

[Dr. B. Gopala Reddi]

the Policy". One of the cardinal principles on which prosperity of insurance business and safety of the policy-holders' money depends is that the expense ratio is maintained as low as possible and the aforesaid provisions of the Insurance Act are in consonance with this principle.

The Life Insurance Corporation also, acting in conformity with the letter and spirit of this provision, pays, in all, approximately 35 per cent. of the first year's premium as commission though in different forms; 25 per cent. of it has been named as commission and about 5 to 10 per cent. as new-business-bonus depending upon the quotas of new business secured. The payment in the form of bonus has been considered necessary so that the agents do not lose proper incentive. Even before Life Insurance Corporation most of the leading insurers had followed a similar practice of paying commission on sliding scale related to the amount of business brought in by individual agents. It is therefore not correct to say that the commission payable to the Insurance Agents has been reduced by the Life Insurance Corporation.

There is, of course, a proviso to the above provision of the Insurance Act which says that "an insurer during the first ten years of the business may pay to an insurance agent and an insurance agent may receive from such an insurer, forty per cent. of the first year's premium payable on the policy". This proviso was meant to help the new companies to stabilise their business in the early stages, in the face of competition from well established big insurers. In the case of the Life Insurance Corporation which is the sole insurer in respect of the controlled business, such a situation does not arise. Nor has it been felt necessary to take recourse to this proviso.

There is also no basis for the allegation that the commission paid by the

Life Insurance Corporation has affected its new business adversely. Though there may have been a slight set back in the initial stages of the setting up of Life Insurance Corporation owing to changes in its set up, the recent figures have shown an upward trend compared to previous years. Figures for the period 1st January, 1958 to 25th August, 1958 show that far from registering a fall, the new business completed by the Life Insurance Corporation has shown a definite increase as compared to the business completed during the corresponding period last year as well as previous years. In fact, the total new business this year upto the 25th August, 1958 has exceeded last year's by 5.3 crores.

In view of the position explained, it will be appreciated that the Life Insurance Corporation has in effect made no reduction in the commission payable to the Insurance Agents nor has the new business of the Corporation been adversely affected.

12-14 hrs.

MERCHANT SHIPPING BILL—contd.

Mr. Speaker: The House will now resume further discussion of the motion for consideration of the Merchant Shipping Bill, as reported by the Joint Committee, moved on the 12th September 1958, and also the amendment recommending that the Bill be recommitted to the Joint Committee moved by Shri Tridib Kumar Chaudhuri on that day.

Out of 5 hours agreed to for the general discussion, 2 hours now remain. After the general discussion is over, clause by clause discussion will take place.

Pandit Thakur Das Bhargava may kindly continue his speech

Shri Naubair Bharucha (East Khadesh): May I know if the time allotted

for general discussion will be extended?

Mr. Speaker: Originally 5 hours were allotted for the Bill, then it was raised to 7 hours.

Shri Tangamani (Madurai): 7 hours were fixed for the whole Bill. Then the time was increased to 8 hours with your discretion to make it 9 hours. So instead of 5 hours, it may be 6 hours.

Shri Naushir Bharucha: May I suggest that the general discussion continues till 3 p.m.?

Mr. Speaker: Yes. Is that the intention? How many hon. Members want to participate in the general discussion....? I see a good number of hon. Members rising in their seats. I will extend it till 3 P.M.; but even then all hon. Members will not be accommodated, unless hon. Members restrict their speeches to 15 minutes. Whoever does not get an opportunity at this stage will be called upon during the clause by clause discussion. Let there be no hon. Member who feels that he has not been called upon at some stage. I am appealing to hon. Members to have that in mind.

The Minister of State in the Ministry of Transport and Communications (Shri Raj Bahadur): We also require some time.

Mr. Speaker: How long does the hon. Minister want?

Shri Raj Bahadur: About half an hour.

Mr. Speaker: Therefore, he will be called upon at 2-30 P.M.

An Hon. Member: At 3 P.M.

Mr. Speaker: No, no. The whole thing is included there. We cannot go on eternally increasing the time. I increased it by one more hour in pursuance of the desire of the House. Two hours now remain. We will have

one more hour. That means the Minister will be called at 2-30 P.M.

Shri A. C. Guha (Barasat): It is now 12-15.

Mr. Speaker: The Minister will be called at 2-45 P.M.

पंडित ठाकुर दास भार्गव (हिसार) .
जनाब स्पीकर साहब, कल जब हाउस ऐडजर्न हुआ तब मैं इंडियन शिपिंग बोर्ड का जिक्र कर रहा था। मैं इंडियन शिपिंग बोर्ड के बारे में दो तीन बातें प्रश्न करना चाहता हूँ। अखिल तो यह है कि जैसा श्री त्रिदिप कुमार चौधरी ने और श्री पटनायक ने इस हाउस में इस्तदुभा की कि कम से कम इस बिल में जो कि इस की शुरुआत की चीज है उस में नेशनल डिफेंस का कोई जिक्र नहीं है। नेशनल डिफेंस का जिक्र होना लाजिमी है। हर एक मेम्बर ने कहा कि मिनिस्टर साहब ने फरमाया है कि यह हमारी सेकेन्ड लाइन आफ डिफेंस होगी। इसके वास्ते जरूरी है कि इस के प्रिपेम्बल में इस का जिक्र किया जाय। नेशनल डिफेंस का इस के अन्दर स्थान रक्सा जाना जरूरी है। मैं जनाब की इजाजत से अमरीका के मर्चेंट मरीन ऐक्ट, १९३६ का जो प्रिपेम्बल था उस के चन्द अल्फाज पढ़ कर सुनाना चाहता हूँ। उस में यह दर्ज था :

"It is necessary.....".

पहली लाइन में यह दर्ज है :

"It is necessary for the national defence and development of its foreign and domestic commerce that the United States shall have a mercantile marine—

(a) sufficient to carry its domestic water-borne commerce and a substantial portion of the water-borne export and import of the United States and to provide shipping services on all routes essential for maintaining the flow of

[Pandit Thakur Das Bhargava]

such domestic and foreign water-borne trade at all times;

(b) capable to serve as a naval and military auxiliary in times of war or national emergency;

(c) owned and operated under the United States' flag by citizens of the United States in so far as may be practicable; and

(d) composed of the best quality of the safest and the most suitable types of vessels constructed in the United States and manned with the trained and efficient citizen personnel.

It is hereby declared that the policy of the United States is to foster the development and encourage the maintenance of such a mercantile marine".

हम अपने प्रिप्रेम्बल में क्या देखते हैं कि हम में न तो नैशनल डिफेन्स का जिक्र है और न ही इसके अन्दर जो सब से जरूरी चीज है वह ही लिखी गई है कि यह मैंड होगा इंडियन पर्सनल से। मैं भर्ज करना चाहता हूं कि इस को प्रिप्रेम्बल में दर्ज करना चाहिये और जो प्रिप्रेम्बल से भी ज्यादा जरूरी है, यानी बाडी, उस के अन्दर भी इस के बारे में कोई प्राविजन होना चाहिये था। नैशनल डिफेन्स के वास्ते अगर कोई प्राविजन है तो उन शिप्स का क्या स्ट्रक्चर होगा, उन शिप्स की क्या ड्यूटी होगी, उन को किस तरह से बनाया जायगा और क्या किया जायगा।

दूसरी चीज उस में यह जरूर होनी चाहिये थी, जैसे कि उस के अन्दर कैपिटल के बारे में है, डाइरेक्टर्स के बारे में है, मैनेजिंग एजेंसी के बारे में है, उसी तरह से जिक्र होना चाहिये था कि जहां तक मुमकिन होगा उन को हम इंडियन सिटिजेन्स से मैन करेंगे। मैं भर्ज करना चाहता हूं कि अभी हम एक नया बिल लाये हैं, यह पहली कोशिश है, इस में दर्ज होना चाहिये कि इन शिप्स का स्ट्रक्चर ऐसा होगा, कम से कम कुछ परसेन्टज

ग्राफ शिप्स का कि अगर कभी नैशनल इम-जेंसी का मौका आये तो उन को थोड़े ही भर्से में इस तरह रिफिट कर दिया जाय कि वह वार के काम में आ सकें जिस से कि नैशनल डिफेन्स को मदद मिले। लेकिन इस बिल में इस का कोई जिक्र नहीं है।

इस हाउस के अन्दर मैंने बहुत बहुत सुनी और बहुत अभी सुनी बाकी है, जिन के अन्दर शेअर बर्गरह का जिक्र आयेगा और ४० परसेन्ट, ६० परसेन्ट, २५ परसेन्ट बर्गरह की बात कही जायेगी। लेकिन मैंने अब तक इस हाउस में नहीं सुना कि उन का मैनिंग किस तरह में होगा। मुझे मालूम है कि सरकार ने ऐसे शिप्स तैयार कराये हैं जिन में ट्रेनिंग बर्गरह दी जाती है, लेकिन वह बहुत थोड़े हैं और उस का प्राविजन इस में नहीं है। दफा २१ के मातहत जो कहा गया है कि जो सीमेन हैं, जो आफिसर्स हैं, जहां तक हमारे इमकान में होगा, हम इंडियन्स रखेंगे, उस से मेरी राय में इंडियन शिपिंग बोर्ड का काम पूरा नहीं हो गया। इंडियन शिपिंग बोर्ड की पहली ड्यूटी यह होनी चाहिये थी कि आइन्दा के वास्ते जितने भी शिपिंग के आफिसर्स बनायें, वह सब के सब हिन्दुस्तानी होने चाहियें। बिना इस के आप का यह ड्रीम कभी पूरा नहीं होगा कि यह हमारी सेकेन्ड लाइन ग्राफ डिफेन्स होगी। आज, परमात्मा न करे, अगर पाकिस्तान से झगड़ा हो जाय तो जो २० हजार सीमेन पाकिस्तान के हैं वह क्या करेंगे मुझे नहीं मालूम। अगर आप इस को सेकेन्ड लाइन ग्राफ डिफेन्स बनाना चाहते हैं तो शेअर कैपिटल के पहले आप का फर्ज है कि आप इस चीज को रखें कि इस का पर्सनल इंडियन होना चाहिये। इससे अनएम्प्लायमेंट भी कम होगा। लोगों को एम्प्लायमेंट मिलेगा और उस का जो पर्सनल है वह दुनिया में जा कर अपना नाम पैदा करेगा और उस को काबिलियत हासिल होगी,

जिसका फायदा मुल्क को होगा। इस लिये निहायत जरूरी है कि पर्सनल इंडियन हो। मैंने अमरीका का मचेंट मैरीन ऐक्ट, १९३६ पढ़ कर सुनाया। उन्होंने प्रिम्बल में ही लिखा है। आप प्रिम्बल में लिखें या न लिखें, लेकिन बाड़ी में इस का प्राणा निहायत लाजिमी है। स्ट्रक्चर के बारे में कुछ प्रोजेक्शन इस बिल में नहीं है, उसे होना चाहिये। जिसे हम सेकेन्ड लाइन आफ डिफेन्स कहते हैं, उस का इस के अन्दर कोई प्राविजन नहीं है। अगर आप पंद्रह दिन के वास्ते भी पर्सनल को ट्रेन करने का इन्तिजाम न करेंगे तो वह किस तरह से सड़ाई के वास्ते काम कर सकेंगे? क्या जिस दिन जरूरत होगी उस दिन उन को तैयार कर लिया जायगा? मैं जानता हूँ कि सेकेन्ड लाइन आफ डिफेन्स का मतलब असली यह होता है कि हमारी कम्प्यूनिफिकेशन भी रहे, दुनियां के अन्दर वह तेजी से जा सकें और अपना काम पूरा करें, लेकिन मान लीजिये कि कापमीर आपरेयन्स के समय आप ने सारे ऐरोप्लेन्स को बुला लिया, लेकिन सब समय तो यह मुमकिन नहीं हो सकता। इस लिये यह जरूरी है कि जितने शिपिंग के लोग हैं उन को किसी न किसी तरह की मिलिटरी ट्रेनिंग दी जाय ताकि हमारा सेकेन्ड लाइन आफ डिफेन्स का मतलब पूरा हो सके। जब मैं बिल देखता हूँ तो उस के अन्दर मैं कोई ऐसा प्रोजेक्शन नहीं देखता। जहां तक हिन्दुस्तान के प्राइवेट शिप्स का सवाल है, उन में और गवर्नमेंट के शिप्स में कोई तमीज नहीं होनी चाहिये। अगर गवर्नमेंट शिप्स प्राइवेट काम के वास्ते एम्प्लाय हो जायें, या प्राइवेट शिप्स गवर्नमेंट के काम के लिये एम्प्लाय हो जायें तो मैं समझता हूँ कि डिफेन्स हो सकता है। लेकिन जो यह सोचा गया है कि प्राइवेट शिप्स अपने आप कम्पिटिशन में आयें और उन के लिये भी यह उसूल रक्खा गया है कि किसी किस्म की उन में तमीज न हो, उस का इस बिल के अन्दर दर्ज होना जरूरी है।

इसी तरह मैं चाहता हूँ कि अगर गवर्नमेंट किसी शिपिंग कंसर्न को कर्जा दे और उस के अन्दर जो बहुत जरूरी धरायतें हैं जैसे यह कि डाइरेक्टर गवर्नमेंट हो, जैसे सब इंस्ट्रुक्शंस में रखते हैं, तो उस में कोई नुकसान नहीं है। लेकिन ऐसी धरायतें न रखें कि श्राइट भी आप का और प्रकाशिंग भी आप का। ऐसी धरायत लगाने से देश के लोग उसे ठीक नहीं समझ सकेंगे। साथ ही उस में इस किस्म का एलिमेंट भी जायगा जिस से कम्पनियां पूरी तरह से काम नहीं कर सकेंगी।

अभी मैंने आप की खिदमत में यह प्रार्थना किया था कि इस बिल के अन्दर जो मेन चीज है वह शेअर कैपिटल का सवाल है। मैंने प्रार्थना किया कि अच्छा होता कि इस में हमारे देश का ही कैपिटल होता, और इस में बाहर के किसी आदमी का हिस्सा न आता, लेकिन चूंकि हमारे पास रकम नहीं है, इंस्ट्रुक्शंस के पास पैसा नहीं है, इसलिए लाजिमी है कि हमें बाहर की तरफ जाना पड़ेगा सन् १९४७ के स्टेटमेंट में और ज्वॉयेंट कमेटी की रिपोर्ट में २५ परसेन्ट का जिक्र है, पटनायक साहब ने दूसरे वेबों की बात पढ़ कर सुनाई। पढ़ कर ही नहीं जबानी भी बतलाया कि अमरीका के अन्दर फोरन कैपिटल लगाने की इजाजत नहीं है। फिलवाक्या यह दुखस्त नहीं है। और अगर दुखस्त भी हो तब भी अपनी हालत में हम इस को फोलो नहीं कर सकते। मैंने अमरीका के मचेंट मैरीन ऐक्ट, १९३६ को पढ़ कर सुनाया, जिस में लिखा गया है :

“owned and operated under the United States Flag by citizens of the United States in so far as may be practicable.”

यह तो उन के प्रिम्बल में लिखा गया है और इस के बारे में जो प्रहकाम हैं वे इस तरह

[पंडित ढाकुर दास भागंब]

से दर्ज हें सफा १८८ पर :

"Laws concerning nationality of ships: Corporations, partnerships or associations are citizens within the meaning of this Chapter...."

वह दर्ज है। जहां तक अमरीका का सवाल है। प्राइवेट सिटिजेन्स के बारे में भी लिखा गया कि अमरीका में भी यह है कि जो सिटिजेन्स हैं, वह अंगीने कर सकत हैं। लेकिन यहां जो लिखा गया है वह यह नहीं है जैसा कि हम सफा १८८ पर पाते हैं :

"No corporation, partnership or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a Corporation unless the President and the Managing Directors are citizens of the United States."

जैसा कि हमारे यहां दफा २५ में दर्ज है। जब तारीफ की गई कि कंट्रोलिंग इन्टरेस्ट क्या होता है तो उन्होंने पार्ट बी में लिखा :

"The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States—

(a) if the title to the majority of the stocks thereof is not vested in such citizens free from any trust or fiduciary obligation in favour of a person not a citizen of the United States;

(b) if the majority of voting power in a Corporation is not vested in the citizens of the United States."

मैं अर्ज करूंगा कि यूनाइटेड स्टेट्स में जो रूल है कि मैजोरिटी हिस्से उस के होंगे जो ५६ और ५१ हों, इसके लिये यह कहना बलत है कि उस से कैपिटल का फारेन पार्टि-

सेपेशन नहीं होता। इसी तरह से आप विलायत में मुलाहजा फरमायें कि सेंट पर सेंट रक्खा हुआ है कि फारेन कैपिटल को इस्तेमाल कर सकते हैं। आप जापान को लीजिये जो बड़ा भारी हिस्सा शिपिंग में रखता है और जहाजरानी व जहाज बनाने में अवाल दर्ज का मुल्क बनता जा रहा है। उस में यह तो जरूर लिखा है कि डाइरेक्टर वहां का होगा लेकिन कैपिटल के वास्ते कोई कड़ी शर्त नहीं है। हमारे सामने सवाल यह था कि हम किस तरफ को जा रहे हैं। जब मैनिंग हमारा है तो यह कहना कि एक्स्क्लूसिवली इंडियन कैपिटल हो, वह मुनासिब नहीं मालूम होता। सवाल यह रह जाता है कि क्या लोन्स के जरिये हम रुपया हासिल करें या ईक्विटी कैपिटल के जरिये। रिफ्रल क्रक्स आफ दि क्वेश्चन यह बन जाता है। इस में कोई शक नहीं कि जैसे मैं ने पहले फिगर्स दिये, उन की रू से हम जो अपनी पालिमी बनायें वह ज्यादा लोन्स लेने पर इन्हेसौर न करे बल्कि ईक्विटी कैपिटल पर तबज्जह दें। भले ही हम ६० और ४० का रेशियो रखें। इसके अन्दर कई सवाल पैदा होते हैं.....

श्री राजेन्द्र सिंह (छपरा) : क्या माननीय सदस्य यह बतलाने की कृपा करेंगे कि विदेशी पूंजी का अनुपात अमरीका और विलायत में क्या है ?

पंडित ढाकुर दास भागंब : दरअसल यह सवाल पैदा नहीं होता क्योंकि किस का कैपिटल कितना हो यह हमारे अखत्यार की बात नहीं है यह तो दूसरों के अखत्यार की बात है। सवाल तो यह है कि जहाजरानी के अ्यापार में फारेन पार्टिसिपेशन हो कि नहीं, उसकी इजाजत हो कि नहीं और मैं समझता हूँ कि हमें फारेन कैपिटल के पार्टिसिपेशन की इजाजत देनी चाहिये और उसको हमें जहां से मिले लेना चाहिये। अमरीका में,

विलायत में घोर दूसरे तकरीबन ३६ मुल्कों में फ़ारेन कैपिटल के पार्टिसिपेशन की इजाजत है। वहां पर जो शर्त है वह इस क्रम में है कि उनके कितने डाइरेक्टर्स रखे जायें। हमारे डाइरेक्टर्स का परसेंटेज ७५ परसेंट है। यह शर्त की गई है अब अगर कोई ब्रिटिश डाइरेक्टर अगर हमारे डाइरेक्टर्स में आ कर बैठ जायगा तो हम उस के सामने यह नहीं कह सकेंगे कि हम क्या करना चाहते हैं, कम से कम मेरा एस्टिमेट इंडियन कैरेक्टर के बारे में यह नहीं है। मैं जानता हूँ कि जब से इस देश में स्वराज्य आया है, "एन इंडियन इथ सेल्फ़ एसटिंग"। "वी विल हेव अवर ओन बें।" अगर ७५ परसेंट या ६५ परसेंट डाइरेक्टर्स हमको नहीं बचा सकते तो मेरे खयाल में फिर आपको कोई भी नहीं बचा सकता। अगर ६० परसेंट जो हमारा इसके अन्दर शेयर कैपिटल है और इस क्रम हमारी मेजारिटी है और यह सब होते हुये भी अगर "बी कैनाट होल्ड अवर ओन" तो मुझे डर है कि किसी मूरत में भी हम इस जहाजरानी के व्यवसाय को अपने क़ाबू में नहीं रख सकेंगे। इस वास्ते में अब से अग्रं करना चाहता हूँ कि हमारी यह हरगिज तजवीज नहीं है कि जितना फ़ारेन कैपिटल का पार्टिसिपेशन हो उस मुताबिक़ उनको डाइरेक्टर्स दे दिये जायें, प्रमोशनली एक परसेंटेज उनको दे दिया जाय। मैं तो सिर्फ़ कैपिटल के वास्ते कहता हूँ। कैपिटल इस देश के अन्दर बहुत शार्ड है और उसका इस देश में मिलना मुश्किल है। इसके अन्दर मैं चाहता हूँ कि ६० और ४० का परसेंटेज हो जाय। मैं कल यह अग्रं कर रहा था कि यह शीर्ट साइटेड बिज़न नहीं रखना चाहिये। मुझे शुबहा नहीं है आन-रेबल मिनिस्टर ने ६ लाख का जो टारगेट बताया है वह पूरा हो जायेगा और उसमें बहुत देर नहीं लगेगी। सन् १९६१ में ६ लाख का शिपिंग का टारगेट हमारा पूरा हो जायगा। लेकिन हम सन् १९६६ तक बर्बे फ़ाइव इयर प्लान के आखिर तक

यह २० लाख का टारगेट जो हमने अपने सामने रक्खा है उसको अगर सन् ६६ तक पूरा करना है तो सिवाय इसके कि फ़ारेन कैपिटल को हम यहाँ पर बुलायें और कोई दूसरा चारा नहीं है। फ़ारेन कैपिटल को यहाँ बुलाकर उससे फ़ायदा उठायें और अपने जहाजरानी व्यवसाय की तरक्की करें। अब आप भ्रंदाज लगाइये कि ११ लाख टन सन् १९६१ से ६६ तक हमें बढ़ाना है और उसके लिये यह भ्रंदाज लगाया गया है कि १५० करोड़ रुपये की आपकी जरूरत होगी। उसके बिना आप यह ११ लाख टन सन् १९६१ से ६६ तक नहीं बढ़ा सकते जिसके कि मानी यह हुये कि हर साल ३० करोड़ रुपये की हमको जरूरत होगी। गवर्नमेंट ने इस फ़ाइव इयर प्लान में ४५ करोड़ का क़र्जा शिपिंग कंसर्न्स को दिया है लेकिन मैं उम्मीद करता हूँ कि गवर्नमेंट चूँकि खुद अपनी गवर्नमेंट है और नेशनल गवर्नमेंट है इसलिये यह अगले बर्बे फ़ाइव इयर प्लान में अगर ज्यादा नहीं तो ५० करोड़ रुपया शिपिंग कंसर्न्स को दे देगी लेकिन फिर भी यह जो १०० करोड़ रुपया बाक़ी रह जाता है उसको यह हिन्दुस्तान के कैपिटलिस्ट कैसे पूरा करेंगे। हिन्दुस्तान के कैपिटलिस्ट के में बरख़िलाफ़ नहीं हूँ। मैं उनके सहयोग की क़द करता हूँ और पेट्रेन्ट्रिस्टिक फ़्रील्ड में रह कर उन्होंने बहुत सफ़र किया है और मैं उनकी इसके लिये तारीफ़ करता हूँ। उन्होंने पेट्रेन्ट्रिस्टिक फ़्रील्ड में जितना सफ़र किया है कि उसका कोई ठिकाना नहीं। उनको पूरा मौक़ा और दावत है और उनके लिये खुली फ़्रील्ड है कि वे इसमें आयें और अपना कैपिटल लगायें। वे लोग जितना चाहें कैपिटल लगायें, लेकिन साथ ही मैं यह नहीं चाहता कि महज़ इस वजह से कि वह इंडियन कैपिटल है, उसको सेक्रेसेंट समझा जाय और वह चीज़ साफ़ तौर पर समझ लेनी चाहिये कि देश की प्राप्तेस सब चीज़ों से ऊँची है। मैं उन की इस पेट्रेन्ट्रिस्टिक की तो ख़बर

