which is one of the five major ports in India, I have come across complaints that it is not receiving the attention that it deserves. The workers there, though they are now under the Central Government, are not getting the same amenities, allowances etc. that are given to other workers elsewhere. I would like to know whether the proposed enhancement would give an occasion for Government to go into the condition of the workers who are engaged in this port, and whether better facilities will be afforded to them.

Shri V. P. Nayar (Chirayinkil): We are very apprehensive of measures such as those which like this Bill seek to include the Part B States in the Union pattern. Specifically about this issue, it cannot be known just at present how far we in Travancore-Cochin will be affected. Even repeated requests have not opened the eyes of Government in regard to the anomalies that prevail as a consequence of the integration of the States personnel in the Central service. I can give you any number of examples. Personnel have been taken over from Part B States, and there is always a sort of step-motherly treatment meted out to them. We know that consequent on the integration of the Travancore-Cochin State forces in the Indian Army, hundreds of thousands of people were retrenched. Similarly, the personnel of the Income-Tax Department who have been taken over are facing so many difficulties. They have made repeated representations, but in spite of that, Government has done absolutely nothing for them. It sits tight over every prior decision arrived at in the usual way. Some officers report—I do not know who they are—and the hon. Minister concerned says that he sees no ground for considering the case of these people. In such matters, when the States' people are taken over, whether they be one or a hundred, it should be incumbent on the Central Government to consult the State Government. I do not know whether the State Government has been consulted in this matter. At any rate, the hon. Minister did not contradict my hon. friend, Mr. Punnoose. If Government have brought forward this Bill without con-

[Shri V. P. Nayar]

sulting the Part B States concerned, I submit that this is a most high-handed act, and its repetition ought to be stopped here and now.

Shri Alagesan: I am grateful to hon. Members who have thrown so much light on this Lighthouse Bill.

Shri V. P. Nayar: If you take out the light, only the house remains.

Shri Alagesan: I had hoped to get through this Bill in a much shorter time; even so, I am very grateful for the very enlightening speeches made by my hon. friends.

One hon. Member said that this Bill, which seeks to amend the parent Lighthouse Act, tries to amend an obsolete Act. Now, the original Act is not obsolete. It is very current. It may be an old Act, but it is not an obsolete Act. Latest things become obsolete, but old things still continue, and this is one such Act. We have therefore no intention of bringing forward a very comprehensive measure.

Shri K. K. Basu: It is so old that it can be kept in the National Archives.

Shri Alagesan: This Bill has been brought forward as an emergency measure, because we want to put through the ambitious programme we have in view for the lighthouses. In the Five Year Plan, the Planning Commission has very kindly agreed that a loan of Rs. 80 lakhs should be made available to this Department, and with that amount and the extra money that we propose to raise by increasing the light-dues, we propose to carry out the programme in hand.

My hon. friend over there raised the question of coastal ships. Of course, there is no distinction between coastal ships and overseas ships, but some sort of advantage is being enjoyed by the coastal ships, because irrespective of the number of trips that they make to a particular port in India, or for the matter of that to any port in India, they have to pay the dues only once in a month. They may go to a port twice or thrice in a month, but they pay the dues only once, and that is the advantage which the coastal ships enjoy.

Mr. Samanta, although he raised his favourite point about the Ganga-Barrange Scheme, made some other point also. He drew our attention to the fact that the lights provided in the Calcutta Port need attention.

These lights are classified as local ones, and are in the direct charge of the Calcutta Port Commissioners. They are looked after by them. But the Engineer-in-Chief of the Lighthouse Department is also the Chief Inspector of Lighthouses in India. He periodically inspects them and brings to the notice of the local authorities any defects that may be found, and the authorities concerned are attending to them.

In regard to consultation of the Part B States, my hon. friends made a hypothetical statement. Because I did not contradict them, they assumed certain things. I only waited to reply at the end. If they want, I can go on interrupting them, but that is not good. The maritime States like Saurashtra, Travancore-Cochin etc. were consulted at the time of the financial integration and their lighthouses were taken. They were taken over with a view to effect further improvements and not to allow them to deteriorate. I can give the assurance to my hon. friends on behalf of Government that there will be no deterioration and on the other hand a great deal of improvement would be effected as a result of the Centre's taking over of these lighthouses.

I may also add one more thing. These dues are sought to be raised from two annas to four annas. Even now, though the ceiling is two annas, only one and a half annas are collected. Similarly, after this measure is approved by the House, we would be consulting the Central Lighthouses Advisory Committee as to the actual amount of increase—whether it should be three annas or four annas. The opinion of that Committee will be taken before fixing the enhanced rate.

I hope I have covered all the points, and I commend my motion.

Mr. Chairman: The question is:

“That the Bill further to amend the Indian Lighthouse Act, 1927, be taken into consideration.”

The motion was adopted.

Clauses 1 to 4, the Title and the Enacting Formula were added to the Bill.

Shri Alagesan: I beg to move:

“That the Bill be passed.”

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

Mr. Chairman: Is there any other business?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):

There is no other business.

Mr. Chairman: As there is no other business, the House will now stand adjourned.

The House then adjourned till a Quarter Past Eight of the Clock on Monday, the 27th April, 1953.