। [पंडित डाकुर दास भागवत]

करता हूँ कि वह चाहते हैं कि जहाजरानी में इंडियन कैपिटल हो और उनका यह कहना ठीक भी है लेकिन ताहम में रिएलिटीज को देखते हुये यह कहने में जरा भी ताम्मुल नहीं करता कि उनको इसकी इजाजत नहीं होनी चाहिये कि वे इस तरह का बहाना से कर देश की प्रोग्रेस में बाधा डालें। सवाल असली जो पैदा होता है वह यह है कि प्राया यह करीब १०० करोड़ रुपया भी हमें हिन्दुस्तानी कैपिटल मिल सकता है या नहीं। वह यहां इंडिया में हमें मिल सकता हो तो फिर हमें यहां पर किसी भी फ़ारेन कैपिटल के पार्टिसिपेशन की जरूरत नहीं है लेकिन मुझे यह डर है कि वह यहां हमें नहीं मिल सकेगा। इस जहाजरानी के धंधे में हमारे देश ने किस स्नेह पेस से तरक्की की है इसको हर कोई जानता है। मुझे पूरा यक़ीन है कि प्रायन्दा हम और ज्यादा तेज़ी से तरक्की करेंगे लेकिन इतने जोर से हम तरक्की नहीं कर सकते कि यह १०० करोड़ की बड़ी रक़म हम इन ५ सालों के अन्दर पूरी कर सकें। अब सवाल यह उठता है कि ५० करोड़ तो गवर्नमेंट दे देगी लोन के तौर पर तब भी १०० करोड़ रुपये की और जरूरत रहती है। जितना शिपिंग में फ़ारेन एक्सचेंज में मुनाफ़ा होता है वह सारा का सारा भी यदि इसमें प्लाऊ बैंक कर दिया जाय तो भी काम पूरा नहीं हो सकेगा। मैंने उस बारे में फ़ीगर्स देखे जिससे मालूम होता है कि ७ करोड़ रुपये साल से ज्यादा हम इसके अन्दर प्लाऊ बैंक नहीं कर सकेंगे और जिसके कि मानी यह हुये कि ३५ करोड़ रुपये का हम इस तौर पर बंदोबस्त कर सकेंगे लेकिन उसके बाद भी तो ६५ करोड़ रुपये का सवाल काफ़ी रहता है। मुझे तो सिवाय इसके कि फ़ारेन कैपिटल को शामिल किया जाय और कोई अन्य तरीक़ा नज़र नहीं आता। अब इसके बास्ते कई भेरे दोस्त यह कहते हैं कि उतना फ़ारेन कैपिटल प्रायेगा ही नहीं। अब अगर फ़ारेन कैपिटल जिनता

हमें चाहिये उतना नहीं प्रायेगा तो उसके लिये हम दूसरे देशों को मजबूर तो नहीं कर सकते कि वह अधिक धन मन्गवें। लेकिन मैं अपने उन दोस्तों से यह जरूर पूछना चाहूंगा कि जब ऐसी बात है तो वे यह क्यों कहते हैं कि फ़ारेन कैपिटल इनवाइट न किया जाय और उस हालत में तो उनको इसके लिये फ़िक्र करने का कोई जरूरत नहीं है। लेकिन मुझे उम्मीद है कि वह जरूर प्रायेगा। हमारे सामने सवाल यह है कि यह जो फ़ारेन कैपिटल प्रायेगा वह ६ परसेंट इंटरैस्ट से कम पर नहीं प्रायेगा और हमें यह देखना होगा कि उस लोन को इंटरैस्ट के साथ पांच, सात साल के अर्से में पे भोफ (Pay off) करने की हमारे मुल्क के अन्दर कहां तक गुंजाइश होगी। मुझे यह डर है कि इस तरह लोन पर लिया हुआ कैपिटल हमको मजबूर कर देगा और हम अपने काम को अच्छे तरीक़े से नहीं चला सकेंगे और जैसी कि हमारे मुल्क की रिसोर्स हैं उनको देखते हुये इस पांच, सात साल के अर्से में हम उनको लोन का रुपया वापिस नहीं कर सकेंगे और जिसका कि नतीजा यह होगा कि कितने ही हमारे शिप्स डिस्ट्रेस्ड सेल हो जायेंगे। अब लोन के अन्दर होता क्या है? आज अमरीका से हमें ट्रैडर्स के वास्ते लोन की शकल में रुपया मिलता है और बाद में होता यह है जो लोन देता है वह उसके साथ अपनी पहले कुछ कंडिशन रखता है कि मेरी चीज मेरी शरायत पर लरीदो। मैं लोन लेने के बरखिलाफ़ नहीं लेकिन मुझे यह दिखाई देता है कि यह लोन हमको तबाह कर देगा। अगर इक्विटी कैपिटल होगा तो इसमें शक नहीं कि वे उसमें से फ़ारेनर्ज मुनाफ़ा ले लेंगे लेकिन हम उनके रुपये को शामिल करके ज्यादा रुपया कमायेंगे

में निहायत धदब के साथ झंझ करना चाहता हूँ कि हमें मैरिटाइम कंटी बनेने के लिये श्रीर दुनिया के मुल्कों में हिन्दुस्तान के स्टेटस को उम लिहाज से अंजा करने के लिये श्रीर यह २० लाख टन का टार्गेट पूरा करने के लिये जिसके कि बाब हमारा मुल्क एक मैरिटाइम पावर हो जाय, उसके वास्ते हमें क्रज की जरूरत पड़ती है और सँ पूछता हूँ कि कौन ऐसा अनडेवलपड मुल्क है जिसने कि क्रजा नहीं लिया। हमारी गवर्नमेंट सावरल बीडी है और आज हमको यह भ्रखत्यार है कि जब चाहें हम फोरन कैपिटल को कम कर दें और जब चाहें उयादा कर दें। लड़ाई के जमाने में हमने देखा है कि सारी जितनी भी विदेशी जायदाद होती है वह सारी की सारी गवर्नमेंट अपने कब्जे में कर लेती है और उनके आदमियों को पकड़ लेती है। जब हमें यह भ्रखत्यार हासिल है तो मैं समझता हूँ कि गवर्नमेंट वह ६० और ४० के रेशियो को रखे। कई मेम्बरों ने इस रेशियो को ७५ और २५ पर रखने का सुझाव दिया है। लेकिन मेरा कहना है कि यह ६० और ४० का रेशियो रक्खा जाय और गवर्नमेंट को भ्रखत्यार दिया जाय कि वह जो मुनासिब समझे कर सके और जरूरत समझे तो उसको बढ़ा दे। मैं तो आगे चल कर कहने के लिये तैयार हूँ कि किसी इमरजेंसी में उसको बढ़ा देना भी नुकसानदेह है। आखिर गवर्नमेंट हमारी अपनी है और इस गवर्नमेंट से ज्यादा और किसी को इस मुल्क की हिफाजत की फिक्र नहीं हो सकती। इसलिये अगर हमें तरबक्ती करनी है तो यह ६० और ४० का रेशियो ही मुनासिब है और इसके अलावा दूसरी कोई चीज मुनासिब नहीं है। लेकिन इसके अन्दर मैं इस तरमीम को जरूर मानने को तैयार हूँ कि अगर आप इसको

इतना पलक्सेबुन रखना चाहें और गवर्नमेंट को वह भ्रखत्यार देना चाहें तो मुझे इसमें कोई ऐतराज नहीं है। गवर्नमेंट जब जरूरत समझेगी तब उसको बढ़ा देगी।

असली सवाल जो कि हमारे सामने है वह कर्ज का सवाल है और उसकी वजह से मुझे बहुत परेशानी होती है क्योंकि गवर्नमेंट के कामों का कोई ठिकाना नहीं है। जब मैं उन तमाम क्रजों की तरफ देखता हूँ जो कि हमारी गवर्नमेंट ने मुखतलिफ्र कामों के लिये फारेन कंटीज से लिये हैं तो मेरा दिल दब सा जाता है। फूड के वास्ते जो हमारी गवर्नमेंट करोड़ों रुपये का क्रज ले रही है उसको देख कर मुझे तो डर लगता है कि यह गवर्नमेंट इन क्रजों में हमको इतना रेहन कर देगी कि पता नहीं आने वाली नस्वें उन क्रजों को कब पूरा कर सकेंगी। मैं सब कहता हूँ कि मेरे दिल के ऊपर यह भ्रसर होता है कि ब मालूम हम कितने क्रज ले रहे हैं और आया यह कि हम कमी इनके भार से उभर भी सकेंगे या नहीं। हम आब क्रजों के बोझ से दब चुके हैं और हम इस क्रज के भार को और ज्यादा नहीं बढ़ाना चाहते। यह भ्रख्खा है कि इन्विटी कैपिटल में से बें थोड़ा सा मुनाफा सूद से ज्यादा ले जावेगी। लेकिन उस हालत में आपको कैपिटल को ज्यादा और कम करने का सारा भ्रख्तियार रहेगा। आप चाहें तो उसको बढ़ाने की इजाजत दें या ब दें। सब चीजें आपके भ्रख्तियार में रहेंगी। इन सब हालात को देख कर मैं धदब से झंझ करना चाहता हूँ कि मेरी राय में मुनासिब होगा अगर गवर्नमेंट इस बक्त ६० और ४० की रेशियो को मान ले। और अगर वह ऐसा नहीं करना चाहती तो दूसरे भ्रमेडमेंट को मान ले और २५ और ७५ की रेशियो रहने दे और गवर्नमेंट को यह पावर्स दे दी जायें कि जिनकी कूह

[पंडित ठाकुर दास भार्गव]

से गवर्नमेंट जब मुनासिब समझे तो इस रेक्षियो को कम ज्यादा कर सके ।

इन अल्फाज के साथ मैं आनरेबिल मिनिस्टर साहिबान को फिर मुबारकबाद देता हूँ कि वे इस बिल के जरिये से हिन्दुस्तान की दुनिया की दूसरी मरीटाइम पावर्स के बराबर लाना चाहते हैं । परमात्मा करे कि हम फिर उतने ही बड़े मरीटाइम पावर हो जायें जैसे कि किसी जमाने में थे और उससे भी आगे बढ़ जायें और दुनिया में बड़ा नाम और जगह हासिल करें ।

Mr. Speaker: I will call one or two hon. Members and then come again to this side. Shri Mahanty wants to go away early. I will then call Shri Tangamani and then come to this side, Shri Barman and then the others. The hon. Minister also wants to intervene in the debate. I will call the hon. Minister, Shri Raj Bahadur, at about 2-30 and thereafter I will allow one or two other hon. Members also.

Shri Naushir Bharucha: The time should be extended, then.

Mr. Speaker: I shall extend it.

Shri Rajendra Singh: There are persons who have appended some minutes of dissent and they should be allowed to speak.

Shri A. C. Guha: The time should be further extended.

Mr. Speaker: I am extending the time.

Shri Satyendra Narayan Sinha (Aurangabad—Bihar): The time-limit may be fixed as most of the arguments are now confined to only one point.

Mr. Speaker: I have fixed fifteen minutes. The hon. Members may confine themselves to ten minutes if possible.

Shri Warior (Trichur): Sir, we should have a quorum.

Mr. Speaker: No quorum is necessary now.

Shri Warior: But that is only after 1 o'clock.

Mr. Speaker: There is enough quorum.

Shri Mahanty (Dhenkanal): Sir, Indian shipping has a very chaotic background which is well worth remembering in considering this Bill. It is neither in the public sector nor in the private sector. It is somewhere in between—no-man's sector, if I may say so and it is high time that the Government makes up its mind as to what attitude it is going to take towards Indian shipping which has a key and vital role to play in our national economy. Before I come to offer my propositions for what they are worth, I would like to invite the attention of this House to certain basic facts about Indian shipping. There are thirty shipping companies owning in between them a total of 5·8 lakhs GRT out of which two in the public sector own only 60,522 GRT. The rest 28 are owned by private capitalists, and having a tonnage ranging between 2·34 lakhs tons GRT by the Scindias and about 180 GRT owned by a small shipping company in Bombay.

The following profits have been made by these Indian shipping companies. Even though Indian shipping might not have been well developed, still, the profits which the Indian shipowners are deriving are something very disturbing. Thus, the Scindias have derived last year, after making provision for their depreciation and other taxes etc. a profit of Rs. 22·57 lakhs. The Indian Steamships have made a profit of worth about Rs. 80·23 lakhs. The Great Eastern Shipping Co. has made a profit of Rs. 43·38 lakhs, and the Bharat Line Ltd. Rs. 30·87 lakhs. As for the Eastern Shipping Corporation which is in the public sector, even though it was much pampered by Government by way of loans and other aids, it has made only a profit of Rs. 63·67 lakhs, even though the

Scindias have made a profit of Rs. 220.57 lakhs.

The condition of Indian shipping is really deplorable. At the end of the First Five Year Plan the Indian mercantile navy consisted of 4.79 lakhs tons GRT or 0.5 per cent of the world's tonnage. Therefore, my humble submission is that today we have to consider this Bill against this dismal, cheerless and frustrated background where the Indian mercantile navy constitutes only 0.5 per cent of the world's total tonnage. And what has been our achievement during the First Five Year Plan? Before the First Five Year Plan, the Indian mercantile navy had consisted of 3.90 lakhs tons, GRT, and after five years, after all perorations, exhortations and oratories, we got 4.79 lakh tons GRT. Any hon. Member may calculate and can find out from this how this Government have been wide awake to the necessity of improving the condition of Indian shipping. In this context, we have to consider this measure solely from one point of view, namely to what extent this measure is capable of fulfilling our national objective of building up a strong powerful and far-flung merchant navy.

The hon. Minister, if I remember correctly, made a very touching appeal bordering on emotional effervescence that we must have a far-flung mercantile navy, whose flags will be flown on the high seas all round the world. But I would like to remind the House that the target he has fixed is only 9 lakhs tons GRT, whereas countries like Liberia have got more than 7 million GRT, and Italy has got more than 8 million GRT. So, it is ludicrous that with a target of 9 lakhs tons GRT, the hon. Minister gives us an inspiring picture of the flags of Indian ships flying on the high seas all over the world. I would beg of him to consider this Bill and the observations which I am going to submit, solely from this point of view and not from any narrow or

parochial or limited patriotic point of view.

I would like to clarify also that so far as I am concerned, all capitalists are the same to me. There is no distinction whatever between black and white. We can discriminate between white and black so far as politics is concerned. It is true that the interests of white are always opposed to the interests of black, when it comes to power politics, over the international arena. But when it comes to exploitation and to making profits, I see absolutely no distinction whatsoever between white capital and black capital, between indigenous capital and foreign capital.

Shri D. C. Sharma (Gurdaspur): What about grey capital?

An Hon. Member: What about red capital?

Shri Mahanty: I have no time to attend to these interruptions.'

The hon. Minister has said that the Indian shippers have borne the brunt of foreign shipping during the dismal years before India became free, but soon after also, there are many others who have borne many other brunts. Therefore, bearing the brunt should not be the only criterion to throw open the flood-gates of monopoly over a very lucrative sector of our economy. Therefore, I would beg of him to disabuse his mind of all these considerations which are absolutely subjective and which are not objective.

It is a pity that not much attention was paid, in our planning towards shipping. The record of the private sector in this direction also is a record of failure and negligence. If I may quote the observations of the *Second Five Year Plan* at page 480:

"...The growth of Indian tonnage has been a slow process and the opportunity offered to India of building up her tonnage in the immediate post-war period has not been fully availed of."

This is the record of the Indian private capital, so far as shipping is con-

[Shri Mahanty]

cerned. Now that they have found out that shipping is a gold mine, everybody is rushing forward to make the best of it. But this has been their record, and we have to consider it in the public interest as well as in the national interest whether we can leave this vital Indian shipping industry to the hands of these persons who have neither the resources nor the technical know-how and who merely depend for all their profits on the loans of the Government of India, which in the ultimate analysis, are the money of the tax-payers of India.

In the First Five Year Plan, the plan allocation originally was Rs. 18 crores, which was subsequently raised to Rs. 26.3 crores. Though Government were prepared to give loans up to 85 to 90 per cent of the total cost of a ship, repayable in fifteen to twenty years and at the most lenient terms of interest, the private sector did not take much advantage of it. As a result, a sum of about Rs. 20 crores was spilled over. This is the record of the private capital. Again, even though certain shipping companies are operating as monopolies in overseas trade, yet they have neither the resources nor the technical know-how to be left in sole charge of shipping. In this context, my submission is that there is need today to consider very seriously whether Indian shipping should not be nationalised. For what do we find? We find that rail transport is nationalised; we find also that air transport has been nationalised. We find also that even bus transport or road transport is nationalised today. I would like to know from the hon. Minister why he is so chary of nationalising Indian shipping. If road transport could be nationalised, what stops him from nationalising Indian shipping? And my reasons are these. In the first place, as I have said earlier, air, rail and road transports have already been nationalised. Secondly, a strong merchant navy is essential for our

sea power. In this connection, I would like to quote what Vice-Admiral R. D. Katari said the other day at the University. According to a published report, this is what he said:

"What was meant by sea power today, Vice-Admiral R. D. Katari said, was not only the existence of a strong fighting force but also the existence of a powerful and efficient merchant navy. Sea-power, in the comprehensive sense, the Admiral said, implied the existence of a 'balanced force' This meant the possession of naval stations, ports and berthing facilities, dry docks, shipyards, and vital and growing ship-building industry. Last but not the least, there had to be a cadre of properly trained and disciplined personnel and a fighting force which would ensure the safe conduct and carriage of our sea-borne trade both in times of peace and of war."

These are not my observations. These are the observations of our Vice-Admiral who is the highest authority so far as the Indian Navy is concerned. Therefore, apart from the reason that we have nationalised other transports, there is this other reason of defence, the reason of our national security, which must impel us to consider the need for nationalising Indian shipping. The third reason is that the private sector, with its existing resources and unwillingness for foreign participation is patently incapable of the efforts necessary to achieve even the modest target of 9 lakhs tons GRT.

Mr. Speaker: The hon. Member should conclude now.

Shri Mahanty: Sir, I will take only five minutes more.

Mr. Speaker: I have already given him 15 minutes. He may take one-minute more.

Shri Mahanty: I will finish in five minutes.

As I was saying, Sir, we have to ask the hon. Minister to explain whether under the pattern that has been set in the Joint Committee's Report—75 per cent Indian capital and 25 per cent foreign capital—foreign capital will be willing to participate in our Indian shipping industry in the light of experience that we have already had. In 1947 resolution, also foreign capital was permitted to participate to the extent of 25 per cent. We would like to know from the hon. Minister, if in 1947 the foreign capital was chary of participating with Indian capital on the basis of 25 per cent participation, whether any other circumstances have cropped up in the meantime to persuade them to come and participate in the Indian shipping industry in the given context of today. Secondly, if Indian capital is going to be left in sole charge of Indian shipping, I would like to know how they are going to attain the target that we have fixed under the self-financing scheme of which so much has been said and on which so much reliance is made by the private sector. It is well-worth remembering that that has not been very successful, and we might have only added to our tonnage on account of the self-financing scheme to the extent of 50,000 GRT or little more than that.

Shri Raj Bahadur: In the course of ten months.

Shri Mahanty: In the course of ten months; that is right. If I may quote the hon. Minister's reply that he gave on the floor of the House—I have no time, otherwise I could have given his own reply—wherein he has admitted that due to foreign exchange shortage, we have not been able to take full advantage of the self-financing scheme.

Shri Raj Bahadur: Of course, 'full advantage'.

Shri Mahanty: You can have either the cake or eat it; you cannot have both. Therefore, I would like to know from the hon. Minister how he is

going to get over the foreign exchange shortage.

The third thing is the Shipping Development Fund. Sir, the Shipping Development Fund is like the savings bank account of a petty town clerk, which is always opened with hopes but which ends in disappointment. When we require Rs. 45 crores more, apart from the Rs. 45 crores sanctioned during the Second Five Year Plan, to attain the target that we have set up, what can the Shipping Development Fund do? The Shipping Development Fund will consist of Rs. 7 crores,—which will be repayments of loans and interests which is highly problematic—and annual contribution which will be made from the general revenue. I would like to know why they are tinkering with this problem. You have neither the resources, nor the technical know-how, nor the foreign exchange, and yet you are coming with a clouded mind, with a confused mind and raising all these propositions which really do not commend themselves.

In conclusion, since I have no time to go into these matters in detail, I would once again urge upon this House to consider their allergy towards foreign capital. Sir, it has to be remembered that Australia, Canada and even United States of America are products of foreign capital. When we have our national Government which is there to protect our rights and dignity, which is the watchman of our interests, I do not think foreign capital can play any havoc with any sector of our national or economic life. It is well worth remembering that even today in Australia, even though it is a highly industrialised country due to lack of industrialised capital it is reconsidering its laws so as to permit increasing participation of foreign capital. Even though Canada is a highly industrialised country today, it is welcoming foreign capital with wide open arms. We have welcomed foreign capital in less important sectors like oil, wherein we have

[Shri Mahanty]

given 51.49, and we have given them a guarantee that they will be free from nationalisation during a period of 25 years.

I consider shipping is more important than oil, and if in oil our patriotic sentiments could not rise up to that emotional height, there is no reason whatsoever why in the case of Indian shipping we should be chary of allowing foreign capital to participate for the ultimate objective of building a powerful, far-flung merchantile Indian navy.

With these words, Sir, my only opposition will be to the extent of foreign participation, and I would like to make further observations when we take up the clause concerned.

Shri Barman (Cooch-Bihar-Reserved-Sch. Castes): Mr. Speaker, Sir, before entering into the controversies which are contained in this Bill, I beg to submit one thing before the House, and that is about the representation given to the two Houses—the House of the People and the Council of States. I have tabled an amendment which says that the representation of Parliament be raised to 6 instead of 5 on the principle that this House should get double the representation that the other House gets. In order to support my amendment I may just mention to the House and to the hon. Minister that in the Statement of Objects and Reasons of the Rajghat Samadhi (Amendment) Bill the Government have mentioned this very argument. There it is said:

“In order to conform to the existing convention of Parliamentary representation on statutory Committees in the ratio of 2:1 for the House of the People and the Council of States, the number of representatives of Parliament on the Committee is proposed to be increased from two to three.”

In that case it was done. I submit, Sir, that this long established practice of

having for this House double the representation as compared to the other House should not be deviated from in the case of this Bill wherein you have proposed the constitution of the National Shipping Board.

Sir, Shri Tridib Kumar Chaudhuri, even though he was a member of the Joint Committee, has raised the point that instead of giving executive powers to one person, the D.G. of Shipping, the National Shipping Board should be invested with all executive powers. That point was thoroughly discussed and the decision is given in the report of the Joint Committee. The majority thought, and I also think in that way, that the Executive is always responsible to Parliament according to the Constitution that we have devised. This National Shipping Board consists of—I cannot envisage the exact number at this moment—five or six Members from this Parliament, and there will be representatives of ship-owners and seamen. If such a Board be invested with the execution of our shipping policy, I do not know, how the executive can be responsible to this House. Therefore, it is a proposition which may seem very good, but in my opinion it is impracticable. He has compared it with the Railway Board, but Shri Chaudhuri forgets that the Railway Board consists of only officials and there is no non-official in the personnel of the Railway Board.

I do not know about the constitution of the Federal Maritime Commission of the United States of America, but I suppose that that country's economic structure is a bit different from ours. Though we are a federal government in a sense, there is unitary control in most of the important matters, and I think in America private industry is not absolutely under the unified control of the centre.

Sir, the policy decision of 1947 has been the bone of contention in the

Committee, and I find that that contention remains very vehement here in the House also.

13 hrs.

It has been said by some hon. Members that the 1947 policy has failed. I submit that such a sweeping conclusion is nothing but a misreading of the policy. The policy statement never said that by the definition of national shipping they were expecting any foreign participation in a substantial measure. Rather it was the opposite of it. I have not much time at my disposal; otherwise, I would have cited from documents. I would however like to read from the evidence tendered before the Joint Committee. Shri Ramaswami Mudaliar, one of the witnesses who appeared before the Committee said:

"The two or three main companies existing at the time of Independence had Burmese and Pakistanis as shareholders, and one or two of them even had them as directors. We could not split up the organisation. We could not make them sell their shares and therefore you find the Policy Resolution making reference to this. And they say, while the ideal is to have 100 per cent. Indian-owned managed and controlled shipping, for the time being let us fix it at 75 per cent. The ideal will be that. But we are willing at present to accept the past and to go ahead on that basis. That is what I would say as far as this particular matter is concerned."

So it was a historical necessity. After the partition there were many shareholders of shipping companies who became nationals of Pakistan and it was not possible for India to say that Indian shipping will be out and out owned by Indian nationals. Therefore, out of this historical necessity 25 per cent was allowed to be owned by foreign nationals.

At page 38, report of the Sub-Committee on Shipping says:

"Indian shipping should denote shipping owned and controlled by Indian nationals. We are of the opinion that this is a matter of vital importance and the definition we recommend has been arrived at after giving very careful consideration and thought to India's economic needs, security requirements and strategic position."

Now, Sir, this is the considered opinion of a committee which has thoroughly gone into the matter and have given their opinion. In their Policy Resolution of 1947 the Government of India agreed that "the definition of Indian shipping as ship-owned, controlled and managed by Indian nationals, as recommended by the majority of the members of the committee would be the ideal one and should be the ultimate objective. A rigid application of this definition however is not possible at present. It will rather be causing some hardship to those who are becoming non-nationals and therefore it is being modified."

Therefore the Policy Committee of 1947 and the Government Resolution never expected that by making this 75 : 25 proportion in foreign participation a large amount of foreign capital would come towards increasing Indian shipping. Now, Sir, that being the case, it is not correct to say that that policy has not succeeded. Apart from that while the Joint Committee went into all those matters, they have modified that policy to a certain extent. Under the 1947 policy and Government Resolution there could be no director at all even if there were 25 per cent participation of foreign capital. In our report we have made it possible for foreign nationals, if they contribute up to 25 per cent., to have proportionate representation. So, there is some opening of the door in one sense.

Shri Brij Raj Singh: There will be wider opening now.

Shri Barman: There is another objection which has been raised and on the basis of which our present report has been criticised.

Some hon. Members advocated that if the Bill had been modified to the extent of giving foreign capital 40 per cent. representation keeping 60 per cent. for ourselves, the objective would have been served, namely, our national shipping would have been protected and at the same time we would have got foreign capital. May I submit most humbly that this is a proposition which was never supported by those who advocated foreign participation before the Joint Committee. Certain prominent representatives of the All-India Manufacturers' Organisation appeared before us twice on two successive days and all their connection was in favour of 51:49. One of the witnesses, representing this organisation, who appeared before the Joint Committee, said (page 6 of Evidence):

"That is why we are saying that if we give 49 per cent. and some representation in the Board, they would be willing. I have given you the names of the countries, and others might be willing to come and join us."

Later on he gave the names of these countries as America, U.K., Arabia, Belgium, Switzerland and Japan. At present there is vast tonnage lying idle because of slump in America and because of the Indonesian market being closed to the Dutch. Their contention was that if we allowed 49:51 by our act, foreign participation would be possible.

The same representative said later on (page 9):

"I expect them to come with 49 per cent. because I am giving them more or less proportionate representation. I am giving them

the facility that somebody would get from Government, if required for expansion. They will get the cargo from Government."

This is a very important matter which this House has to consider. The advocates of foreign participation not only wanted 49 per cent., but at the same time they wanted other advantages which were so long reserved exclusively for pure Indian shipping.

In clause 21 the Joint Committee has laid down that the proportion shall not exceed 25 per cent. There are also certain restrictions laid down in sub-clause (b). One is that the principal place of business of the company is in India; another is at least seventy-five per cent. of the share capital of the company is held by citizens of India; the third is that not less than three-fourths of the total number of directors of the company are citizens of India; the fourth is that the Chairman of the Board of Directors and the Managing Director, if any, of the company are citizens of India; and the fifth is that the managing agents, if any, of the company are citizens of India; the managing agents should also conform to the same standards, that is 75 per cent. of them must be Indian shareholders.

Besides these, there are certain other advantages which we at present have reserved for pure Indian shipping. One of these is the coastal trade. We have reserved under the 1947 Policy Resolution that coastal trade will be absolutely given to Indian ships.

Then there are the promotional aspects of the industry. Government are now giving loans at a very low percentage of interest. These advances and loans by way of help should be extended only to pure Indian shipping. According to the representatives of the Organisation, all this help should go to all companies, whatever might be the percentage. That was

their contention. I may also read from other pages of the report to confirm what I have said. At page 108, the hon. Minister asks:

"Government give loans at concessional rates of interest; there is reservation of cargo for Indian shipping; and there are other matters such as the provision of foreign exchange, etc., for buying new equipment."

The representative of the Organisation says:

"The whole of my approach is based on this. Once a ship becomes an Indian ship, whether it is 25 per cent. Indian capital or 75 per cent. Indian capital, it becomes vested with Indian nationality; and it won't be correct to differentiate between them in treatment."

So, the position comes to this. You will not only have to concede 49 per cent. foreign capital but, at the same time, if you concede also all the advantages that are at present reserved for the pure Indian shipping, then, it becomes the case of the Organisation that foreign capital may come from many countries.

I would, in this connection, humbly ask this House to consider whether, if we concede such concessions, that is, give foreign capital up to 49 per cent. shares and give all other advantages equally or proportionately to pure Indian shipping as well as to the combined enterprises, in this unequal fight between the giant and the dwarf whether the dwarf can exist at all. I for one would say, though at present we may ask for help for our Indian shipping from outside, the policy should be directed in such a way that the industry gradually grows so that some time hereafter it may become purely Indian shipping which all of us agree is the second line of defence.

So, that is the position. There are other objections also, but all these have been thoroughly discussed in the report that we have submitted before the House and also in the evidence that has also been submitted. One of the objections from the other side was that if you grant 49 per cent. to foreign capital that would be a block capital, whereas our Indian capital will be split capital. Practically, then, this 51 per cent. would be entirely dominated by foreign investment, when they speak of the block capital. All these arguments have been gone into, but ultimately the Committee came to the conclusion that has been incorporated in the report.

I beg to submit one or two other points if you will kindly permit me some time. One point which has been very much objected to is this: this loan from other countries in order to increase our shipping, is a kind of T. B. germ as my hon. friend Shri Raghunath Singh puts it. I do not know how the Government considers it, but practically you are taking loan in many spheres.

Mr. Speaker: The hon. Member will have three minutes more.

Shri Barman: I beg to submit that shipping is not really like other industrial enterprises. We have it on our evidence that from the very day a ship is commissioned, it earns.

Mr. Speaker: Was he the Chairman of the Joint Committee?

Several Hon. Members: Yes.

Mr. Speaker: Then let him have some more time.

Shri Naushir Bharucha: Perhaps the time may be extended.

Mr. Speaker: I extended it by one hour.

Shri Naushir Bharucha: New developments came.

Shri Raghunath Singh (Varanasi): This is a new Bill and we should have more time. There are 461 clauses.

Mr. Speaker: Many hon. Members took part in it before it was sent to the Joint Committee.

Shri Barman: I may submit that it is because of your favour that the Joint Committee had an opportunity to have an on-the-spot study.

Mr. Speaker: Has it helped the hon. Members?

Shri Tangamani (Madurai): Very much.

Shri Nath Pal (Rajapur): Considerably.

Shri Barman: Otherwise, it was quite Latin and Greek to us. It was because of your kind permission, and the help of the hon. Ministers by way of all those arrangements that we got some light on the matter. I may say that the Committee deliberated on the matter with much more insight than it was possible for them to do, and they could not have done it had they not got this opportunity offered by you.

As regards the foreign loans, I need not emphasize it too much, because we are getting much of it. My own opinion is that this shipping industry is quite a different industry from the rest, for, from the very day a ship is commissioned, it begins to earn.

Mr. Speaker: If the hon. Members will finish the clause-by-clause consideration in a couple of hours . . .

Shri Raghunath Singh: No, Sir. There are 461 clauses.

Mr. Speaker: Therefore, three hours have been allotted.

Shri Prabhat Kar (Hooghly): Let the discussion continue upto 5 o'clock.

Mr. Speaker: We shall carry on till 4 o'clock. Originally we said that the

general discussion could go on till 1 o'clock and then it became 3 o'clock. We will go on till 4 o'clock, and then start clause-by-clause consideration. And then two more hours are left.

Shri Braj Raj Singh (Ferozabad): We will have 2½ hours on Friday.

Shri Prabhat Kar: If you will kindly allow the discussion to be extended up to 5 o'clock . . .

Shri Nath Pal: For the general discussion, because, we generally may not have much to say on the clauses. If you extend the time for general discussion by one hour, the discussion may be complete.

Mr. Speaker: Then, on clause-by-clause consideration also they will go on discussing.

Shri Raghunath Singh: No, Sir.

Shri Braj Raj Singh: On Friday we can finish.

Mr. Speaker: The hon. Minister also will reply today?

The Minister of Transport and Communications (Shri S. K. Patil): Yes; if it is 5 o'clock we can finish our reply, and tomorrow we can take up the clause-by-clause consideration.

Mr. Speaker: If more hon. Members want to speak and if a quorum is guaranteed, let them carry on even till 5-30. I have no objection.

Shri S. K. Patil: I am suggesting 5 o'clock; not after that, so that we shall reply earlier than that.

Mr. Speaker: General discussion will go on till 5 o'clock, and we will conclude it then. Tomorrow, we take up clause-by-clause consideration.

Shri Barman: I was saying that this shipping industry is rather different from other industries. Other industries may remain unremunerative for

a long time or for some years together in some cases, and then they may yield an income. In the case of shipping, from the day a ship is commissioned it earns. It not only earns, but it earns at a faster pace. We have it on our evidence. I may just refer to page 8 of the evidence of the Joint Committee. I find from the evidence that has been tendered by those organisations who wanted foreign participation upto 40 per cent., that if a ship is purchased, say, at 20 to 25 per cent. cash down, the remaining 75 per cent. can be paid up within five or seven years, not from any other source but from the very earnings on the basis of pay-as-you-earn terms; apart from meeting the running expenses of the concern, it earns an additional income by way of profit by which the 75 per cent. can be paid up within five to seven years, according to that gentleman who gave evidence. So, if in such industries we invest money by way of loan, my argument is that we can pay up that loan within eight years or so. It is not possible in any other industry. So, why should we fear much about taking foreign loan in order to develop our shipping?

As regards foreign loan, we should not hesitate to go in for it if it helps in any way our foreign exchange position. If we do not produce any goods in India and for that purpose we establish an industry here which can produce those goods, it is saving of foreign exchange. If we can get foreign loan by which we can instal factories and other things, the products of which after a few years can be sold in outside market, our loan can be paid back. In such cases, we should not hesitate to take foreign loan. So, there is no case against taking foreign loan where the loan is productive. In the case of shipping, as the hon. Minister has already indicated in his speech, if he can get loan and if out of that loan he can get Indian ships entirely managed and owned by Indian nationals, there should be no hesitation in doing that with the approval of this House.

Another argument has been advanced that while in other industries we have not hesitated to allow foreign participation of much more than 50 per cent, sometimes even 100 per cent. why should there be objection to giving 40 per cent. participation in the case of Indian shipping? I humbly submit that the shipping industry is entirely different from other industries in many respects. I split our proposal to amend clause 21 into two: One is the 75 per cent.—25 per cent. proportion and the other is the restriction as regards the Board of Directors, management, Chairman of the Board being Indian national, etc. Does it happen in any other industry? In the case of any other industry, the Companies Act is quite sufficient. But what was the necessity to bring forward this Merchant Shipping Bill? Not only here, but in other countries also, they have separate Merchant Shipping Acts. The main reason for this is that the shipping industry is not the same as other industries are. May I ask those hon. friends who advocate having no restrictions regarding foreign participation and who cite the instance of oil refineries or other industries where there is large participation of foreign capital, do they come to our land and instal their factories if we imposed on them the limitations that the Manager must be an Indian, the Board of Directors must consist of at least 75 per cent. Indian nationals, etc. They would have never come. So, while we are not opposed to the restrictions contained in that very clause 21, they should not draw that analogy and criticise the proportion, from the analogy of other industries. Other industries are quite different. In the Merchant Shipping Bill, we practically ignore the Companies Act. We are controlling and regulating each and every action of this industry.

13.24 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

We control who should be the seamen, what should be the training,

[Shri Barman]

who should be the Master, what should be the qualification of surveyors, how the Master of the ship should behave with the seamen, etc. Can you ever imagine in the oil refinery you can dictate to the foreign interests there that they must behave with their subordinates in such and such way? It is entirely different; there is no comparison at all between shipping and other industries. That being so, we should have some deep thinking in this matter.

As has been mentioned by some hon. Members also, merchant shipping is the second line of defence.

Shri Raghunath Singh: There is no soldier.

Shri Tangamani: Soldiers will come.

Shri Barman: My hon. friend was also a Member of the Committee and he has visited several institutions for training of surveyors, engineers, seamen, etc. In all those places, we practically received the same reception as is generally given by the military. Even the seaboys were just in the military form. Does it happen in any other industry? It does not. So, I humbly submit that it will not be fair to draw an analogy between other industries and this vital industry.

An hon. Member has just now mentioned that in the Delhi University the other day, Vice-Admiral Katari had used very strong words about this matter. After that, what more do we want? My whole submission is that in the year 1947, a committee had thoroughly investigated into this matter. We also find from the evidence that was tendered before the Joint Committee that we should not deviate from it unless we find that there are some special reasons or special advantages by deviating from that policy. The hon. Minister has said in his speech that Government have no doubt in their mind that this target of 9 lakh tons will be reached

within the second Five Year Plan period. So, we do not worry. As regards the 20 lakh tons, the future will see.

Shri Tangamani: Mr. Deputy-Speaker, Sir, I was one of the fortunate few who worked in the Joint Committee and as a result of the deliberations of that Committee, we were able to get an insight into the working of the seamen, the shipping industry and several other connected factories also. Several hon. Members have directed attention to clause 21 of this new Bill, which corresponds to clause 12 of the original Bill. As everybody knows, there is lot of difference between this clause and the original clause.

I would like to make it quite clear that so far as we are concerned, we are never for any foreign participation in such a key industry. As was very ably explained by Shri Barman, the 1947 resolution was intended to provide for those Indian nationals who were cut off as a result of partition. Even now, this 25 per cent should be utilised only for those nationals who are in Burma, Ceylon and other countries or nations of Indian descent. It should not be utilised for foreigners like people from U.K. or the U.S.A. or Dutch or Japanese. I will be happy if the amendment moved by some hon. Members that we must strictly conform to the 1947 Resolution by not allowing any managing agency or any director in the actual company, is accepted by Government.

I am really surprised that when there are so many other things in this particular Bill, pointed attention is paid to foreign participation. I have a suspicion that there are certain interested parties who are being let loose to canvass for effective foreign participation. I am very sorry that if that sort of thing is to happen, it will be a very sad day. We have to really consider it from the realistic point of view. The hon. Minister has

clearly stated that we are not going to have any foreign participation in this key industry. If foreign participation is going to come, then certainly the matter must be referred to this august House.

Having said this, I will refer to three or four other aspects. Now a new definition has come, so far as "home trade shipping" is concerned. When we were in the Joint Committee certain representations were made to us in this matter. Now a certain amendment has been made to clause 456, which seeks to give exemption to those home trade officers. My submission is that the exemption clause will not meet the ends of justice. So, I have tabled my amendments Nos. 52 and 53 to clause 3. Amendment No. 52 says:

"Explanation.—Notwithstanding anything contained in this sub-clause, vessels of any tonnage so employed may continue to be manned by officers holding Home Trade Certificates of Competency obtained between 1952 and the date of this Act, after the passing of which such holders can serve on a vessel below three thousand tons only."

In the definition of the word "masters" my amendment seeks to add the words:

"and also officers holding Home Trade Certificates of Competency plying Home Trade or Foreign-going ship".

I would like to elaborate these points. Clause 456 seeks to vest with the executive the power to exempt individual officers from holding home trade officers' certificates in certain cases. This is offered as a guarantee by the hon. Minister. But the moment a ship is transferred to the foreign-going articles, due to her tonnage, it would become necessary that a foreign-going certificate has to be

obtained before the ship would become seaworthy. Now individual exemptions are offered under this clause. Probably they are under the impression that there are only 10 ships, affecting about 30 officers. This does not give a correct picture. These 30 officers are drawn from a pool of nearly 300 people. So, this will work hardship not on 30 people but on 300 people. As these men are technically qualified to man ships by virtue of holding a certificate of competency issued by the Ministry of Transport after being duly tested by the Mercantile Marine Department, they should not be subjected to any further tests, though the certificate of competency is no longer valid. Because of the introduction of modern means of electronics and navigation, the syllabus for examination for the various courses was revised in 1952. So the holders of certificates issued since 1952 should be exempted, and this power should not be left to the executive, as it is sought to be done by a suitable amendment in clause 456. So, this principle of having exemption will not meet the ends of justice. I hope the hon. Minister will pay special attention to this.

Then I come to the question of seamen. An argument is advanced that our seamen are engaged mostly in the foreign-going ships and foreign-owned ships. I would like to clarify one point, because one of the hon. Members stated that we should not engage foreign nationals at all in our shipping. Now the seamen that we are recruiting are engaged not only in our ships but in the foreign-owned ships also. Out of the 60,000 seamen 40,000 are now employed in those foreign ships. We are really adopting suitable methods to see that this recruitment is properly done and there is a guarantee about the working conditions of these men. I would like the hon. Minister to tell us in his reply: will the foreign ships refuse to take our men if we insist upon certain conditions of service? Because, nowhere

(Shri Tangamani)

as it stated as to what would be the hours of work. In the British ships, if Britishers are engaged, the hours of work are specified; overtime wage is specified. Probably they will be clearing from Rs. 300 to Rs. 400, or nearly £30 a month, whereas our seamen will be able to clear only £10 a month. So the wage that our people get is only one-third. Why not we make a bargain with the foreign ship-owners who are engaging our seamen? Why they have the courage to say that they will not recruit our men? That is the point. Because, when our men work as seamen in foreign-owned ships we should not allow them to be treated as slaves. There was a report in the Reuters the other day that in one of the British ships, Brothelmore, two of our seamen were killed. I do not know how they were killed. Another man has been arrested. It may be due to a fight. Anyhow, it is a very risky thing. Two men who were sent abroad have been killed without any protection. That is the very reason why I say that we should not allow slave labour. We should not allow our men to be treated as slaves, when the word "laskar" has already been changed into "seaman".

Clause 150 relates to disputes between seamen and employers. Under this clause the industrial dispute will be referred to a tribunal, and the tribunal will give its verdict. After the verdict is given, Government seeks to have extra power to modify the award, if they think fit. I submit that that proviso, that extra power, must be deleted, because in the Industrial Disputes Act you do not find such a provision.

About the officers, I would like to invite your attention to Starred Question No. 1248 dated 27th March 1958. The question relates to the training of shipping masters and shipping engineers. It was stated:

"It is not considered feasible to provide training facilities in India

at present for extra masters' and extra first-class engineers' certificate courses due to paucity of suitable qualified training personnel or instructors for courses. It is also a fact that sufficient number of officers have not started coming for taking these first class certificates of competency."

We must consider whether we should not provide adequate facilities for training these men. So far as the deck officers are concerned, we were fortunate enough to go and visit Dufferin which is engaged in providing two-year course of training to up-deck officers, whose number was raised from 50 to 60 from August 1956. It is proposed to increase it further to 75 in the 1958 academic year. Of course, these men will have to go as apprentices for 1½ years and then undergo a test. Then they will have an apprenticeship of 1½ years and again another test. Then, after 5-6 years we get such excellent men. Shri Raghunath Singh wanted to know whether fine soldiers are being recruited in the Dufferin. As time passes, more and more men will be there to man our ships and by the time we reach the end of the Third Five Year Plan, when we have the target of 2 million tons, we will produce enough men to man them also.

So far as engineering officers are concerned, there is an institute in Calcutta. At present 50 boys are taken every year. They will have a four year course of training in marine engineering. It is proposed to increase the intake to 65 per annum from 1958 academic year. The Bombay Port Trust has been planning training for others. Here I would like to submit that first-class intermediate graduates, who are drawn from all over the country, must be provided with adequate scholarships. A request should be made to the various State Governments to provide scholarships for these people. I find that all students from Assam, 2 from Bengal and 1 from

Madras get scholarships. So, the State Governments must also be addressed in this matter.

So far as rating seamen are concerned, training is provided in three institutions, namely, Mekhala in Vizag, Bhadra in Calcutta and Nau Lakshi in Navlakhi. 140 boys are undergoing a three-month course there. A proposal is under consideration to increase its intake to 180 a month. Now I would make an appeal not only to speed up the training and increase the number of trainees but also to allow healthy trade unionism in these places.

In Bombay the complaint that we received was that a minority trade union has been recognised. The majority of the workers are in another trade union and that trade union is never given any recognition at all. In Calcutta, a similar representation was made. A union has been recognised and the union is adopting very questionable tactics. *Goondaism* is let loose.

Now, a person when he is commissioned to go on board the ship has to pay Rs. 70 or so before he goes on board. Some collection is made which is a forcible collection. Such a collection should not be allowed. The shipping masters must be suitably instructed to see that free trade unionism is allowed to grow.

The next point is the question of sailing vessels. There is a special section regarding sailing vessels. We must also give special attention to sailing vessels. When we remember of sailing vessels I am reminded of how people from the South were excellent sailors in the past. There have been instances of sailors, who went from Kalinga and travelled not only in South-East Asia but also in Western countries. Tamil literature abounds with several such instances. *Silappadikaram*, which was written probably three or four thousand years

ago mentions about the seafaring character of our nation. Puhar and Musri are the two harbours which are mentioned in that. It is not only that in Ajanta and some temple in Bhubaneswar we have painting of ships and boats. So, the sailing vessels had a tradition and had a past also, breaking through the Britishers. We had even as early as 1807 Velutambi from Kerala fighting the Britishers. Early in this century V. Chidambaram Pillai of Tamilnad was fighting the Britishers and he was one of those who thought that our Indian ships must get the monopoly in coastal shipping. That is why Mahatmaji said that our Indian ships had to perish so that British ships will flourish. Are we going to be a party to the Indian ships perishing? We must have these sailing vessels also.

The last point that I would like to mention is regarding the question of unberthed passengers. They are generally known as deck passengers. The deck passenger system is still prevalent from Madras to Singapore and from Calcutta to Port Blair. The deck passenger system is really making a mockery of the human race. Our Indian nationals, who are men belonging to this free country, are huddled together like sheep and there are absolutely no facilities. There are no facilities even for answering the ordinary calls of nature.

We found that there is a pilgrim ship which goes for *haj*. In the pilgrim ship the deck space has now been converted into small bunks. Small bunks are provided there. Why can't we provide such bunks for these unberthed passengers. The unberthed passenger system must go. The sooner it goes the better because so far as unberthed passengers are concerned, there is a welfare board and its recommendations may be attended to by the Government also. In one of these Committees Shrimati Ila Pakchoudhuri was also there.

[Shri Tangamani]

In conclusion, I would like the hon. Minister to direct his attention to some of the points which I have raised and bring suitable amendments also, if necessary.

Mr. Deputy-Speaker: Pandit Krishna Chandra Sharma.

Ch. Ranbir Singh (Rohtak): He is not ready. I may start.

Mr. Deputy-Speaker: Perhaps he never expected it.

Pandit K. C. Sharma (Hapur): Sir, with regard to shipping the basic fact is that merchant shipping in the world, as it exists today, cannot be allocated solely on the basis of economic doctrine of comparative advantage. Every merchant fleet is a part of the economic and military strength of the nation whose flag it flies or whose nationals control it and no country which understands this will willingly permit its merchant shipping to be completely outside its control. We have therefore to seek a workable compromise between undue restrictions on world trade and shipping and the complete abandonment of our merchant fleet to the vagaries of economic forces.

Taking this view there are two aspects of the question. One is the requirements of the national economy at the present moment and in the ensuing decades. The second is the criteria that should be fulfilled to build up a healthy truly national shipping ready to serve the interests of India in any circumstances. That has to be a part of the economic structure of a country and has to be the important factor in the military strength of the nation.

With regard to the first point I may submit that it is not basically sound to say that if we have not got the wherewithal to build up our merchant shipping, we should wait and let the trade

be carried on by foreign ships on our shores and our goods be taken therein to the foreign countries. Seas are no better or no less important in building up the economy of a country than the land or the capital itself. What does happen if the man who owns the land cannot plough it? He lets it out to the tenant. That tantamounts to allow foreign ships to ply in our waters and take the profits like rent for the use of the land. Then he resorts to what is called sharing or having a partner, i.e., he will give a part of the equipment and capital and would allow the partner to have a part of the equipment and the capital to plough the land and share the profits equally, but have the final control, the final say in the management and in the profits of the land. I have yet to see a man who will not let out the land and who will not get the land used in any of the ways that economic processes permit him to utilise it.

Take the case of capital. A man is not wise enough to use his capital. He invests the capital in a company which is managed by other persons and thereby gets a profit on account of the use of the capital. Economic forces cannot be allowed to remain idle simply for sentiment.

What is true of land, what is true of capital is equally true of the sea. Coastal trade builds the economy of the country. Our goods being carried to the foreign countries adds to the economic advancement of our nation. So, my point is that taking this view of the question we cannot allow overseas advantages to remain idle and unused simply because we have not got the necessary capital or we have not got the capacity or the credit to raise the necessary loans outside. Somehow or other we shall have to share the use and advantage of our seas by taking foreign co-operation. It is a simple economic proposition. It should be subject to the second consideration, i.e., the "building of

healthy truly national shipping ready to serve the interests of the country in any circumstances. For this, as Shri Barman pointed out, there is para 21 which says:

"...the following description applies:—

(a) a citizen of India..."
i.e., a person who owns the ship,

"(b) a company which satisfies the following requirements

the principal place of business of the company is in India;..."

"at least seventy-five per cent of the share capital of the company is held by citizens of India;

not less than three-fourths of the total number of directors of the company are citizens of India;

the Chairman of the Board of Directors and the Managing Director, if any, of the company are citizens of India;"

My humble submission is that the most important factor about shipping or any economic concern is, who is the Director, who is the Managing Director. It is not the capital which is important. It is not the share which is important. It is the directorate, the controlling force that is important. Even if 75 per cent is British capital, if an Indian is the Director, if an Indian is the Managing Director, the ship belongs to India and is to be governed by the law of the land. The British shareholders cannot do anything.

Shri Goray (Poona): Why don't you move an amendment to the effect that 75 per cent may be British capital?

Pandit K. C. Sharma: I have moved an amendment that it should be left to the discretion of the Government to change it if the situation so demands. My simple proposition in

moving this amendment is, after the law of relativity has been accepted as a mathematical truth, you cannot be certain about anything, that what is true today would equally be true tomorrow. Human experience changes. Economic and social factors change the situation. Therefore, as situations change, the law of probability itself demands that judgment should be changed from time to time. It is a simple mathematical proposition. If you can understand it....

Shri Goray: This is relativity applied to shipping.

Pandit K. C. Sharma: Shipping is not outside human ingenuity. It is within human control. It is a human proposition.

So, this proposition of shares is not very important in itself. What I say is that the Government may change the ratio according to its judgment as the situation changes. In 1947, it was 75 per cent and 25 per cent. Later on, when this Bill came, it was cent per cent foreign share capital and the company could be registered under the Indian law. Then, many proposals came: 51:49, 60:40. I think every gentleman who thinks in this matter, 60:40 or 51:49 has the interests of India as dear to his heart and has a sound proposition according to his mind, as any other gentleman. I deprecate the attempt to decry any opinion simply because one differs from the other. It is a bad case. It shows a sense of demoralisation. That is, I beg to submit that those who have come to decry simply because one differs from the other on the basis that some capitalist interests from outside are working behind have not grown enough....

Shri Rajendra Singh: He is doing precisely the same thing while he is decrying others.

Pandit K. C. Sharma: You do not understand.

Mr. Deputy-Speaker: Order, order.

Pandit K. C. Sharma: He will wait to understand.

Mr. Deputy-Speaker: When there is no difference of opinion, why should there be a cry?

Shri Rajendra Singh: Simply because he has grey hairs, he cannot presume all wisdom to himself.

Pandit K. C. Sharma: With relation to some items.

Mr. Deputy-Speaker: Let us share with each other.

Pandit K. C. Sharma: What I beg to submit is that opinions differ when the point of view, angle of judgment is different.

What I was submitting regarding allegations was that there is a profiteer and there is a capitalist. The profiteer is too anxious to pocket the money and has neither decency nor a code of conduct. A capitalist wants profit all right. He has a code of conduct. What I mean to say is that cheap allegations or frivolous remarks from whichever quarters they come are an indication of a profiteering mind and not the judgment of a capitalist.

With regard to shipping, I refer to clause 406 which says:

"No Indian ship and no other ship chartered by a citizen of India or a company shall be taken to sea from a port or place within or outside India except under a licence granted by the Director General under this section."

I beg to submit that this is the controlling section regarding the working of a ship. Whether the shares, a majority or a minority are foreign or national or Indian shares, the control is in the hands of the Director General of Shipping and the ship is to be worked under the law of the land. Therefore, I beg to submit that this question of majority

or minority share whether belonging to Indian capital or belonging to foreign capital should not figure so significantly as it is made out to be.

Shri Braj Raj Singh: We can have 75 per cent foreign capital.

Pandit K. C. Sharma: Another aspect of the question is that so much emphasis is laid on the question of its being the second line of defence. My respectful submission is that, situated as we are, for at least 20 years, there is no fear of war. The index is, you have seen the Suez Canal; you have seen the Middle East conflict; we are seeing the Far Eastern conflict. Both on the European continent as also here in India, nobody thinks in terms of war. People are going to court imprisonment simply on the point whether wheat should be 2 seers or 3 seers per rupee. There is a lot of agitation. People want food. People do not think of war anywhere. So, situated as the world today is, for 20 years to come, there is no fear of war. War is an impossibility within two decades. Therefore, this question of a fear of a second line of defence or otherwise....

Shri Rajendra Singh: Is this based on the law of relativity or probability?

Mr. Deputy-Speaker: If war is an impossibility outside, it should not be made a possibility here. Order, order.

Pandit K. C. Sharma: Therefore, I do not attach much importance to this question because it is a remote possibility and not a very important factor. In 20 years, things will entirely change, because atomic energy will play a significant part and would be the guiding force and the working force in all departments of life rather than the present conditions. Therefore, I beg to submit that this clause about 75:25 may have an additional proviso that the Government may change it whenever in its judgment it so desires.

14 hrs.

श्री सुनसुनबाला (भागलपुर) : उपाध्यक्ष महोदय, मेरी इच्छा इस बिल पर बोलने की तो नहीं थी लेकिन

उपाध्यक्ष महोदय : तब फिर प्राप माफ करें ताकि मैं किसी और साहब को बोलने का मौका दे दूँ ।

श्री सुनसुनबाला : मैं जो कुछ कहूँगा उससे मेरी इच्छा प्रकट हो जायेगी । मैं केवल बोलने के लिये नहीं बोल रहा हूँ । हमारी सरकार ने एक कनप्यूज़न सा पैदा कर दिया है । जिस तरह का बिल सरकार लाई है और बाद में जिस तरह से बीच बीच में बातें होती रही हैं, उससे एक प्रकार का मन में कनप्यूज़न पैदा हो गया है, जिसका मैं चाहता हूँ निवारण होना प्रावश्यक है । इसी कनप्यूज़न की धोर में प्रापका ध्यान धार्कथित करना चाहता हूँ ।

हमारे माननीय मंत्री पाटिल साहब अब भी कोई बात कहते हैं, चाहे वह मंसद में कहते हों या प्रत्यत्र, बड़ी दुःखा के साथ कहते हैं । मैंने उनको यहां पर भी धोर बाहर भी सुना है । बहुत ही दुःखा से अपनी बात को कहते हैं और चाहते भी हैं कि वह होनी ही चाहिये । मैंने उनका ग्याख्यान पढ़ा और उसमें उन्होंने कहा कि २५ और ७५ की रेशो जो मैं कर रहा हूँ यह तो केवल कम्प्रोमाइज़ के लिये ही कर रहा हूँ । परन्तु यह बहुत महत्व की बात है । उन्होंने इस तरह से कुछ बताया कि यह हमारी सेकिंड लाइन प्राफ डिफेंस है । इस वास्ते मैं समझता हूँ कि इस चीज़ को बहुत ही ध्यानपूर्वक करना होगा । पहली बात जो यह है कि यह सेकिंड लाइन प्राफ डिफेंस है । दूसरी बात जो कि कम महत्व की नहीं है यह है कि भारतबन्ध की धार्थिक स्थिति जिस तरह की प्राज है उसमें यदि हम १५० कराड़ रुपया सालाना फ्रेट के रूप में बाहर

भेजते रहे तो वह भी हमारे इन्फोर्मेंट में नहीं होगा । हमारी इकोनोमिक पोलीसन दिन-पर-दिन खराब न होती जाये इसका भी हमें पूरा खयाल रखना है । तीसरी बात यह है कि उस वक्त जब कि किसी के दिमाग में शिपिंग का खयाल भी नहीं था और न ही कोई खयाल कर सकते थे, जिन लोगों ने इसका खयाल किया और इसमें पूंजी लगाई और जो कि रिस्क इनवाल्ड था उसकी भी परवाह नहीं की उनका भी हमें खयाल रखना है । उस वक्त कोई भी रुपया लगाने के लिये राजी नहीं था । एक बात यह भी है कि उस वक्त ब्रिटिश सरकार थी जो कि हमारी शिपिंग इंडस्ट्री को मारना चाहती थी और इसको तरक्की देने के खिलाफ थी । ऐसी हालत में प्रागे प्रा कर जिन लोगों ने इस काम को किया, उनका भी खयाल रखना हमारे लिये जरूरी है । हमारे भाई जो उस तरफ बैठे हैं उनको उन लोगों का खयाल नहीं है । मैं समझता हूँ कि ग्रेटफुलनेस और प्रन-ग्रेटफुलनेस भी कोई चीज़ होती है । उस वक्त इन लोगों ने कितना प्रथिक रिस्क उठा कर काम किया और कितनी दिक्कतों इन लोगों के रास्ते में आई, इन सभी बातों को हमें अपने सामने रखना होगा ।

ये जो तीन चार बातें मैंने बतलाई हैं ये बहुत जरूरी बातें हैं और इन सब बातों को मद्देनज़र रखते हुये ही हमको इस बिल पर बिचार करना होगा । असल बात यह है कि फारेन पार्टिसिपेशन होना चाहिये या नहीं होना चाहिये और इसी चीज़ पर मैं अपने बिचार प्रापके सामने रखना चाहूँगा । जब शिपिंग की हमारी सेकिंड लाइन प्राफ डिफेंस है तो हमें देखना होगा कि इसमें किसी प्रकार की भी त्रुटि न प्राणे पावे । इस सम्बन्ध में हमारे सुजुंग ठाकुर दास भागंव जी ने बहुत प्रथी तरह से जो त्रुटियां प्रा सकती हैं उनकी तरफ प्रापका ध्यान खींचा है । उन्होंने बताया है कि जो लोग हमारे जहाजों पर काम करें, उनके बारे में हमें देखना होगा कि वे कौन लोग हैं । हमारे पटनायक साहब ने

[श्री सुनसुनवाला]

कहा कि यह जो सेकिड लाइन आफ डिफेंस है इसमें यदि कोई भी इस प्रकार के आदमी हों जो कि हमारी चीज को किसी भी वक्त धक्का लगाकर सेबोटज कर सकते हों, तो उनकी तरफ हमारा ध्यान भी भ्रवश्य जाना चाहिये। हमारे भाई ठाकुर दास जी ने कहा कि इसमें बहुत से फारेनर हैं, पाकिस्तानी हैं और अन्य अन्य लोग हैं जो कि हमको कभी भी धोखा दे सकते हैं। मैं माननीय मंत्री महोदय से कहूंगा कि इम बिल में जो भी इससे सम्बन्ध रखने वाली क्लॉजिज है उनको ऐसा बना दिया जाय जिम में इम प्रकार की घटनायें न हामकें और उन लोगों का पूरा ध्यान रखा जाये। यह भी देखा जाये कि जो भी आदमी काम करें, वे हमारे ही आदमी हों ताकि यह जो हमारी सेकिड लाइन आफ डिफेंस है, इसमें किसी भी प्रकार की त्रुटि न आने पावे।

मेरी राय है कि यदि हम अपने रुपये में काम कर सकें तो उससे मुन्दर बात और कोई नहीं हो सकती है। लेकिन अगर ऐसा नहीं कर सकते हैं और हम लोन लेकर कर सकते हैं तो वैसा भी हमको करना चाहिये। लेकिन एक बात मैं भ्रवश्य कहना चाहता हूं कि चाहे आप कर्जा ले कर करें, चाहे अपने पैसे से करें और चाहे किसी और तरीके से करें, लेकिन जिस तरह से आप दूसरे फील्ड में डिवेलपमेंट कर रहे हैं, उससे इसको किसी भी हालत में कम नहीं समझा जाना चाहिये। यह सेकिड लाइन आफ डिफेंस है और यह हमारे लिये बहुत जरूरी है। केवल सेकिड लाइन आफ डिफेंस की दृष्टि से ही नहीं बल्कि आर्थिक दृष्टि से भी इसका बहुत महत्व है। अतः सरकार को ध्यान रखना चाहिये कि चाहे वह प्राइवेट सेक्टर हो, चाहे पब्लिक सेक्टर हो, इसको हमें बढ़ाना है। हम यह सहन नहीं कर सकते हैं कि १५० करोड़ रुपया हर साल हम बाहर भेजते चले जायें। यह सरकार का ही काम है कि वह इन चीजों को देखें और देख करके अच्छी तरह से ताले

और फिर जो मुनासिब हो करे। सरकार के पास ही हर प्रकार के आंकड़े इत्यादि रहते हैं और वही इन सब चीजों को देख सकती है और उसे देखना चाहिये।

प्राइवेट सेक्टर ने जो इस फील्ड में काम किया है, उसकी ओर भी हमारा ध्यान जाना चाहिये। उसने उस वक्त यह काम किया है जब कि कोई दूसरा किसी किस्म का रिस्क इसके बारे में लेने के लिये तैयार नहीं था। उनको प्रोत्साहित करने के लिये हम लोग जो कुछ भी कर सकते हैं करें और इसके लिये यदि आवश्यक हो तो हम उनको रुपया भी दें लेकिन इतना होने पर भी यदि वे लोग काम ठीक से न करते तो उनके हाथ में इस चीज को छोड़ना, मेरी राय में, गलत होगा। अगर हम उनके द्वारा उनकी लोन दे कर के या अन्य जरूरियों से उनकी सहायता करके उनसे काम ले सकें और अपनी शिपिंग इंडस्ट्री को बड़ा सकें, तब तो ठीक है लेकिन यदि वे इस काम को न बढ़ा सकें और कुछ न कर सकने की स्थिति में हों तो भी हम यही पीटते जायें कि वे पुराने लोग हैं और उस समय इन्होंने काम किया जब कि कोई भी आगे नहीं आता था तथा इन्हीं को इसलिये किमी भी तरह रहने दिया जाये तो यह गलत चीज होगी। ऐसी हालत में अगर हमारे पास रुपया है, अगर हम कर्ज ले कर रुपया लगा सकते हैं और कर्ज ले कर हम शिपिंग कर सकते हैं, और यदि प्राइवेट सेक्टर इस काम को अपने हाथ में न ले सके, तो मैं कहूंगा कि सरकार को इस काम को अपने हाथ में लेकर करना चाहिये। लोग इस चीज के ऊपर बहुत महत्व देते हैं कि हमारे देश का जो बड़े सी करोड़ रुपया बाहर जाता है, वह न जाय। उस को हमें किसी तरह बन्द करना है। हम उसे किस तरह से बन्द कर रहे हैं, यह सब बातें सरकार देखें। अतएव मैं यही कहूंगा कि जो २५ और ७५ का रेशो रखा गया है वह मेरी समझ में नहीं आता कि किस नीति से किया

गया है। पाटिल साहब ने कहा कि हमने यह एक कम्प्रोमाइज कर लिया है। मेरी समझ में नहीं आया कि यहां कम्प्रोमाइज का क्या मतलब होता है। किस से कम्प्रोमाइज किया ?

श्री अजराम सिंह : देशी विदेशी पूंजीपतियों से कम्प्रोमाइज।

श्री अनुमनखाला : देशी विदेशी पूंजीपतियों से कम्प्रोमाइज कर के अगर उन्होंने २५ और ७५ का रेशा रखा, यानी ७५ देशी और २५ विदेशी, तो यह विदेशों से कम्प्रोमाइज क्या हुआ ? मैं इस कम्प्रोमाइज के महत्व को नहीं समझता। मैं तो यह समझता हूँ जैसा कि हमारे भाई कृष्ण चन्द्र शर्मा ने कहा है कि यह कोई चीज नहीं है कि कौन पैसा दे और कितना दे। बोर्ड आफ डाइरेक्टर्स में जिनकी आवाज अधिक होगी उन्हीं की चलेगी। इसलिये मैं सरकार से यह कहूंगा कि आपने जिस प्रकार ७५ और २५ परसेंट रख कर उममें फारेनर्स को पूरा अधिकार दे दिया है, उन्हें मैनेजिंग एजेंसी में भी २५ परसेंट दे दिया है, यदि उसी प्रकार से ४९ और ५१ रख कर उतना ही अधिकार दे देंगे फारेनर्स को, तो मैं नहीं चाहूंगा कि आप फारेनर्स को इतने अधिकार दें। ६० और ४० परसेंट रख कर भी आप उनको उतने ही अधिकार दें जिससे कि हमारे देशी भाइयों की आवाज वहां न रहे तो भी यह ठीक नहीं होगा। अतएव मैं यह कहना चाहता हूँ कि जिस तरह से सरकार ने पहले बिल पेश किया और फिर जिस रूप में वह उसे यहां पर लाई है उससे तो मैं यही देखता हूँ कि सरकार का माइन्ड किसी खास सिद्धान्त पर चल कर नहीं बना है। यद्यपि जब पाटिल साहब ने स्पीच दी तो ऐसा मालूम हुआ कि शायद उनके मन में कोई ठीक सिद्धान्त बैठा हुआ है इसीलिये उन्होंने यह चीज कही कि हम कम्प्रोमाइज की तरह पर यह चीज कर रहे हैं। तो मैं तो यही

सिफारिश करूंगा कि फारेन कैपिटल के रेशो के सवाल को कितना लिया जाय, कहां लिया जाय और किस समय लिया जाय, यह सरकार के ऊपर छोड़ देना चाहिये। बहुत से लोगों ने कहा कि बहुत से विदेशों में फारेन कैपिटल की कोई मनाही नहीं है, बहुत बड़ी लिस्ट पढ़ कर सुनाई, लेकिन इस देश की इस समय की स्थिति देखिये और उन देशों की उस समय की स्थिति को देखिये। पूरी स्थिति को देख कर के हमें सोचना पड़ेगा, देखना पड़ेगा कि इस समय फारेन कैपिटल लेने में क्या नुकसान हो सकता है। कितना वह लोग हमें दबा सकते हैं और यहां तक सेकिड लाइन आफ डिफेंस का हमारा नुकसान होना है। हमको सब चीजें विचारनी होंगी। या सब चीजें विचारने के लिये अगर हम सरकार को पावर न दें, तो यह ठीक नहीं होगा। उसको निश्चय करना चाहिये कि कितना रेशा रखा जाय और कितना न रखा जाय। मैं तो यह कहूंगा कि यह सब सरकार के हाथ में रहे कि जैसे देश की स्थिति हो उसके अनुसार गैजट में नॉटिफाई कर के इस काम को करे।

मैंने शुरू में ही कहा था कि मैं आपका बहुत समय नहीं लेना चाहता, इसलिये अब इतना ही कह कर मैं समाप्त करता हूँ।

Shri Naushir Bharucha: Mr. Deputy-Speaker, Sir, this debate has largely concentrated on the definition of an Indian ship and has very lightly treated other important features of the Bill. The history of Indian shipping has been a story of steady neglect and deliberate suppression of the industry by the foreign powers for their own benefit. It is rather strange that even after the war when it was for the first time realised how very important the merchant navy was, no efforts were made, excepting the appointment of some committee and issuing of policy statements, to place shipping on a firm footing. It is very

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surprising that more than ten years back the target of 2 million tons was prescribed and still we are very far from that. It might perhaps interest the House to know that even at the commencement of the Plan, the tonnage of shipping was as low as 125,000 GRT or 1/4 per cent of the world's tonnage.

In discussing this Bill, the paramount consideration, to my mind, is that merchant shipping must form a second line of defence. It is not generally appreciated what a second line of defence can do, but if we remember the Dunkirk episode during the last world war when France collapsed and the British and Allied troops had to be withdrawn from the shores of France, we shall appreciate that it was not so much the British Navy which helped the withdrawal; it was the merchant navy including the fishing fleet which went to the rescue and saved the lives of nearly 330,000 British and Allied soldiers. I want this House to consider the role of a merchant shipping of a country capable of saving over 330,000 lives of soldiers from a hopeless situation! I want Indian shipping to be primarily looked at from this national point of view.

The Bill, apart from giving the definition of an Indian ship, provides for the constitution of a National Shipping Board and a Shipping Development Fund. The pivot of the administration will be the Director-General of Shipping and there are the usual provisions with regard to registration of ships, certification of registration with regard to the training and qualification of personnel, reference and determination of wage disputes and so forth.

I come to the first important point, namely, what should be the concept of Indian shipping. Before we determine that, we have got to bear in mind the very tardy pace of shipping development, the lack of internal

resources, the fast growing coastal trade and overseas trade, the very great need to save foreign exchange on shipping and the need for developing a tanker fleet which has been very sadly neglected and which assumes importance in view of the two refineries we are going to establish. As against this, there has to be balanced the possibility of undue influence of foreign capital participation on national interests. That shipping development has been slow can be seen from the fact that notwithstanding what the hon. Minister in charge of the Bill has said that we will be able to achieve the Second Five Year Plan target, one is inclined to think that we will fall short of the target by nearly 100,000 tons. But it is not merely the Second Plan target of 900,000 tons that we have in view; the objective has been to cater fully for the needs of coastal trade, to secure increased share in overseas trade and also to build a tanker fleet. These are the triple objectives of the Second Plan so far as shipping is concerned.

By 1961, Indian shipping will have to carry nearly 8 million tons of coastal cargo and the quantum of overseas trade available then would be in the neighbourhood of 18 million tons. It will, therefore, be seen that even if the objective of the Second Plan is attained, Indian shipping will only carry a fraction of the coastal trade and a microscopic fraction of the overseas trade. Therefore, our immediate objective should be a target of at least 2 million tons which, by no means, is an exaggerated target.

The question is whether the shipping companies or Government can provide the necessary development for attaining this target of 2 or 2½ million tons from internal resources or from government funds. The answer is a big 'no'. So far the Indian shipowners have urged that the target can be reached from internal sources. What are the internal sources they are talking of? It is a bare reserve of

Rs. 18 crores, which is not enough to acquire any adequate tonnage at all. It has to be borne in mind that if we are aiming at about 2 million tons, the entire investment would be round about Rs. 300 crores. The servicing of this fund, with debt charges and repayment of instalments will cost Rs. 25 crores a year. I doubt whether any combination of shipping companies can produce this amount.

Therefore, the position is only this: either we must have shipping development with foreign participation or no shipping development at all. I am aware of the fact that there might be some dangers, which can be adequately safeguarded by necessary legislation against the possibilities which have been mentioned, that foreign participation may prejudice our national interests. That remote possibility is there. But we have got to balance the advantages and disadvantages and I am firmly of the view that at least for the next 20 years, foreign participation should be slightly increased. I think the government formula at one time put forward, namely, on the basis of 1/3rd foreign and 2/3rd Indian, was a sound basis and we should revert to that, because 25 per cent participation has not so far induced sufficient investment of foreign capital in the shipping industry.

Therefore, this question is not to be looked at from a sentimental point of view. Those who say that foreign capital must be excluded for one reason or the other must also place before this House their suggestions as to what are the sources from which shipping can draw adequate capital to reach the desired target of 2 or 2½ million tons. Therefore looking at it purely from the point of view of economics, I am of the view that in the national interests of the country foreign participation for a certain number of years is inevitable and must be welcomed. I really fail to see why, when in the case of the Oil India Limited we are allowing foreign capital to the extent of 66 per cent—in a most important industry—we

should hesitate and fight shy of foreign capital participation, when we know that both the directorate as well as the registered office of the shipping companies will be within this country

Sir, one of the points which deserves consideration is the creation of the National Shipping Board, on which 5 members of this House and 16 members to be appointed by Government will be represented. I should like to know what powers are given to this National Shipping Board. The name is very big indeed. What is it supposed to do? It is supposed to give advice to the Government on such issues as are brought before it. It reminds me of one of our consultative committees where we spend a lot of time. I doubt whether Government receives any benefit from the advice we give or whether it agrees to adopt any suggestions we make. This National Shipping Board which is supposed to be the pivot of shipping is reduced to an important body. I, therefore, plead that the Bill should be so amended that the National Shipping Board might have two types of functions, advisory and administrative.

With regard to the administrative functions, the entire Part VI of the Bill, namely, qualifications, grades of competency of officers, holding of examinations and issue of certificates and all that must be entrusted to the National Shipping Board. In other words, the training of personnel and creating a pool of reserve of officers to man the growing tonnage which we are after, the question of the welfare of seamen, their engagement and discharge etc., all these matters must be entrusted to the National Shipping Board, for making rules and regulations and final disposal. It is no use creating a National Shipping Board and keeping it merely in the position of a consultative committee.

Coming to the Shipping Development Fund, Government sets up a Shipping Development Fund. The

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object would be naturally that it should be able to advance loans for purchase of ships, for furnishing guarantees for deferred payments, advances for construction of tankers and so forth. But what is the amount that is going to be there? Nobody knows. Government may contribute something; and such sums as they may receive—God knows from where. My hon. friend Shri Mahanty said it very nearly resembles the post office savings account of a poor clerk who opens an account with high hopes and there is disillusionment at the end. I, therefore suggest that if the Shipping Development Fund has to be a really effective force, sources must be provided for its revenue.

These resources should come from a part of the amount of the development rebate which should be diverted to the Shipping Development Fund. I am also prepared to say that a small surcharge on freight rate—after examination of the freight rate structure—might be imposed and that yield might be handed over to the Shipping Development Fund. I am even inclined to think that a small tourist tax on passenger fares might be imposed and the proceeds should be handed over to the Shipping Development Fund, because the Shipping Development Fund has many important functions to discharge and the sources of revenue placed at its disposal are next to nil.

One more important point which deserves consideration is the reference of disputes to tribunals. The Industrial Disputes Act is not made applicable and a new procedure is developed. I am told that nowhere in the world are disputes between seamen and the employers referred to a tribunal. The question here is that the procedure laid down is that the award of the tribunal might be modified by Government. Here we are accepting a new principle altogether, and the question should be whether this House is prepared to accept the principle

which might be extended further to other labour legislation in this country. It is very dangerous and yet there are two sides to the question.

The first side is that if Government is permitted to tamper with the awards of a judicial body, then the value of the award begins to lessen. But, at the same time, the position of Government has also got to be appreciated because a tribunal might make an award which might have far-flung repercussions on different industries which might not have been foreseen by the tribunal and which might not have been represented before it.

Therefore, to my mind it appears that before we accept this principle completely we shall have to think it over. I am of opinion that clauses 150 and 151 should be dropped altogether and the position should be maintained as it is because I am not prepared, at this stage, to say that Government should have unfettered power to modify the awards of judicial tribunals.

I think these are the important points which I have to raise. We shall have occasion to discuss them in greater detail during the clause by clause consideration when we hope the Government will pay attention to these aspects.

श्री आमर (रत्नागिरि) : उपाध्यक्ष महोदय, यहां डम मदन में कल से व्यापारिक जहाजरानी विधेयक पर चर्चा चल रही है और मैंने, जो स्पीचेज हुई हैं, उनको ध्यानपूर्वक सुना है।

मझे बहुत दुख होता है कि सेलिंग वैसिलम और कंट्रीक्रेफ्ट्स के बारे में कोई विचार नहीं हुआ है और उधर हमारा ध्यान नहीं गया है। हमारे देश के अन्दर यह शिपिंग की इंडस्ट्री बहुत महत्वपूर्ण है और करीब २ हजार से ३ हजार तक बह वैसिलम

हमारे वेस्टर्न कोस्ट पर काम कर रहे हैं। उनकी हालत बहुत खराब है और उस ओर सरकार का ध्यान नहीं गया है और उनकी हालत को सुधारने के लिये इस बिल में कोई प्रयत्न नहीं किया गया है।

शिपिंग वेसिल्स की स्थिति के सम्बन्ध में जांच करने के लिये एक कमेटी नियुक्त की गई थी, शिपिंग वेसिल्स कमेटी, १९५६ और उसने अपनी रिपोर्ट में जो कुछ सिफारिशों की हैं वह मैं पढ़ कर बतलाता हूँ। उन सिफारिशों पर सरकार ने अभी तक कोई अमल नहीं किया है। कमेटी ने अपनी रिपोर्ट में यह कहा है :

"The Committee, however, is of the opinion that setting up of an official controlling organisation to rationalise the movement of traffic and generally to organise the industry on economic lines, should be only as a last and unavoidable resort; the Government can, meantime, evolve an official machinery to direct and assist the industry in bringing about the desired result as early as possible, withdrawing official direction in proportion to the progress made by the industry in organising itself."

और इन लोगों ने दूसरी भी बात बताई है। हमारे कई आफिशियल्स की तरफ से यह बताया गया है कि स्टेट गवर्नमेंट जो अपना कारगो लाना चाहे वह ज्यादातर इंडियन कम्पनियों को दिया जाये। पर यह काम करने के लिये हमारे यहां कोआर्डिनेशन और कोआपरेशन की जरूरत है जो कि नहीं रहता है। यह कोआर्डिनेशन की बात बहुत महत्व की है। गत साल यहां पाटिल साहब ने भाषण किया था और बताया था कि हमारी विभिन्न मिनिस्ट्रीज में कोआर्डिनेशन न होने के कारण बहुत सी बातों में हम प्रगति नहीं कर सकते। हमारे ट्रांसपोर्ट मिनिस्टर लाल बहादुर शास्त्री जी ने भी यहाँ बताया था कि मरचेंट शिपिंग की प्रगति

हम कर सकते हैं लेकिन हमारे यहां पूरा कोआर्डिनेशन और कोआपरेशन नहीं है। इसका कारण यह होता है कि फूड मिनिस्ट्री माल मंगानी है तो शिपिंग मिनिस्ट्री से कोई खास सहयोग नहीं लेती। इसका परिणाम यह होता है कि हमारे बहुत से वेसिल्स खाली पड़े रहते हैं। तो महत्व की बात यह है कि हमको अपने सेविंग वेसिल्स को संरक्षण देना चाहिये। उनकी हालत खराब हो गई है। १९४६ की रिपोर्ट में बताया गया है कि हालत यह है कि हमारे बहुत से वेसिल्स खराब न होते हुए भी स्वदेशी व्यापार में काम में नहीं लाये जाते। इस वजह से जो प्रगति हो सकती थी वह नहीं हो रही और यह इंडस्ट्री मर रही है।

यहां पर फारिन पारटिमिपेक्षन की विशेष रूप से चर्चा चल रही है। मैं स्पष्ट कहना चाहता हूँ कि हमारी इस इंडस्ट्री में फारिन पारटिमिपेक्षन नहीं होना चाहिये। इसका कारण यह है कि हम अपने मरचेंट शिपिंग को मैकिड लाइन आफ डिफेंस मानते हैं। जब हम इसको मैकिड लाइन आफ डिफेंस मानते हैं तो इस इंडस्ट्री में किसी फारिनर को रखना गलत बात है। हमारे कई भाइयों ने कहा कि इसमें डाइरेक्टर तो हमारे ही रहेंगे और हमारा ही मैनेजमेंट रहेगा। लेकिन आप देखें कि ईस्ट इंडिया कम्पनी तो यहां केवल व्यापार करने ही आई थी लेकिन वह बाद में हमारे राजा बन गये। हमारा जो देश प्रेम है वह सबसे ऊपर होना चाहिये। एक समय हमने स्वदेशी को ले कर प्रचार किया था, बहुत नारे लगाये थे। आज उसकी क्या हालत है। आज हम स्वदेशी लोगों को छोड़ कर विदेशी लोगों को यहां लाने की बात करते हैं। यह गलत है। सरदार वल्लभ भाई पटेल ने अपने एक भाषण में कहा था :

"The definition of Swadeshi by the Congress has not been made by any irresponsible people but

[श्री भासर]

has been written in golden letters in Young India by Mahatma Gandhi and will remain enshrined for ever. India does not desire to capture or control anyone else's coast but she certainly and legitimately desires to reserve and control its own coastal traffic for its own national shipping. But there are persons in India who are prepared to defend the interests of foreigners for the sake of a little monetary reward."

तो यह सरदार बल्लभ भाई पटेल की राय थी जो कि हमारे देश के बड़े नेता थे। इसलिये मैं कहता हूँ कि यहां पर फारिन पारटिसिपेशन नहीं होना चाहिये।

दूसरी बात यह कही जाती है कि हमें अपने मरचेंट शिपिंग के लिये फारिन कैपिटल की आवश्यकता है। इस बारे में मैं एक सुझाव देना चाहता हूँ। आज हमारे बहुत से भारतवासी भाई विदेशों में पड़े हैं। उन देशों में उनकी सम्पत्ति पड़ी है। मैं चाहता हूँ कि ऐसा प्रयत्न किया जाये कि हम उनकी सम्पत्ति को यहां ला सकें और इस व्यवसाय में लगा सकें। ये लोग विदेशों में रहते हैं जहां इनकी सम्पत्ति है। इस सम्पत्ति को अपने देश में लाने का हमें कुछ प्रयत्न करना चाहिये। अगर ऐसा किया जा सके तो हमारी फारिन एक्सचेंज की कठिनाई भी दूर हो सकती है। इस तरफ ध्यान दिया जाये।

एक जमाना था जब कि हम स्वदेशी का नारा लगाते थे। उस समय हमारे देश की कुछ कम्पनियों ने नुकसान उठा कर भी शिपिंग का काम शुरू किया और परदेशी कम्पनियों के कम्पिटिशन में खड़ी रहीं। पर आज हम उन लोगों को छोड़ रहे हैं। ऐसा हो रहा है कि जैसे कोई भ्रष्टा खाना बनावे और जब वह बन जाये तो बन्दर आकर उसे उठा ले जाये। आज हम इन लोगों को छोड़ रहे हैं, जब कि यह इंडस्ट्री बढ़ रही है,

और विदेशियों को बुना रहे हैं कि आओ और यहां मुनाफा कमाओ। बहुत से भाइयों ने यहां बताया कि हम जो प्रबन्ध कर रहे हैं उसमें डाइरेक्टर हमारा होगा, और सारी सत्ता हमारे हाथ में रहेगी। लेकिन मैं पूछता हूँ कि मुनाफे का क्या होगा। जो मुनाफा होगा वह तो विदेशों को चला जायेगा। तो इस तरफ भी ध्यान दिया जाये। हम इसीलिये फारिन पारटिसिपेशन का विरोध करते हैं।

दूसरी बात कम्पनियों के जो प्रगति की है वह अच्छी है। पर वह काफी नहीं है। लेकिन इन कम्पनियों ने बड़ी कठिनाइयों के मुकाबले में अपना काम किया है। और फिर भी प्रगति की है। आप देखें कि सन् १९३६ में हमारे यहां ५३ जहाज थे जिनका टनेज १,२६,५६८ था, फिर सन् १९४५ में हमारे पास ४२ जहाज हो गये जिनका टनेज ६८,२८६ था, फिर आप देखें कि १ अप्रैल, सन् १९५६ को हमारे पास १३७ जहाज हो गये जिनका टनेज ६,११,६५२ था, और अब ३१ मई सन् १९५८ को हमारे पास १४० जहाज हो गये जिनका टनेज ६,२३,५५४ है। और भी कुछ सैंकड फाइव इधर प्लान में हमको कुछ जहाज मिलने वाले हैं जिनको मिला कर हमारा टनेज ८,२२,००० के लगभग हो जायेगा। हम इस टनेज को और बढ़ाने का प्रयत्न कर सकते हैं। हमारे लोगों ने जो यह प्रगति की है यह अच्छी है और ऐसा करने में उनको बहुत कठिनाइयां उठानी पड़ीं। हमारी स्थिति ऐसी है कि हमें प्रगति करनी है और जल्दी करनी है। लेकिन इस प्रगति को करते समय हमें यह भी देखना होगा कि हमारे देश की आर्थिक स्थिति क्या है। हमारे पास पैसा नहीं है। इसलिये हम दूसरों से पैसा लेकर यह काम करना चाहते हैं। लेकिन इसमें देश के लिये खतरा हो सकता है। मैं यह कहना चाहता हूँ कि आप इस पर भी विचार करें।

हमारे जो सेलिंग बैसिल हैं उनमें सीमैन की स्थिति बहुत खराब है। हमें इस स्थिति को सुधारने का प्रयत्न करना चाहिये। इस तरफ सरकार अच्छी तौर से ध्यान दे। अगर इस ओर ध्यान नहीं दिया गया तो आगे चल कर स्थिति बहुत खराब हो जायेगी। अच्छे सीमैन नहीं मिलते हैं और इस कारण यह बिजनेस मर रहा है।

दूसरी चीज मैं वही कहना चाहता हूँ जो कि पंडित ठाकुर दास भागव ने कही है। जब हम इसको सैकिड लाइन आफ डिफेंस मानते हैं तो हमको यह खयाल रखना चाहिये कि इसमें विदेशी नौकर न रखा जाये। इससे देश को खतरा पैदा हो सकता है। हमारे यहां इस समय तीन लाख पाकिस्तानी इस इंडस्ट्री में नौकरी कर रहे हैं। और हमारे लोग दूसरे देशों में नौकरी कर रहे हैं। हमको चाहिये कि पहले इस काम पर अपने देश के लोगों को लगायें और बाद में अगर कमी रह जाये तो दूसरे देशों के लोगों को रखें। आज हमारे ४० हजार आदमी दूसरी विदेशी कम्पनियों में काम कर रहे हैं। इन लोगों को हमें अपने यहां लगाना चाहिये। इस ओर खास तौर से ध्यान दिया जाना चाहिये। जहां तक हो सके हमें अपने देश के आदमियों को रखना चाहिये और हमें विदेशियों को रखने की जरूरत नहीं होनी चाहिये। जो हमारे आदमी विदेशों में काम कर रहे हैं उनको उचित सुविधायें दी जायें ताकि वे यहां पर काम करना स्वीकार करें। यही मेरा कहना है।

Shri Dasappa (Bangalore): Sir, I only want to speak on one or two aspects of the question. The first will of course be regarding clause 21 of the Bill. This seems to have become the bone of contention but I have no hesitation in saying that having regard to the various safeguards provided in that very clause as well as in other parts of the Bill, we need not hesitate to give the power to the Government

to allow or permit an investment of more than 25 per cent. of foreign capital. I listened to the esteemed Chairman of the Joint Committee, Shri Barman. He said that Indian shipping stood on a different footing. I quite agree. While people have reconciled themselves to a share to the extent of 49 per cent. in the capital of any company that has to operate in India, they should not for a like reason advance the argument that in the case of Indian shipping we cannot go to the tune of 49 per cent. so far as foreign investments go. The very arguments that he put forward would lend support to the view that we can still stretch the point further in favour of foreign investor. He has said that those critics did not in any way object to the rest of the provisions in clause 21, namely, where the percentage of directorship should be as much as 75 per cent. in the hands of the Indians, where the chairmanship or the managing directorship, etc. should be with the Indians and so on. They only object to this rather high percentage of 75 per cent. to be reserved for Indians. Precisely because there are those safeguards—chairmanship or managing directorship and the majority of the directorship vest with Indians—why should there be any fear that increased investment in the company is going to jeopardise other interests of the Indian mercantile shipping or the national interests?

Shri Barman: In these cases, with these restrictions, no increased foreign capital will come. In these cases there was no such proposal. (Interruptions)

Shri Raghunath Singh: That, I have said. If the percentage is increased. (Interruptions.)

Mr. Deputy-Speaker: Order, order. I do say to the hon. Members that these disputes would not be settled in this manner.

Shri Raghunath Singh: He was the chairman of the Joint Committee, and my amendment in the Joint Committee was for 60 and 40. So, how

[Shri Raghunath Singh]

can he say 'No'? Here is the amendment which I had tabled. (*Interruptions*).

Mr. Deputy-Speaker: Order, order. The hon. Member Shri Dasappa might proceed with his speech.

Shri Dasappa: I was only trying to reinforce the argument of my hon. friend Shri Raghunath and others, that we need not feel shy with regard to foreign investment flowing in, provided the other safeguards are retained and are made operative. I ask any of my hon. friends, including the hon. Minister, to tell me whether there is going to be any difficulty in the stand that I have taken, and whether the interests of India or of individual companies will suffer if we allow more money to come in, while at the same time retaining the other safeguards.

Shri Basappa (Tiptur): Imaginary fear.

Shri Dasappa: My hon. friend Shri Tangamani was saying that there would be some risk in inviting foreign capital. I see no difficulty whatsoever in regard to that. But I would like to await the further argument and reasoning of my hon. friend the Minister, and so, I defer my judgment about the wisdom of this particular clause limiting foreign investment only to 25 per cent and not taking it beyond that even to the extent of 49 per cent. Therefore, I am prepared to agree with my hon. friend Shri Raghunath Singh in his suggestion that while this may act as a kind of a general direction, it should not bind the hands of Government completely, and it should not make it impossible for Government where there are reasonable chances of more money coming in to accept a circumstance like that. It may be that Shri Barman is right when he says that with the number of hedges and safeguards, the foreign companies would be reluctant to come forward. It may be so, but I would ask why when that is the fact we

should go to the extent of 75 per cent and 25 per cent. It sounds rather strange in a statute of this kind. So, I would very much like the hon. Minister to consider the amendment where Parliament wants to clothe Government with more powers than they themselves are eager to seek. Possibly, the hon. Minister felt that if he came forward with any such clause to clothe Government with extra powers, maybe, Parliament might think that Government were eager to grab at more powers. But this is a matter where I am prepared to invest and clothe Government with all the powers, provided they assure us of the increased tonnage that we have aimed at.

Shri Raghunath Singh: It is the second line of defence. So, they can take full powers.

Shri Dasappa: Somebody, I believe, my hon. friend Pandit K. C. Sharma seemed to talk lightly of the fact that the mercantile marine could ever be a second line of defence. That was rather a strange expression of opinion to come from an experienced legislator like Pandit K. C. Sharma. In every country, the mercantile marine is the second line of defence. Shri Naushir Bharucha also was referring to that. I do not envisage such a kind of contingency as Dunkirk in India, certainly not by any means. But in any case, the fact is there that the mercantile marine could certainly play a notable part in case of an emergent situation arising in the country.

After all, what is war? War is not necessarily a question of violence by one country against the other? We have got to wage war against so many things, against poverty, against disease, against ignorance and so on. I think these are the great battles which the under-developed countries have to fight hereafter, and I can conceive of nothing more helpful to fight these battles than the building up of our overseas trade, and the saving of the large amount of

money that is being depleted today and taken away year after year, as also the development of coastal trade.

I, therefore, have no hesitation in lending such support as my humble voice can give, not only in support of this Bill but also in support of clothing Government with additional powers to exercise their own discretion in suitable circumstances and enable as much of foreign capital as possible to come. I do not think it will in the least jeopardize the interests of this country.

Shri A. C. Guha: I think this Bill has been in general welcomed by every section of this House. This is the first attempt to consolidate a number of statutes and Acts regulating the merchant marine and allied subjects; some of them are more than centuries old. So, it is good that Government have taken this step to make the Bill up to date and also consolidate all the Acts into one Act. So, the Bill has become almost a marathon performance with 461 clauses. Anyhow, the subject deserves that much attention from this House.

Most of the hon. Members, who have spoken, have dealt with clause 21 relating to the definition of Indian shipping. I do not know why such a bone of contention has been created over this particular clause. I think in this matter we should be guided by the policy declaration made on 6th April, 1949, about participation of foreign capital in India, and I wish Government should have taken steps simply to guide them under that policy declaration without putting any rigid formula in this Bill. It may be relevant here to remind this House of the particular portion of that policy declaration on foreign participation:

"Indian capital needs to be supplemented by foreign capital not only because our national savings will not be enough for rapid development of the country but also because in many cases, scientific,

technical and industrial knowledge and capital equipment can best be secured along with foreign capital."

This is an aspect which should be borne in mind that it is with foreign participation, not through loans, that we can get capital equipment and industrial know-how and other things which we lack at present or which we do not possess in an adequate measure at present.

From this point of view, I think that there should have been wider scope for foreign participation. In that declaration, it has also been stated that "we have enough powers to see that the major interests in ownership and effective control of an undertaking should be in Indian hands." As long as we stick to this, namely that effective control and management should be in Indian hands, I do not mind how much share capital a foreigner may possess in a company. Moreover, we have got enough powers under the Companies Act as also under the Industries (Development and Regulation) Act. So, whenever there is any necessity, we can simply use those powers given by these two Acts to see that the shipping industry is run in the interests of the nation.

Yesterday, Shri U C Patnaik had mentioned that other industries were on *terra firma*—on solid ground, but a ship would be roaming over the liquid waters all over the world, and, therefore, there should be some special attention towards this industry. But that attention should be given not to the capital invested in the industry, but to the personnel who will be managing the ship on high seas.

Sir, I think we should have taken the utmost care about the seamen. I come from a port town, and I am sorry to say that about 80 per cent of the crew and seamen recruited in Calcutta are non-Indian nationals. I hope the hon. Minister, Shri Patil, will take due notice of this. I am

[Shri A. C. Guba]

sorry that this Bill has not provided anything for the Indianisation of seamen. In clause 95 there is some provision with regard to the employment of seamen. I do not know whether that clause would give any power to the Government to see that Indian nationals are recruited and foreign personnel are replaced as rapidly as possible. Moreover, there is the marine engineering college in Calcutta. Some young men are being trained there. But it often becomes very difficult for them to go out into the sea as seamen because those who are already engaged there do not allow anybody outside their own circle to come in. They make it impossible for new entrants, for our Indian nationals who are educated and trained in the Government institute, to stick to their jobs. Some cases like this must have been brought to the notice of the hon. Minister and I hope that he will take steps to see that such instances do not occur in future and a proper atmosphere is created for those who are trained to get themselves recruited and work properly in Indian ships. In Calcutta, recruitment of seamen is even now mostly done from among non-Indian nationals. I hope the hon. Minister would take care to see that gradually the number of non-Indian nationals is reduced and within five or six years there is complete Indianisation of seamen. He should fix a target date by which this should be completed in a very important sector of our industry. Sir, merchant navy has been called the second line of defence. That is an admitted thing. But unless the personnel who would be running the ships are also Indians, this second line of defence may be sabotaged at any time.

In this connection I would like to invite the attention of the hon. Minister to another important matter. Even though merchant navy is called a second line of defence, it cannot be an effective second line of defence unless we have also got a ship-building industry. In fact, the second

line of defence of the entire country from all points of view is the industrial development of the country. For the merchant navy to be a real maritime strength for the country, we should have our ship-building industry also.

The progress made during these years in merchant shipping cannot be said to be very satisfactory. Our target fixed in 1947 was two million tons. I think Government accepted that target, and that target was to be achieved within five or six years. That was also mentioned in the policy declaration of 1950. By the resolution of 1950 Government accepted the report of the Sub-Committee of 1947. We are now in 1958. We have passed eight years even after 1950. What is our achievement? I am very doubtful whether we have yet possessed the tonnage that was the target during the First Five Year Plan. During the First Five Year Plan we were to possess six lakh tons. I think by the end of the First Five Year Plan we could possess only about 4,80,000 tons and 1,20,000 tons had been ordered. I am not sure whether the tonnage that had been ordered have all been received by now.

Then, nine lakh tons is the target for the Second Five Year Plan. I do not know whether it would be possible for the Government to achieve this target. For that purpose also, foreign participation would be more helpful. We should not be so very nervous about foreign participation. We are an independent nation, and we can protect our interests. Therefore, even for the achievement of the target of nine lakh tons in the Second Five Year Plan, if necessary, we may consider whether further foreign participation should not be accepted and offers invited for that purpose. I would suggest that clause 21 of the Bill may be modified so as to give some flexibility to that clause so that in any national emergency Government can, for the interest of the nation, take advantage of foreign participation.

I do not know why Government have made this National Shipping Board such an innocuous and impotent body. That is the first operative clause of the whole Bill, clause 4, which proposes to establish the National Shipping Board with 21 members including five Members from this House. This Board, according to this Bill, has practically no authority, and it has got nothing to do. I do not know how often it will meet. It may even meet for some formal business once or twice a year without rendering any useful service either to the shipping industry or to the nation. Every power has been concentrated in the hands of the Director General. I do not mind that. But there should have been some liaison between the Director General and the Shipping Board; otherwise the Shipping Board would be completely unnecessary. It is no use having a Board without giving it any power—a Board of 21 members including five Members from this House. I may humbly suggest that it would not be worthwhile for the Members of this House to go to a Board which would not possess any real authority or power to help the Government, to help the interests of the nation.

I have also some objection with regard to the Shipping Development Fund. It is said that the expenses of the Shipping Development Fund Committee will be the first charge on the Fund. I would like the Minister to revise this provision. The Government should meet the expenses of this Committee. The Committee should not be allowed to draw upon the Fund which has been set apart for development of shipping, for meeting its own expenses. The Government should make a grant of a few thousand rupees to this Committee, instead of allow this Committee to draw its own expenses from a Fund which has been created for the development of shipping industry. I would like the Minister to revise this provision in such a way that it should not be within the competence of that Committee to spend that Fund for its own expenses.

There is another proviso here about the Passengers Welfare Excise. That is a good suggestion. I have nothing to say about the objects and aims of that suggestion. But the way in which so many cess funds are being utilised has not left a very satisfactory impression on the minds of the Members of this House who have looked into the working of the committees and boards that are handling such funds in different matters. I would like the hon. Minister to pay special attention to this aspect and see that the Passenger Welfare Excise Fund is properly utilised for the welfare of the passengers and it is not allowed to accumulate year after year as has been the case in respect of so many other funds. He should also see that it is not diverted for some other purposes which may not really tend to the amelioration of the conditions of passengers.

Lastly, I should like to mention about the sailing vessels. I am glad that this matter has been brought within this Bill. I think Shri Patil knows well how the Arab Dhows in the western coast have been engaged in coastal traffic and the Government has no power or authority to control that traffic. They have also been indulging in certain anti-social activities. Most of the smuggling and similar other things are done by Arab Dhows. I am glad that this Bill has brought sailing vessels within the control of this Act. I only wish that sailing vessels may be developed. Most of the sailing vessels, or at least a considerable portion of it, on the western coast belong to non-Indian nationals, they belong to Arabs. I wish that sailing vessels may be encouraged on all the coasts—eastern and western coasts. If necessary, the Government will set apart a separate Fund for the development of these sailing vessels to do some coastal sailing.

15 hrs.

The policy of Government envisages a tonnage of nine lakhs in Indian merchant shipping, and that would enable our shipping to handle only

[Shri A. C. Guha]

about 12 to 15 per cent of our overseas trade and about 50 per cent of our trade with adjacent countries. The 1950 policy declaration was that about 75 per cent of our trade with adjacent countries should be carried by Indian shipping and 50 per cent of our overseas trade should be done by Indian shipping. So, we are now limiting our target to only about 12 to 15 per cent of the overseas trade. I think that is a big climb down, and I hope the Minister will see that this is increased rapidly so that the annual drain of Rs. 150 crores as freight to different companies may be stopped.

With these few words, I support the Bill, and I hope the Government will see that the clause about foreign participation is so amended that the Government may have power and authority, in an emergency, to utilise that foreign participation.

Shri Raj Bahadur: Mr. Deputy-Speaker, Sir, while pleading for extension of time for the general discussion of the Bill, as reported by the Joint Committee, the hon. Member Shri Naushir Bharucha interjected and said that this Bill was a monumental one. It is indeed monumental and it is momentous also. It is momentous in the history of shipping and it is monumental also because it happens to entomb within its ambit so many other previous Acts. Not only because of its size but also because of its importance and the provisions that are incorporated in the Bill, we will call it monumental as well as momentous.

The hon. Member who opened this debate started with the preamble. I am referring to Shri Tridip Kumar Chaudhuri. I will start with what he said. He said that our preamble should have been more comprehensive; that it should have given an idea of what we proposed to do about our shipping in regard to its development and expansion, and that it should also reflect our national aspirations. We all know that our Bills do not have a

preamble. We have the Long Title and as such it is obvious that a preamble which can perhaps reflect in concrete terms or at least vaguely indicates the contents of a particular legislative measure is not found here and a long title may not go to that limit. But the long title that we have now got before us does contain a broad indication about our national objectives in regard to shipping and it is truly symbolic of our aspirations in this behalf.

In regard to the analogy that he tried to draw between our Bill and the US Act on shipping, he said that we should have taken a cue from them. It will further be noted that so far as the U.S. Government is concerned, they allow subsidies namely constructional, differential and other subsidies. Their law requires that certain types of cargoes shall be carried at least to an extent of 50 per cent in their own bottoms. I do not think we are in a position to allow these subsidies to that extent to our shipping as the Americans had given. That is another reason why we cannot follow their line.

The next point that he made was that the executive functions of the Director-General should be vested in the National Shipping Board. Another point was that the Director-General has got very extensive powers and perhaps some Members used the word "dictatorial". So far as these powers were concerned, we know that the functions of the Director-General with regard to this particular Bill will be mostly derived from the Government, because it is the Government which has been clothed with the authority or the power in this behalf.

I would refer the House to clause 7(2), where it is mentioned that is the Government which is clothed with the power to delegate. That would give us an idea about this:

"The Central Government may, by general or special order, direct

that any power, authority or jurisdiction exercisable by it under or in relation to any such provisions of this Act as may be specified in the order shall, subject to such conditions and restrictions as may be so specified, be exercisable also by the Director-General or by such other officer as may be specified in the order".

It is obvious that the Central Government will have to make up its mind, and in the exercise of its own discretion, will have to give and delegate certain powers to the Director-General. But apart from that, the powers of the Director-General, as such barring a few clauses in regard to certain technical matters, are not so wide and we cannot by any stretch of imagination or any process of reasoning say that they are dictatorial or that they are in the nature which might be considered to be repugnant to the spirit of this Act itself. Therefore, let us not be taken away by this impression that the Director-General has been clothed with undue authority under the provisions of the Bill.

The second point that we have to bear in mind is, that if we clothe the National Shipping Board with the executive and administrative functions, it would hardly be reasonable or possible, because, after all, in the day-to-day discharge of his duty, what has the Director-General to do? His constant functions, broadly speaking, can be divided into two categories. Firstly, commercial and developmental, and secondly, technical and administrative. Under technical and administrative functions, he has got to carry on the survey of the ships, the training and recruitment of seamen, and the training and recruitment of merchant navy officers. Then, in regard to these matters also, it is left to the Ministry of Transport to formulate its policies, and those policies are implemented by the Director-General and his colleagues of his department strictly within the terms and conditions which have been referred to in clause 7(2) and have been laid down

for him. So, we cannot say that these functions can be discharged by the National Shipping Board as such. After all, the National Shipping Board may also have to appoint somebody to discharge its executive functions. The Board and its members cannot carry on the survey of ships; they will have to employ somebody. They cannot provide or make all arrangements in respect of training and other things. So, let us consider and decide for ourselves whether we should leave to the National Shipping Board itself all these functions, these technical and administrative functions and several other questions that come up before the Director-General in the discharge of his duties.

There is another cogent reason why I think it is not possible for the National Shipping Board to take upon itself the functions, executive or technical, because, apart from these technical and executive functions, if we go a step further, we will find that in some matters, the Director-General has also to exercise, and the Government has to exercise, some judicial or quasi-judicial functions also. In this particular body which will come into being under this Act, namely, the National Shipping Board, we shall have three principal elements,—the shipowners, the seamen and Members of Parliament, and such other interests as have been referred to in sub-clause (2) of clause 4. There are representatives of shipping interests, representatives of seamen and Members of Parliament. The shipowners, of course, have got to have their ships surveyed by somebody, some executive and technical officers. Should that function be discharged under the policies or on the lines dictated by them whose own ships are to be surveyed. Then there are certain matters about training, certificates of competence and standards of efficiency so far as seamen are concerned. So, if both of them sit and decide about things pertaining to the training and the standards, it will become difficult.

Then comes another question of allocation of financial assistance, loans,

[Shri Raj Bahadur]

etc. In all these matters, it is obvious that we cannot make the person who comes to be judged the judge himself. After all, somebody else has to act as judge for him. In his capacity as member of this board, we would like him to exercise his discretion only in regard to functions described in the section as best as he can, without any consideration of the sector or section he represents. That is why we thought it would be much better if the executive functions are left to an executive officer.

A parallel was drawn again to the U.S. pattern and it was said they have got the U.S. Maritime Commission and the U.S. Maritime Board. In regard to that also, it is well-known that before 1946, the U.S. Maritime Commission exercised these functions and some judicial functions also. Then, after sometime, they also came to the conclusion that they must have some administrator. They did have an administrator and the functions of the Maritime Commission were given to him mostly. When the Maritime Board was set up, the administrator himself was made the Chairman. There also for executive functions, they have now got a separate officer and it is more or less on par with the Director-General of Shipping that we propose in this measure, so far as duties and responsibilities are concerned.

The next point that was made was that the Shipping Development Fund Committee is not effective and clause 16(2) will impose rather severe restrictions on its functions and duties. All that the said sub-clause says is:

"The Committee shall not grant any loan or give any financial assistance to any person referred to in sub-section (1) except on such terms and conditions as the Central Government may from time to time specify."

Of course, the function of formulation of policy keeping in view the financial

and other resources and other circumstances that obtain at a particular moment will have to be left to the Government and within the four corners of that policy, as reflected in the terms and conditions prescribed, we shall have to make this Shipping Development Fund Committee function. These terms and conditions will have to be prescribed by somebody and that somebody can only be the Government. Once these terms and conditions are laid down, I do not think there will be any limitation so far as the functioning of this particular committee is concerned.

Shri Goray: Will he tell us what will be the relationship between the Shipping Board, the Director General of Shipping etc.?

Shri Raj Bahadur: I can assure the hon. Member that there is going to be no overlapping or conflict between these various bodies and functionaries, because the functions of each one of these are definite.

Shri Guha said that the National Shipping Board is going to be an impotent and innocuous body. I beg to differ from him respectfully. (Interruptions). Impotency or otherwise of any being depends on his own strength and on his own way of thinking. Clause 5 says:

"The Board shall advise the Central Government—

(a) on matters relating to Indian shipping, including the development thereof; and

(b) on such other matters arising out of this Act as the Central Government may refer to it for advice."

So, there is nothing left here. So, there should be no fear on the score that we are going to make this body ineffective or we are not going to make full use of it. Otherwise, we should not have given the first place in the scheme of this Bill itself, unless

we wanted that this body should be effective and helpful in the development and expansion of Indian shipping.

The next point that was made was by Shri Patnaik that this Bill should have been drafted from the view-point of defence. Many hon. Members have placed a good deal of emphasis on this point that we should consider this as a second line of defence. I think some remarks were also made by my hon. colleague Shri Barman in this connection. I only want to say that we have consulted the Ministry of Defence in this and we have followed their advice. In fact, one of the provisions that a naval officer namely, who happens to come to Merchant Navy would be exempted from the examination has been adopted in the Bill on their advice. So, it cannot be said that we have not taken that view-point into consideration.

Let us not forget that this second line of defence depends for its effectiveness and efficiency on its operation and its size. What is needed by India's shipping is a larger size and tonnage. We are yet far too behind so far as actual tonnage is concerned. We would like to go much ahead and increase the tonnage, so that it may be very efficacious and effective.

Shri Parulekar said something about that disputed and controversial clause 12 of the previous Bill, which corresponds to clause 21 of the present Bill as it has emerged out of the Joint Committee. He used quite a plethora of epithets. He said it was an act of national betrayal, we have gone to the depth of degradation and all that. I will not repeat all those words nor reply to them in similar terms. But I will only give the background. We all know that the present law on shipping is the 1923 Act and that Act does not provide either for registration nor for extra-territorial application. It was silent on all those matters, and we had to follow the U.K. Act of 1894 and 1938 in all those matters. Soon after 1947, after the attainment of independence, it was decided without any hesitation that

we should have our own legislation for this purpose. As a matter of fact, he related that particular story. A big battle had to be fought all these years, since 1894 or perhaps even earlier than that, till 1947, to have a measure consolidating and revising the law in respect of shipping and we had failed. It was only after the advent of independence that we could do it, and we started it. It was not simple, because the various measures were scattered in so many Acts and so, the very act of consolidation and revision took time.

So far as this particular clause is concerned, it does not mean that we disown responsibility for the way it has been formulated. It was not by mere accident or design—to use the same phraseology he used—or otherwise that this came into being. We just followed the pattern that was laid in the U.K. Act. In the U.K. Act there were two provisions. The first was that any member of the Commonwealth could own its own ship; the ship may be 100 per cent owned by any Commonwealth country. The second was that it should be registered in U.K. and it should have its principal place of business in U.K. Even taking the definition in clause 12 of the original Bill, it says that at least 33 shares are held by Indian ship-owners. To that extent, it could have been considered an improvement on the parent British Act. So, it was nobody's purpose just to spite anybody or go out of the way to help foreign participation. The second condition was "the ship is owned by a company", such a company should be one as defined in the company law in our own country. There also we were on the same ground, but various interpretations were put on it and a good deal of heat was generated in the controversy, that could have been avoided. I am sure that but for this controversy, this particular provision in the Bill could have been considered in a calmer atmosphere, but I will not go into that. Even in regard to this particular provision contained in clause 12 of the original Bill,

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let us consider what was the whole structure and have an analysis of the whole thing.

If we advert to the 1947 policy resolution, it has got four ingredients, so far as the essentials of an Indian ship are concerned.

It says:

"The Government of India have accordingly, come to the conclusion that in the present conditions the criteria to be satisfied by companies to be qualified for being treated as Indian shipping companies should be as follows:

(a) the steamers of the companies should be registered at the port or ports in British India; provided Government are satisfied that any company is prevented from complying with this condition for circumstances beyond its control, it may be modified suitably."

This was about registration. Then:

"(b) at least 75 per cent of the shares or debentures should be held by Indians;

"(c) all directors should be Indians; and

"(d) Managing Agents, if any, should be Indians."

Apart from that, it further says:

"The Government of India wish to add that any company which finds it difficult to comply with any of the points (a) to (d) may apply for Government's specific approval to its being treated as Indian ship. Such application will be considered by Government in the light of the reasons for which the company asks for special treatment and the circumstances which prevented it from complying with all or any of the conditions."

Even there, the Government was given discretion to allow foreign participation. That being so, let it be understood clearly that the first cri-

terion was in regard to registration. But the other three criteria were definitely for the sake of assistance, aiding Indian shipping companies, granting concessions, financial assistance, coastal trade reservation, advancing loans and so on. Otherwise, we could not find a Mugal line, which is hundred percent foreign owned, functioning here. So, it is obvious that clause 12 was the definition of an "Indian ship" only for the exclusive purpose of registration; nothing, so far as assistance is concerned.

It will be a very unkind cut, it will be, I should say, an act of grave injustice, may be due to certain reasons, if motives are attributed to drafters of the Bill, that they have something to do with some foreign interests. It is impossible to conceive that any Indian worth his salt can think of bartering away the interests of Indian shipping and assist any foreigner in that respect. So far as loans, assistance or any other concession are concerned, that could have been given only if the ship or shipping company has satisfied the rest of the three ingredients. So you can see that we have not the slightest fluctuation or hesitation in our policy. We have constantly followed the same policy in regard to assistance and loans and even in this particular clause there was nothing so intended so far as the assistance part or concessional part of shipping is concerned.

Shri Parulekar (Thana): May I ask a question?

Mr. Deputy-Speaker: He is not yielding.

Shri Raj Bahadur: There was another reason why they did so, and that reason also was a part of history. If a ship happens to carry Indian flag, it is in our control. That is one thing. It has to obey our laws. Secondly, it has to employ, if we so desire—and we have made a provision only our officers and our men. Thirdly, in times of emergency, if it is flying an Indian flag, without violating any foreign treaty obligation, we can

bring it under our control. It is these three obvious advantages that the framers of this particular clause kept in view. That is why they kept the registration aspect of the whole thing separate from the promotional aspect of it. The promotional aspect was completely kept separate. It would be unkind if we impute motives and say that they did so, because they were agents of foreign companies and they were assisting them. It is inconceivable. I am saying this, not because I happened to be there when it was drafted. In fact, I was not there when it was drafted. But I think it would be the height of injustice, if we say that.

Shri Raghunath Singh: Nobody in this House has suggested that.

Shri Raj Bahadur: Now I need hardly refer to that.

The next question was about the treatment of seamen in the new Bill. I will assure the hon. Shri Parulekar that it was farback in 1948 that we decided to implement the relevant convention in regard to improvement of accommodation for seamen in ships, and since 1948 all the new ships that we have got have provided accommodation to the crew according to the standards laid down in the Convention. Even in second-hand ships we are trying to effect improvement in regard to accommodation available for seamen. Therefore, he cannot say that we have been oblivious to their needs or to their welfare. The Bill also provides for inspection of crew accommodation by Government officers. The ships may even be detained if the accommodation is not up to the mark. I would refer the hon. Member to clause 168, where it has been provided. We have done all that, so far as accommodation is concerned.

He made a reference to the Royal Commission on Labour. The Commission's recommendations were accepted, and even implemented, most of them, long ago. We also know that there is

a National Welfare Board in existence, whose duty it is to be not only the guardian but also the protector and promoter of the welfare activities, so far as they relate to seamen. Then, apart from the National Welfare Board, there are so many committees which are appointed to look into the questions of health, insurance and other things about seamen.

Lastly, we have got the bipartite maritime board to deal with all such matters as may be referred to them in regard to the disputes between the seamen and the ship-owners etc. These are the various provisions that we have got in this Bill, and I think that all that could reasonably be expected from the Government today for seamen have been done, and any criticism on that score will have to be judged against the background of these hard facts.

A reference was made to the employment of a large number of Pakistani seamen that we have got in our country. Let it be recognized that our country is a very important, rather one of the most important, recruiting ground, so far as seamen are concerned, not only for our ships but also for foreign ships. Out of 60,000 and odd seamen that we have got, our ships require only 5,000. The rest of the seamen have got to seek jobs on foreign ships. So, we have got to create and maintain conditions in which we do not lose this valuable right or valuable heritage that we have got, so far as recruitment is concerned.

Let it also be recognized that from year to year we have made progress, so far as training is concerned. We have got, as the House knows, three institutions—Mekhala, Nau Lakshi and Bhadra—which are turning out trained people. We have already trained—I am speaking from memory—about 10,000 seamen. Then, 10,000 seamen have been recruited during this year.

Then, the hon. Shri Guha said that even today about 80 per cent of the

[Shri Raj Bahadur]

seamen that are recruited in Calcutta are foreigners. Perhaps he has referred to the Pakistanis. But I can assure him that at the time of independence their percentage was 90. 90 per cent of the seamen recruited in Calcutta were Pakistanis. Now that percentage has come down to 55. We are not satisfied with it. We would like to have our own seamen as much as we can. Then, of course, we shall have to deal with this question on a humanitarian basis. We shall have to take all necessary precautions so that we do not provoke people on this account.

I may perhaps be failing in my duty if I do not refer to one particular fact which is always paining us, and that is whereas we give all the facilities to the Pakistani seamen, our seamen sometimes are not treated with the same courtesy and with the same respect or with the same accommodation by Pakistan on the other side. In the case of inland water transport, we find that even for getting a visa they are put to a lot of difficulty and only by some negotiations at highest levels are these points settled.

So far as Bombay is concerned, I may say that now we are able to meet the demands for seamen for the deck and engine crews and for the saloon crews. So, we have taken good care to take some measures there also.

15.30 hrs.

[SHRI MOHAMMED IMAM in the Chair]

About unberthed passengers, a Deck Passenger Enquiry Committee was appointed in 1947, which made recommendations for improvement of travel conditions, including provision of bunkers for long voyages. Now I may tell the House that for all voyages extending over 120 hours it has been laid down as a rule that 100 per cent bunkers will have to be provided. That has been done. For voyages below 120 hours and more than 48 hours, bunkers for 25 per cent of the complement of the passengers will be provided. Four advisory com-

mittees have been set up to look to the comfort and convenience of the unberthed passengers at Bombay, Calcutta, Madras and Visakhapatnam.

Then, I come to the next point which is in regard to the Industrial Disputes Act and how its provisions have been incorporated in this particular Bill. I may say here that so far as this particular provision is concerned, we can say that there are three points of difference between the Industrial Disputes Act and the relevant clauses in the Merchant Shipping Bill. First is that the Industrial Disputes Act bans the appearance of advocates except with the consent of both the parties. There is no such provision in the Merchant Shipping Bill. The second is that the Industrial Disputes Act provides for an award to be enforced for a minimum period of twelve months in the first instance and thereafter indefinitely until two months, notice is given by both the parties. Both these provisions are now sought to be incorporated in this measure under amendments moved by me, i.e., amendments number 185 and 186.

The third point of difference is the provision in the Industrial Disputes Act that where the Government rejects or modifies the award the papers should be laid before the Parliament. This is not there in the Merchant Shipping Bill. But this is for valid reasons, one of these reasons being that we have got the National Maritime Board which is there for settling our disputes. Besides the Board, if the dispute is not settled, the DG's offices are used and conciliation is arrived at. We have got all this machinery. In these cases because we have to deal largely with foreign shipping interests it is not desirable that we should take the matter further for obvious reasons.

Then something has to be said about another important point which was raised in regard to home trade limits. In this respect I would like to invite the attention of the House to article

2(b) of the Seamen's Requisitioning Agreement Convention which has been ratified by us. This defines the home trade vessel as a vessel engaged in trade between a country and the ports of a neighbouring country which is geographically determined by the national law. It will be seen that this article gives only limited scope for national governments to go. We cannot go to Aden or to East Africa for that purpose but as the amendments would show we have proposed not only to include Burma—we have already included Burma in the clause—but also the whole of Malayan Peninsula. Apart from the above, the definition has been conceived primarily in the interest of the safety as large modern ships are provided with numerous additional equipment and it is considered that they should be manned by foreign-going officers.

I think, these are the more important points to which I thought I should make a reference and I hope that with the reception and the welcome that this Bill has received it will soon become law after such modifications and amendments as the House in its wisdom might choose to effect.

Shri Rajendra Singh: Mr. Chairman, Sir, after lucid explanation that the hon. Minister gave while opening the debate here and several wide grounds being covered by my hon. colleagues, I did not feel that I had any necessity of taking up the floor. But, as the hon. Minister has said that unnecessary heat and passions have been generated I feel called upon to make some replies to those impassioned arguments. Before I do that I would like to mention something about the explanations that the hon. Minister has just now made about the National Shipping Board.

He says that the DG, as he is today or as he has been defined in this Bill, and his office does not come in conflict with the functions that will devolve on the National Shipping Board. The very explanations that he has given contain that so long as there is DG and you have the Na-

tional Shipping Board they would never pull on smoothly. He has cited the instance of USA. In USA, he has said that the Chairman of the Maritime Board happens to be the chief executive. Now he says that even if there is no DG, the National Shipping Board shall have to appoint an officer to discharge the functions allotted to him. That is inevitable. Then in that case I do submit that the National Shipping Board can as well have a Secretary. What is the sense in having an officer from the All-India cadre? As soon as you have an officer from the pool of the All-India Services—when I say this I do not mean any disrespect or reflection on any person; I have high regard for many of our officers whose integrity, whose character and whose devotion for the country would not be challenged—nonetheless, the very climate and the very atmosphere of their being an All-India Service generates in one a sense of unnecessary elevation. When you have that naturally that comes in the way of democratic functioning. So, if at all we want to have an autonomous body, it should be charged with the responsibility of developing the shipping industry from the commercial angle. Then, surely you can have a full-fledged and full-blooded National Shipping Board with a Secretary. If that Secretary is imported from the All-India Services, then my objection lies there. You can have somebody from the business side itself. There are so many persons. I should not like to name anybody. In this country alone you will find a dozen people who have a long experience of this shipping industry. So far as our officers are concerned, they might be very intelligent. They might have strong commonsense. But to suppose that every officer who is an IAS or an ICS shall have all the wisdom in his head and can be depended upon to discharge all sorts of works, whether it is commercial, business administrative and all that, is a presumption of this Government to which, of course, I can never subscribe.

[Shri Rajendra Singh]

Now I come to the Shipping Development Fund. Shri Raj Bahadur has just now said that it is the function of the Government to lay down the terms and conditions. I do agree that the Government cannot absolve itself of the responsibilities of laying down the conditions and terms but then it can be put like that that conditions and terms laid down by the Shipping Development Board should have the approval of the Government. It can come round the other way. But if the conditions and the terms originate from the Government side, then again the whole atmosphere is vitiated. The same old horse is there. It will yield no results for which we are so much anxious.

The matter which has touched me most—I had occasion to be in the Joint Committee and mostly I was a silent participant . . .

Mr. Chairman: Silent?

Shri Rajendra Singh: . . . the thing that struck me most is the failure of the Planning Commission and of this Government. It is widely supposed and I was one of those who thought that our Planning Commission has a very comprehensive knowledge not only of our economy, but also of our social life and whatever policy they formulate and whatever allocation they make, they make on deep consideration. But, so far as the shipping industry is concerned, I feel with a real sense of regret that the Planning Commission could not comprehend—I have also given a minute of dissent—and could not properly appraise the situation. Many speakers have pointed out that every year we have to part with Rs. 150 crores of foreign exchange. The whole world knows in what crisis of foreign exchange we are. Just to plug this gap what was needed was to make very large allocations. From tea our earning is something like Rs. 130 crores of foreign exchange. If we divert one item of that foreign

exchange earnings, we can have here and now nearly 6 lakhs of tonnage. Six lakhs of tonnage will not simply meet the gap in our fulfilment of the Second Plan, but at the same time, we can acquire additional food lakhs of tonnage which will save 50 per cent of the foreign exchange that are frittered away every year. You can ask, where you will find it. I am just now quoting before you the criminal way in which this Government has wasted our foreign exchange. From 1954-55 to 1956-57, amounts to the tune of Rs. 100 crores have been wasted. Wasted in what? Wasted in fruits, vegetables, provisions, oilman stores, spices, oilseeds, tobacco, vegetable oils. When an industry, so vital not only for the second line of defence of the country, but for the very speedy development and sustenance of this nascent democracy, what do we do? A sum of Rs. 100 crores spoiled on fruits, and vegetables. That is the performance of Mr. Patil's Government. That is also my Government. Any way, that is the performance of the Treasury Benches.

Mr. Chairman: Peoples Government.

Shri Rajendra Singh: During this period Rs. 25 lakhs of foreign exchange have been dumped in sugar.

Mr. Chairman: The hon. Member will have to conclude in two or three minutes.

Shri Rajendra Singh: Before I conclude, I should like to tell a few words to my friends who have made fun of shipping as the national second line of defence. I feel and say with all sense of responsibility and restraint that those who do not subscribe to the view that merchant shipping is the second line of defence, of course, are trying, consciously or unconsciously I cannot say, to import in this country second line of subversion. With all due respect to them, I would urge upon the hon. Minister

that foreign participation should not be allowed at least in this industry. As there is no time,....

Mr. Chairman: There are a large number of speakers.

Shri Rajendra Singh: I conclude Sir.

Shri D. C. Sharma: Mr. Chairman I welcome the imaginative....

Mr. Chairman: I will have to call the hon. Minister to reply at 4-30. I think the hon. Member will continue himself to ten minutes.

Shri D. C. Sharma: Fifteen minutes.

Mr. Chairman: As far as possible.

Shri D. C. Sharma: Look at this big book.

Mr. Chairman: For want of time.

Shri D. C. Sharma: I congratulate the hon. Minister Shri Patil on his very very, imaginative and realistic approach to this problem. But, I wonder by what law enunciated by any sacred book it has become criminal to take vegetables, fruits, and by what law it has become criminal on the part of a Government to supply its inhabitants with vegetables and fruits. I think it is very legitimate for any human being to take vegetables and fruits and it is very legitimate on the part of any Government to supply the inhabitants of the country with as many vegetables and as much fruit as they need. I think, to say things like that shows a criminal intention on the part of the speaker.

I was submitting . . .

Shri Narayanankutty Menon (Mukandapuram): No, no. After all,

there must be an intention: not criminal.

Shri D. C. Sharma: I was submitting that this Bill has been called a monumental Bill. No Bill is monumental. The results only which are produced can be called monumental.

Shri Narayanankutty Menon: On a point of order, Sir, the hon. Member has said that the speaker preceding him has got a criminal intention. Whether he meant it or not, I would like to know whether it is in order to say that an hon. Member has got a criminal intention in speaking whatever may be his original intention.

Shri D. C. Sharma: I think my friend is in an obstructive mood today. Therefore he should not be taken seriously.

Mr. Chairman: Anyhow, to use the word criminal rather casts a reflection on the Member. The use of such words may be avoided.

Shri D. C. Sharma: Sometimes I use the words with inverted commas.

The word criminal used with inverted commas loses the sting.

Shri Narayanankutty Menon: The word criminal with inverted commas becomes more objectionable. Ordinarily criminal has got one meaning. It is more objectionable when a Professor uses it.

Shri D. C. Sharma: I am submitting when I use the words with inverted commas, they lose their sting. I do not accept his view.

What I was submitting was, this Bill has been described as monumental. Bills are not monumental. Only the results which they produce after some years can be described as monumental. I pray to God that this Bill should bring about such results as may be monumental. Therefore, I call this Bill a significant Bill. It has been called a momentous Bill. I think the beginning cannot be called momentous. The Bill is significant

[Shri D. C. Sharma]

and I hope that a time passes, as we gather more strength this may become momentous. These are noble words. I hope the Bill will produce those noble results, which we all aim at.

I would say that much has been said about merchant shipping as the second line of defence. Much has been said of our country being a maritime power. I would submit very respectfully to my friends that before we learn to run, we must learn to walk. Before we call ourselves a power or before we can think that this is going to be the second line of defence, I wish that our merchant navy should be enough for the needs of our export trade, should be enough for the needs of our adjacent trade, and should be comparable with other countries so far as our overseas trade is concerned. That is the modest beginning which we are going to make. After we have got that, I will be very happy if our merchant shipping can also become a very good adjunct of our defence. I think we should not indulge in flights of imagination when we are discussing this Bill. Of course, I agree with the hon. Minister that we want our country to be a maritime country. I do not want to repeat what Shri Tangamani said, but as he said we had glorious maritime traditions, and all those traditions have suffered on account of neglect, attrition and so many other things. We want to revive our traditions.

The hon. Minister has been right in consulting the Defence Ministry, the Commerce Ministry and so many other Ministries, but I would also request him to consult the Education Ministry, because the maritime traditions of this country will not be produced by these Bills, but through education. Education must help us so that our country can become a maritime country in the real sense of the word. Mahatma Gandhi said that Indian shipping had to perish so that British shipping might live. I think

Indian shipping has got to live now so that maritime traditions may flourish again in this country. Unless we have maritime traditions, we cannot become a maritime power. People who think of power first and maritime traditions later are putting the cart before the horse. Therefore I want my country to become a maritime country. I know other things will follow. It will become in good time a maritime power and a solid adjunct of our defence forces.

Now I come to certain provisions of the Bill. I would respectfully submit that one National Shipping Board is not enough. There should be some subsidiaries at least of this Board, and there should be regional divisions. Unless we have that, the Shipping Board which is going to be advisory in its nature and which is going to look after the development of the shipping industry will not fulfil its purpose. After all, we are now attempting regional development in so many things, and I do not see any reason why we should not divide India into so many zones for the purpose of shipping, to attempt the regional development of this maritime industry.

There is a provision: "such other matters arising out of this Act as the Central Government will refer to it for advice". I think this sub-clause is very dangerous because it means that this National Shipping Board is not going to have any function in its own right. It is going to have only those functions which will be doled out to it. I would like the National Shipping Board with its regional branches to function in its own right as the custodian of the shipping policy and the shipping development and the shipping possibilities of this country.

We have been told about the development of shipping and the registration of Indian ships. I think what has been said in this Bill is a distinct

improvement on what has gone before. I believe it is a development in the right direction, and I submit that we should not quarrel about percentages. We know when we quarrel about percentages we get into trouble. What happened when we were fighting for the country's freedom? We started quarrelling about percentages and the result was disastrous for our country. In shipping we have started quarrelling about percentages, 60-40, 75-25 etc. This mathematical calculation will not lead to the development of the shipping industry. I would therefore submit that this should be left as flexible as possible. Government should decide it from time to time as the exigencies of the case require, as the necessities of the situation require. Government should be left free to decide it.

On the one hand there is the proposition that we should keep our shipping free from foreigners. Sentimentally I am with that proposition, but when I come to think of it in terms of practical politics, in terms of our own resources, I think we should not fetter the hands of the Government by saying that we should have this percentage or that. We should try to leave the hands of the Government free. I know the national Government representing national interests is going to do those very things which will promote our country's interests, and will not do anything which will lead to any kind of disaster or any kind of ignominy to our country.

We are going to appoint a Director-General of Shipping for the purpose of exercising or discharging the powers, authority and jurisdiction conferred or imposed upon him by this Act. I would have liked the hon. Minister to tell us definitely what the functions of this Director-General are going to be. We are going to have this great authority who is practically going to be responsible for the administration of this measure. Of course it is said it would be in the rules, but the rule-making power which is given to the executive is not always to the advantage of the country. In an im-

portant and vital matter like the appointment of the Director-General of Shipping we should have been told what exactly his functions are going to be, and if he is going to be assisted by a large army of subordinate officers how the functions are going to be divided between one officer and another. We should have liked to have a complete picture of that, and I hope the hon. Minister will give a complete picture when replying to the debate. That is because I believe that the Director-General is going to be the lynch-pin of the whole thing. The National Shipping Board and everything else will revolve around this personage, and I would like to know what kind of functions this gentleman is going to discharge and how he is going to be recruited, what kind of qualifications he is going to have etc. All these things should have been given to us.

I agree that we should try to have a man of experience who has also some technical qualifications. In India what we are doing today is that even for technical jobs we have only administrative personnel with administrative experience. There may be some advantage in that, but I think for a technical job of this kind, we must have a man who is at least 60 per cent technical and 40 per cent administrative.

Shri Raghunath Singh: Again he is at 60-40.

Shri D. C. Sharma: I would say this is very essential.

A lot has been said in this Bill about the Shipping Development Fund, but when one reads it, it does not inspire much hope in the mind of anybody. Of course, there are defined sources of revenue for the Fund, but the unknown factor is only this: "such other sums as may be received for being credited to the Fund". What are these sums? Again—

"the amount of such grants as the Central Government may make for being credited to the Fund".

[Shri D. C. Sharma]

16 hrs.

All these things are unpredictable; all these things are in the region of the possible. As some of my hon. friends have said, you cannot build a big merchant navy if all these things are left vague. We want to know—of course, it is given in the Planning Commission's Report—about the provision for these things. There should have been some definite allocation for this. There should also be some provision so that we can think that the provision of loans etc. can lead us to the enlargement of this Fund in order that we can think of the future more hopefully. From what is given in clause 14, I think the Shipping Development Fund will be a fund which will lead to the development of merchant shipping at a snail's pace, at a very slow pace; it will not lead to development at that pace which all of us want and all of us are eager about.

Again, there is the National Welfare Board for Seamen. I would say that this National Welfare Board for Seamen should be a Board in the real sense of the term, namely, for the welfare of seamen. I have some experience of welfare officers working in other places, and the only welfare they aim at is their own welfare. What they do is always to go on hanging round their officers.

Fandit K. C. Sharma: Charity begins at home.

Shri D. C. Sharma: I want that it should begin at your home also.

I think that the National Welfare Board for Seamen should not be a Welfare Board in name only, but it should be a Board which is going to make the life of the seamen very attractive and very comfortable.

In the end, I would say this much: no country's merchant shipping or any other kind of shipping is built as

a result of private efforts but as a result of government subsidy. We should be very clear in our minds about this. If we think that any private company or any set of private persons can build it, we are utterly mistaken. Therefore, I would say to the Government that they should be very generous in giving subsidy and help to the shipping industry. I want that Government should give bounties or cheap loans to ship-builders; they should give subsidies or loans to shipping companies; they should employ national ships for the carriage of government owned or government-controlled cargo; they should purchase ships on government account and sell them cheaply under some kind of hire purchase system; they should appeal to shippers to use national ships; they should offer—of course, something is being done in this direction—tax concession and depreciation allowance to shipping agencies; they should also reserve as much of the coastal trade, as much of adjacent trade and as much of overseas trade for our national ships as possible.

Unless this is done, this Bill will not achieve its objective. If all these things are done, I think this Bill will become both monumental and momentous.

Shri Harish Chandra Mathur (Pali): The hon. Minister of Shipping may feel that he is in a very comfortable position because he has been listening to conflicting views on the floor of this House, arguments which cut against each other. But I think he owes an explanation to this House for the greater conflict which has taken place within his own being. The Government have gone almost into a complete metamorphosis in particular with respect to the most vital part of this Bill, regarding foreign participation.

I can understand conflict between one Member and another, but we would certainly like to be enlightened

about this conflict which has gone within the Government themselves and the reasons responsible for this metamorphosis. In these days of scientific research, we know of certain biological changes which go to change a boy into a girl and a girl into a boy. But it appears to me that a similar interesting process has gone through and Government have completely changed their complexion. I hope Government will take us into confidence and tell us what prompted them to come with the Bill as they originally came to this House and what has happened since then which has persuaded them to completely change the policy in this particular respect.

Shri Morarka (Jhunjhunu): Joint Committee.

Shri Harish Chandra Mathur: I think it would be only legitimate for the Members of this House to presume that it is the Joint Committee. Of course, the Joint Committee was an absolutely independent body of the Members of this House and the other. They had their view, but it is obvious that the attitude of the Government has undergone a complete change in this respect and this complete change on the part of Government had to a very great extent, if I may be permitted to say so, influenced the decision of the Committee.

I am not, as a matter of fact, committed to any view in this respect. Also, I have not the least doubt in my mind that Government were all the time prompted by the best of national interest. It would be a cruel joke on the part of any Member of this House to say that they had sabotaged national interests and had opened the floodgates of foreign participation. Maybe, they had provided for such foreign participation, but even such foreign participation, I am sure, was with a view to help in the development of our national economy; the very best of the interests of the country was at their heart. Nobody on

the floor of this House will so presumptuous or unreasonable as to impute any motives to the Government in this respect. But certainly the Government owe an explanation to this House and we are entitled to know the story of this complete transformation.

As a matter of fact, we have listened in the Joint Committee to the evidence of very responsible persons for whom we have respect. I do not want to say anything which may be considered disparaging to the personality of the individuals who were good enough to appear before us. But having said that, I have also no doubt in my mind that, as in this House, the evidence is also very sharply divided. It is not a very happy thing that ever since this Bill was published and made known to all people a sort of vicious propaganda and, I am unhappy to have to say, undignified lobbying, started canvassing different viewpoints—though it must be said that everyone who talked was talking in the best national interest. Those who wanted foreign participation said that they wanted it because it was necessary in the best national interest; those who wanted to shut out foreign participation always made out a case that they were doing so in the best national interest, because foreign participation will not be in the interests of the country and it will bring the foreigner in a very basic industry and an industry of a special character. So many ghosts were raised before us about this foreign participation. Effort was made to frighten us about the situations which might develop in international conferences. We examined all these matters and have come to the definite conclusion that participation will have no such disadvantage and with the safeguards which we have provided in the Bill there is absolutely no danger to the national interests.

Of course, we would not like foreign participation to come until and unless it is very necessary or is wanted in the best interests of our country. I would like to understand from the hon. Minister how is it that he feels

[Shri Harish Chandra Mathur]

now that foreign participation is not necessary.

When we started discussing this Bill, our difficulty was about foreign exchange. But it is not only foreign exchange that is so very difficult but if we give any credence to the latest reports . . .

Mr. Chairman: The time is short and very limited and I would request the hon. Member to conclude soon.

Shri Harish Chandra Mathur: Sir, I will rush from point to point in 5 minutes' time.

Shri Nath Pai (Rajapur): That will be slippery.

Shri Harish Chandra Mathur: If we give any credence to the latest reports from the Planning Commission, it is about our internal resources that we are in difficulty. What about our internal resources so far as this industry is concerned? I am not interested in whether we are going to have any foreign participation or not; I am not interested in whether we are going to give authority to the private sector or not. But, it is of the utmost importance to every Member of this House to know, in view of the latest assessment of our internal resources by the Planning Commission, how we are going to fulfil not only the belated targets which ought to have been fulfilled much earlier, but going to have much more. Therefore, I wish some light is thrown on this subject.

I do not want to say anything against those people who are already in the trade. They have done their very best. We are prepared to give them credit; they have rendered some national service; pioneering work has been done. Of course, nobody will deny this—and they themselves will not deny this—that they did it for their own personal interests and for their personal profit as well.

We have already accepted mixed economy. We do not want to shut out

private enterprise altogether. I do not speak of nationalisation. I only wish that Government should take the opportunity which is before it now and have a sort of a Corporation in the public sector which will give a real fillip to this industry. I say this because of the context in which we find ourselves. There are very good reasons to permit foreign participation in a larger measure. But, if for any reason, we are not going to allow foreign participation, at least there should be no reason why we should not float a Corporation.

Again the question will be raised, what about our internal resources. But there are circumstances when we can get good loans, when we can get good credit and there is slump in the shipping and ship-building industry. We can take the best advantage of it.

I asked the witnesses who appeared before the Joint Committee two pertinent questions. One was, 'Can you tell me whether during these 5 years any new entrant has come in?' The answer was, 'No'. Further cross-examination brought out that it would not be possible for any new entrant to come in easily. So, the same situation will be continued and no new entrant will come in and we will have to depend entirely on those people who are already in the trade. But, if the Shipping Corporation comes in and gives a great fillip to this, we may take advantage of the situation which is at present available to us.

I will touch very briefly in one minute each on two other points. I would like to refer to them purposely because I have mentioned them in my short note of dissent. I will point out something about this Development Fund. This Development Fund is nothing very satisfactory as it is at present; but maybe we are in such a weak position that we cannot afford to do better and more. I wish that we can really make a much better

use of this Fund if we do something in the public sector.

I have tabled a small amendment under clause 60 asking for the reservation of 50 per cent. of the amount of this Fund to be utilised for the public sector.

I asked another question of those witnesses whether they can tell us if we can invest our amounts in any better enterprise in the public sector than in shipping because we are getting a ready profit and we have to provide little investment to get the ships and we have got the freight in our hands. You have not got to develop your business because Government business itself will give all that is required.

In the Joint Committee also I particularly raised a strong point regarding this Shipping Board. I was very emphatic that the Chairman of the Board should be a non-official. When I was so emphatic about it, my mind was absolutely clear that this Board has got no executive duties to perform. On the floor of this House certain friends have suggested that the Director-General of Shipping has got all the powers in his hands. When you are going to have a Director-General of Shipping, he will have all the powers. He is our creation and we must trust the Director-General of Shipping. The Shipping Board cannot take away the functions of the Director-General. This Shipping Board is a much higher body and I cannot understand how my friends suggested—even such a learned friend as Shri Guha—that it was absolutely infructuous. I think the vastest powers have been given to the Shipping Board to advise on all matters and to bring its pressure to bear. By its very constitution, the Shipping Board is such that it will guide the policy and give directions on which the Director-General of Shipping will function. I do not think the Ministry can be strong enough to ignore the advice of the Shipping Board. Let

us have a little confidence in ourselves.

How can non-officials take on themselves the executive responsibility? Immediately we take that responsibility, we completely change our character, our own position. We cannot take the responsibility.

Mr. Chairman: The hon. Member will please conclude now.

Shri Harish Chandra Mathur: Just one word about the non-official chairman. Since I was very emphatic then, I owe an explanation to this House because I have revised my opinion. When I strongly advocated a non-official as the chairman of the Shipping Board, I definitely had in my mind that we will be able to give a great status to this Board by having a non-official as the Chairman. I even said that the Minister need not be the Chairman and that we want some other non-official. But the more thought I have given to this matter, the more I have pursued developments, I feel that it would not be advisable for any Member of Parliament to be appointed as the Chairman of this Board. You will see the trend in this House has always been that even on statutory bodies even in the University Senates anybody who is going to represent this Parliament must be elected by Parliament and there should be no nominations by anybody. If you introduce this system of having Members of Parliament nominated as Chairman of the Board or particular bodies, I am afraid it is going to have a demoralising effect on those who are appointed and also on those who are not going to be appointed. It is the reason why I strongly suggest that no Member of Parliament should be appointed. If you change the character of this Board and if you say that there is an element of election, then, I will have no objection to a non-official being elected as the Chairman of the Board. But, I am strongly and stoutly opposed to any Member of Parliament being appointed as the Chairman of this body or that body.

[Shri Harish Chandra Mathur]

This House has got a sovereign character and that sovereign character will be materially affected by that.

Mr. Chairman: Shri Basappa. I will ask one more speaker to speak and then call on the hon. Minister.

Shri Nath Pai: There are so many of us.

Shri Braj Raj Singh (Firozabad): Nobody spoke from my party.

Shri Raghunath Singh: Three people have spoken from the Party.

Mr. Chairman: Order, order. After Sardar Iqbal Singh, I will request the hon. Minister to reply. Mr. Basappa will finish in ten minutes.

Shri Basappa: Sir, at the outset I may say that I am at a disadvantage. Firstly, there is this time restriction. The other disadvantage from which I suffer is that my name and the name of my hon. friend Shri Dasappa sound similar and because of that also, I am at a disadvantage. It does not matter. My senior friend has spoken much about what I wanted to say. I have also gone through the evidence tendered by these eminent men before the Joint Committee and the minutes of dissent of the hon. Members. I have also listened carefully to some of the speeches made here since yesterday. I see a lot of divergence of opinion on foreign participation and the House is considering that question very seriously. I will take up this question of foreign participation a little later.

Recently we passed the Navy Bill whereby the laws relating to our military ships were framed. It is only legitimate that the Merchant Shipping Bill should also come to regulate the laws relating to merchant ships. When we are discussing such an important Bill as this, our minds go to the past glory and the adventurous spirit that our people had in the past. I do not

want to indulge in that. Since, Mr. Chairman, you are coming from that part of the country, I touched upon it. After the reorganisation of the Mysore State, it has a coastline of about 200 miles. Once upon a time the Vijayanagara Empire carried on a lot of trade with Arabia and Egypt and the interest evinced in these things by the people there is well-known.

Shri Achar (Mangalore): You could have allowed a representative from that side to speak.

Shri Nath Pai: Very good. This is the best thing you said during the whole year.... (Interruptions.)

Shri Raj Bahadur: That is the best thing that you too said.

Shri Basappa: I am sorry my hon. friend Shri Achar does not know that I am representing his point also here. Recently, we were taken to some naval exercises in the Arabian Sea. The traditional people living in the coasts would go in their small boats to distant seas and catch fish. It shows the rich tradition behind them. This kind of past glory of our mercantile shipping was almost killed during the British regime. I do not want to go into the various reasons.

The present position is that we get only six per cent. of the overseas trade. About Rs. 160 crores is being spent on freight charges and other things. If we have our own ships, we have been told that we can earn about Rs. 160 crores by way of foreign exchange and all that. So, we have to develop our own shipping. There are difficulties of foreign exchange and capital has to be raised. But this is bound to come. According to our Plan, our trade is increasing and we have to carry the goods in our own ships. Some interest is evinced in the Vizag shipyard now. There is also the talk of the second shipyard. You know the West Coast is very much

suitable to that and this will enable our mercantile shipping to prosper more. The hon. Minister told that we had taken note of the fact that it was our second line of Defence. But somehow, I could see that Shri Patnaik was not satisfied. What all he wants is not probably included in the Bill. He meant perhaps that the ships should be built in such a way that at the time of war we can make use of them for war purposes also. I have no doubt that the Minister has got this in view and that will be put into practice. When I say that the development of shipping has not progressed as much as we desire, I do not mean to say that the existing shipping interests have not played any part at all. Mr. Walchand Hirachand and others have played a glorious part. In spite of all the help given by the Government by way of a low rate of interest, $2\frac{1}{2}$ per cent., loan of 80—85 per cent. of the capital for buying a ship, 40 per cent. development rebate, etc. the performance has not been satisfactory. We have a target of 20 lakhs for Third Plan and I do not know how far we will be able to reach that. In the Third Plan we will be requiring about Rs. 300 crores for shipping—about Rs. 60 crores every year. It is not easy.

When we talk of foreign participation, we must have all this in mind. People speak of national interest and all that. Do we lose the national interest? I have got here before me the evidence tendered by no less a person than Shri Ramaswami Mudaliar. He has been Dewan of my State and he could have spoken about the national interests a little earlier to 1947. (Interruptions.) Not that I decry him. He was asked a question while giving evidence as to whether he would be willing to have the new interests come in. The reply was that they had suffered in the past. That shows the vested interest or the selfish interest of the existing shipping industry. Now, about the loan, Government has to guarantee the loan. We borrow from other countries. There

may be ups and downs in the freight rates and so we cannot guarantee such loans at all. If loans are forthcoming, it can easily be done. But it is not desirable to take loans in a large measure when these things are not in the core of the Plan.

Mr. Chairman: He should please conclude now.

Shri Basappa: In a minute, I will conclude. So, there is this sort of a monopolistic tendency which we should not allow. We have the controlling interest. Only 25 per cent. will come. Why not welcome it? That is the point which I want to stress. In this happy affair, the communists and the capitalists seem to be going together. Perhaps one thinks: let this happen here and then we can nationalise while the other says: make hay while the Sun shines. Government cannot allow such things to go on. There must be the controlling interest and foreign capital can help. That way lies the economic prosperity of this country.

Shri Nath Pai: May we make a submission? This morning, the Speaker indicated that the debate might go on, if the House agrees, till 5.30 p.m.

Shri Raghunath Singh: No, no, only till 5 P.M.

Shri Nath Pai: We were present then.

Shri Raghunath Singh: There was a suggestion, but it was agreed to sit only till 5 P.M.

Shri Nath Pai: I do not know why my hon. friend Shri Raghunath Singh should develop a fear of my speaking. Is he afraid that his arguments will be demolished?

Mr. Chairman: The understanding was that the general discussion must conclude today, and the clause-by-clause consideration should be taken up tomorrow. So, the general discussion must be over today.

[Mr. Chairman]

I shall now call Sardar Iqbal Singh, and then I shall call the hon. Minister to reply.

Shri Braj Raj Singh: May I submit that nobody has been allowed to speak from the Socialist Party? This morning, the Speaker said that the time may be extended by half an hour.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): That would include the reply of the Minister of Transport and Communications also.

Shri Nath Pal: It can be extended by half an hour, and we can sit till 5-30 P.M.

सरदार इकबाल सिंह (फ़ीरोज़पुर) :
साहिबसेवर, इस बिल पर बहुत से माननीय सदस्य अपने विचार प्रकट कर चुके हैं और जो कुछ उन्होंने कहा है उसको मैं दोहराना नहीं चाहता हूँ। मैं एक दो चीज़ों के बारे में ही अपने विचार आपके सामने रखूंगा।

सब से पहली बात जो मैं कहना चाहता हूँ वह नैशनल शिपिंग बोर्ड के सिलसिले में है। मैंने कुछ प्रमॉडमेंट्स मूव करने का नोटिस भी दिया है जिस को मैं बाद में मूव करूंगा। इसलिये उसके बारे में अधिक न कह करके दो तीन बातें ही कहूंगा। ये बातें मैं जनरल पालिसी के सिलसिले में ही कहूंगा। आप इस बिल में नैशनल शिपिंग बोर्ड बनाने जा रहे हैं। यह जो खयाल है यह बहुत अच्छा है। लेकिन जिस ढंग से आप कर रहे हैं, जिस तरह की पावर्स आप इसको देने जा रहे हैं, उस में मैं समझता हूँ कि इसको बहुत कम पावर्स दी जा रही हैं। इस सूरत में मैं समझता हूँ कि यह कई एक इफ़ेक्टिव बाड़ी नहीं होगी और न ही हो सकती है। इस बोर्ड की आपने डिवेलपमेंट के सिलसिले में प्रबन्ध कुछ प्रखत्यारात दिये हूँ। इसके साथ ही साथ आपने कहा कि इस बोर्ड को उन मामलात पर राय

देने का भी हक़ होगा जो कि इसको रेफर किये जायेंगे। मैं चाहता हूँ कि इस बोर्ड को ज्यादा रिप्रिजेंटेटिव बनाया जाय ज्यादा इफ़ेक्टिव बनाया जाय और इसको और ज्यादा पावर्स दी जायें ताकि यह अपना काम अच्छी तरह से कर सके। इसके जो प्रखत्यारात हैं उनको बसीह किया जाना चाहिये। हिन्दुस्तान में शिपिंग को सही रास्ते पर डालने के लिये इससे, मैं समझता हूँ, और कोई इफ़ेक्टिव और बेहतरनी बाड़ी दूसरी नहीं हो सकती है। लेकिन सवाल यही है, कि इसके प्रखत्यारात को बसीह किया जाये।

आपने नैशनल डिवेलपमेंट फंड भी बनाया है। यह जो खयाल है यह ठीक है। लेकिन मैं कहना चाहता हूँ कि जिस तरह से बाकी फंड काम करते हैं उसी तरह से कहीं यह फंड भी काम न करे, इस तरफ आपका ध्यान जाना चाहिये। कहीं ऐसा न हो कि इसका चेयरमैन या इनचार्ज ही मुकर्रर न हो, और अगर वह मुकर्रर हो, तो कमेटी न बने और अगर कमेटी बने तो एक साल या दो सालों तक इसके रूल ही न बनें। मुझे शक है कि जिस तरह से दूसरे फंड चलते हैं उसी तरह से कहीं यह फंड न चले। इसमें कहा गया है कि ग्राडिटर जनरल जिस वक्त चाहेगा, जितने सालों के लिये चाहेगा, और जितने सालों के बाद चाहेगा, रिपोर्ट देगा। हो सकता है कि पांच पांच साल के बाद रिपोर्ट प्राये। इस सिलसिले में मैंने प्रमॉडमेंट भी दी है और मैं आशा करता हूँ कि उस पर गौर किया जायेगा और उसमें मैंने चाहा है कि इस बोर्ड को ज्यादा इफ़ेक्टिव बनाया जाये और हर साल बोर्ड की जो रिपोर्ट है, वह पार्लियामेंट के सामने प्राये ताकि हमको तथा देशवासियों को पता लगे सके कि शिपिंग के सिलसिले में क्या कुछ हो रहा है, कितनी प्रगति हो रही है और क्या कुछ किया जाना चाहिये।

हमारे मुल्क में एक तो डिबलेपमेंट का सवाल है और दूसरा सवाल यह है कि जो डिबलेपमेंट हो रही है वह बहुत धीमे हो रही है, बहुत आहिस्ता हो रही है। जो लोग इस प्वाइंट प्राफ व्यू से डिफर करते हैं उनके बारे में मैं कुछ नहीं कहना चाहता हूँ। हो सकता है कि उनका व्यू ठीक हो और यह भी हो सकता है कि जो दूसरों का व्यू प्वाइंट है वह दुस्त साबित हो। लेकिन एक बात जरूर है कि जो प्रगति हो रही है वह बहुत आहिस्ता आहिस्ता हो रही है। हमने देखा है कि पिछले सालों में चिपिंग इंडस्ट्री की डिबलेपमेंट बहुत ही कम हो पाई है। जो टारगेट सन् १९४७ के रेजोल्यूशन में मुकर्रर किये गये थे उनको पूरा नहीं किया जा सका। वे सब स्वाब बन कर रह गये। इसके बाद पहले प्लान में जो टारगेट रखे गये थे वे भी पूरे नहीं हो सके। दूसरे प्लान में अब जो टारगेट रखा गया है, उसमें भी शक है कि वह पूरा हो सकेगा। इस वास्ते सब से जरूरी बात यह है कि इस देश में ज्यादा से ज्यादा जहाज भ्रायों और ज्यादा से ज्यादा फारेन ट्रेड हमारे जहाजों में हो। इस पालिसी के साथ और उस पालिसी के साथ जो कि इस बिल में रखी गई है अगर आप चले तो धायद आप टारगेट को अचीव कर लें। आपने बिल में कहा कि ७५ परसेंट इंडियन कैपिटल हो और २५ परसेंट बाहर का कैपिटल हो। मैं समझता हूँ कि इस स्कीम को लागू करके धायद आप कामयाब नहीं हो सकेंगे। यह मैं पिछली तारीख के आभार पर कह रहा हूँ। अगर आप यह देखें कि पिछले सालों में कितने जहाज खरीदे गये हैं और दूसरे लोगों ने कितना कैपिटल लगाया है तो इसकी पुष्टि हो जायेगी। आप जहाज खरीदने के लिये कर्जा लेने की भी बात करते हैं और इक्विटी कैपिटल उनको लगाने की इजाजत भी देते हैं। कर्ज लेने की आपने कोशिश की है और कम से कम जहाज खरीदने के लिये तो हिन्दुस्तान को बाहर से कर्जा नहीं

मिल सका है। जहाँ तक इक्विटी कैपिटी का संबंध है, इसको आप कम से कम अगर परसेंटेज बेसिस पर करेंगे, तो शायद कुछ कैपिटल आपको मिल जाये और हो सकता है कि आपको उस सूरत में कम कर्जों की जरूरत पड़े। इस तरह से शायद आपकी जरूरत पूरी हो जाये। ऐसा करने से आपका जो ठनेज का टारगेट है वह शायद पूरा हो जाये। अगर यह भी नहीं हुआ तो कम से कम एक ऐसा माहौल पैदा हो सकता है, ऐसा वायुमंडल पैदा हो सकता है कि ज्यादा लोग हिन्दुस्तान में चिपिंग के फील्ड में इनवेस्ट करने के लिये तैयार हों।

अगर आपको कर्जा नहीं मिलता है तो आपके पास कौन सा चारा है, इस पर भी आपको विचार करना है। कर्जों में आपको गारंटी भी करनी पड़ती है। चिपिंग एक इंटरनेशनल एंटरप्राइज है। इस पर गारंटी भी आसानी से नहीं की जा सकती है। एक जहाज जो आज बीस लाख का लिया जाता है उससे हो सकता है उतना ही प्राफिट कल न हमको मिले जितना आज मिलता है—फ्रंट रेट्स कम हो सकते हैं, हिन्दुस्तान में ही नहीं बल्कि दुनिया के हालात के मुताबिक। हो सकता है कि जब प्राफिट ज्यादा न रहे तो आप लोन को रिटर्न न कर सकें। हिन्दुस्तान की जो फारेन ट्रेड है या जो कोस्टल ट्रेड है, हो सकता है वह टारगेट अचीव करने के बाद भी बहुत अधीक न हो। इस वास्ते इन दोनों बातों में आपको कम्प्रोमाइज करना होगा। आपको देखना होगा कि हिन्दुस्तान में ही ज्यादा जहाज खरीद सकने की ताकत हो और साथ ही साथ लॉस को रिपे करने की ताकत हो। आपको इसे भी ध्यान में करना होगा कि जहाजरानी के कुछ बेहतरीन साल थे। एक साल तो वह था जब कोरिया की लड़ाई हुई थी। उसके बाद स्वेज का ब्लाकैड हुआ। ये दोनों साल जहाजरानी के प्वाइंट प्राफ व्यू से बेहतरीन साल थे। अब उसके बाद इंटरनेशनल मार्किट में डिप्रेसन

[सरदार झकबाल सिंह]

भाया है। जो जहाज पहले ३७ लाख में मिल सकता था आज वही २०-२५ लाख में मिलता है। इंटरनेशनल ट्रेड में आज डिप्रेशन भाया हुआ है, इस लिये आप यह भी कह सकते हैं कि धायद आप को जहाज सस्ते मिल जायेंगे। लेकिन सस्ते जहाजों के साथ आप का वर्ल्ड कम्पटीशन होगा। इसके साथ ही यह है कि हमने हिन्दुस्तान में तीन रिफाइनरीज लगाई हैं। उनके लिये आप को टैंकस की जरूरत होगी। शायद वह आप दूसरे देशों से न खरीद सकें। एक घोर तो यह कम्पटीशन की स्पिरिट पैदा होती है। पहले तो लोगों को लोन दिया जाता है, फिर कहा जाता है कि सस्ता लोन दिया जाय। कहा जाता है कि ट्रेड एग्रीमेंट्स ठीक से किये जायें। यह ठीक है कि ट्रेड एग्रीमेंट्स ठीक ढंग से किये जायें। लेकिन इस के बावजूद सवाल यह है कि अगर हमारे पास टनेज नहीं होगा तो फारेन एक्स्चेंज नहीं आ सकेगा। फारेन एक्स्चेंज नहीं आ सकेगा तो हमारे लिये घोर भी बहुत तरह की दिक्कतें हो सकती हैं। मैं यह कहना चाहता हूँ कि अगर आप के पास रुपये की कमी है तो जहां से रुपया मिल सकता है, जिस इंडस्ट्री के पास सर्प्लस रुपया है, उनसे रुपये लेकर आप जहाजों को क्यों नहीं लेते? आज सेकेंड फाइव इयर प्लान में बहुत से ऐसे काम हैं जिन को हम रुपये की कमी के कारण नहीं कर रहे हैं। जहां से रुपया मिल सकता है वहां से हम रुपया नहीं लेना चाहते और जहां से नहीं मिल सकता है वहां से लेना चाहते हैं। यह भी कहा जाता है कि यह हमारा सेकेंड लाइन प्राफ डिफेंस है। मैं तो आप से पूछना चाहता हूँ कि जब जंग हुई तो फ्रांस के पास कितने जहाज थे। यहां भी लोगों ने कहा है कि हमें जहाज ऐसे बनाने चाहिये कि उनको हम बरत पड़ने पर जंगी जहाजों में तब्दील कर सकें। यह चीज जंग के नक्शे के मुताबिक है उस के माहोल के मुताबिक है। हम इस को सेकेंड लाइन प्राफ डिफेंस

तो कहते हैं, यहां पर भी हम ने इस को सुना लेकिन आज के जमाने में नेवी बिल्कुल ग्राम्बोलीट हो चुकी है। आज जो भी प्वाइंट आफ व्यू सामने रक्खा जाय लेकिन यह ठीक है कि मर्चेंट नेवी के भलावा जो दूसरी नेवी है वह भी ग्राम्बोलीट साबित हो सकती है।

Shri Naushir Bharucha: Are we sitting till 5.30 p.m.?

Shri Braj Raj Singh: May I submit a word? We have been discussing this Bill for about eight hours or so, and nobody has been allowed to speak on behalf of my party, namely the Socialist Party. We have got a definite point of view to place before the House, and it is there in the minute of dissent also. Therefore, I would request that I should be allowed to speak for about ten minutes. This morning, the Speaker was also pleased to say that if the House so wished, the time could be extended till 5.30 p.m. I want only ten minutes.

Shri Nath Pai: If we speak, the Minister will get the benefit of some more opinions. He will be the beneficiary if there are more speakers.

Shri Naushir Bharucha: The Speaker was pleased to say that if the House wished, it could sit till 5.30 p.m.

Mr. Chairman: I want to know how long the House is willing to sit.

Shri Nath Pai: Till 5.30 p.m. In the interests of such a Bill as this, we are prepared to sit as long as you want. After all, we have been sent here to sit and work. So, why should we shirk?

Shri C. K. Bhattacharyya (West Dinajpur): Sir, we have heard so

many speeches on shipping that by this time everyone of us has almost become half shipping experts. Let the debate be concluded now.

Mr. Chairman: According to the earlier understanding the hon. Minister was to be called at 4.30. I think I must call the hon. Minister now to reply to the debate.

Shri Nath Pai: Let us know, Sir, if the Minister agrees to our proposal to sit till 5.30? May we know if he has any objection to it?

Shri Braj Raj Singh: As a matter of fact, Sir, a definite point of view is to be put forward by me on behalf of my party. I have not been allowed to speak at all.

Mr. Chairman: We are not concerned with individual Members.

Shri Braj Raj Singh: I am representing my party here. Here we are concerned with parties and not Members.

Mr. Chairman: I think enough time has been devoted for the general discussion on this Bill. I now call upon the hon. Minister to reply.

Shri Braj Raj Singh: Then in protest, Sir, I must walk out. (*Interruption*). I was to put forward a definite point of view.

Mr. Chairman: Order, order. I have called the hon. Minister.

Shri Jagdish Awasthi (Bilhour): Sir, I also walk out.

Mr. Chairman: Order, order. Let us come to an understanding. How long will the discussion go on, and when should I call the hon. Minister to reply?

Some Hon. Members: We will sit till 5.30.

Shri S. K. Patil: I think immediately after Shri Braj Raj Singh I will reply to the debate.

Shri Nath Pai: Are we to threaten to walk out to be given a chance to speak?

Mr. Chairman: The House is not concerned with 'walk-outs'; that is the concern of individual Members.

Shri S. K. Patil: I do not want that at the end of a good debate anybody should walk out; they should all walk in.

Mr. Chairman: We are to sit till 5-30. The Minister will perhaps require at least 40 minutes. Therefore, after Shri Braj Raj Singh I will call upon the hon. Minister to reply.

Shri S. K. Patil: If after Shri Braj Singh I am called upon to reply I will have enough time to speak.

Shri V. C. Shukla (Baloda Bazar): Sir, are we going to allow Members to speak in this House under the threat of 'walk-out'?

Shri Nath Pai: That amounts to insulting the Chair.

Mr. Chairman: Let there be no more reference to 'walk-outs'. Shri Braj Raj Singh.

श्री बजरज सिंह : सभापति महोदय धरब राष्ट्रों में क्रांतिकारी भावनायें पैदा हो रही हैं। स्वेज संकट के समय जो बातें दिखाई दीं वे भी हमारे सामने हैं। ऐसे वक्त हमारी गवर्नमेंट की तरफ से एक ऐसा बिल आया है जिसमें विदेशी पूंजी का निमंत्रण है। २५ परसेंट के एक्सटेंट तक निमंत्रण है। मैं सोचता हूँ कि यह बहुत ही दुर्भाग्यपूर्ण समय है। हमने देखा है कि किस तरह धरब राष्ट्रों में विदेशी पूंजी ने वहाँ की राष्ट्रीयता को कुचलने की कोशिश की है। मुझे खतरा है कि हम जिस तरह से विदेशी पूंजी को निमंत्रण दे रहे हैं, उस इंडस्ट्री में जिसको खास तौर से देश की रक्षा की दूसरी पंक्ति कहा जाता है, उसमें विदेशी पूंजी को निमंत्रण

[श्री बजर्राज सिंह]

दे कर हम भविष्य के लिये खतरा मोल ले रहे हैं। मैं मानता हूँ कि निकट भविष्य में हमारे लिये सड़ाई का कोई खतरा नहीं है। लेकिन फिर भी एक खतरा हो सकता है कि हमारे देश में पहले से जो विदेशी पूंजी मौजूद है और जो हमारे देश के नागरिकों का शोषण कर रही है वह चलता रहे। उस शोषण को देखते हुये हम इस मौके पर क्या यह उचित समझेंगे कि और विदेशी पूंजी को यहां पर नियंत्रण दें। कहा गया कि इसमें सिर्फ २५ प्रतिशत उनके डाइरेक्टर होंगे, वे सिर्फ २५ फी सदी हमारी नीति को इम्प्लूमेंट कर सकते हैं। लेकिन प्रश्न केवल इतना ही नहीं है। हम सब जानते हैं कि देश में इस समय पूंजीपतियों के दो गुट हैं। एक तरफ हमारे देश के पूंजीपतियों का गुट और दूसरी तरफ विदेशी पूंजीपतियों का गुट। ७५ फी सदी पूंजी में हमारे देश के पूंजीपतियों का हिस्सा होगा। एक समय आ सकता है कि जब वे पूंजीपति विदेशी पूंजीपतियों से मिल कर हमारे राष्ट्र की नीति के खिलाफ काम करें। मैं निवेदन करना चाहता हूँ कि हम इस चीज पर गम्भीरता से विचार करें। हम विदेशी पूंजी को ही अपने देश में नियंत्रण नहीं दे रहे हैं, बल्कि अपने मुल्क में एक ऐसे उद्योग में उनको बुला रहे हैं जिसको हम रक्षा की दूसरी पंक्ति कहते हैं। भले ही हम उनको दूसरे उद्योगों में हिस्सा देने को सहन कर सकें, लेकिन रक्षा की दूसरी पंक्ति में विदेशी पूंजी को सहन करने का मतलब होगा कि हम अपने देश के लिये खतरा ही नहीं पैदा करेंगे बल्कि उनके शोषण को भी बढ़ावा देंगे। एक तरफ तो हम राष्ट्रीयकरण की तरफ बढ़ रहे हैं, समाप्तीकरण की तरफ बढ़ रहे हैं, दूसरी तरफ हम विदेशी पूंजी को बढ़ावा देना चाहते हैं। आज वक्त आ गया है, कि हमें चाहिये कि हम अपनी मर्चेन्ट नेवी को पूरी तरह से नेशनलाइज कर दें। और यदि उसका राष्ट्रीयकरण नहीं हो सकता है तो हम कम से कम उसको एक पब्लिक निगम

के हाथ में दे दें। हमारे यहां जो शिपिंग इंडस्ट्री है, मर्चेन्ट नेवी में जो उद्योग-पति हैं, उनको हमने कितना कर्ज दिया है। ८०, ८५ प्रतिशत और कहीं कहीं पर तो ९० प्रतिशत तक दिया गया है। सरकार विदेशों से कर्ज लेती है सबा ६ प्रतिशत पर, मुल्क से लेती है सबा चार प्रतिशत पर, लेकिन इन उद्योगपतियों को कर्ज देने जा रही है ३ प्रतिशत पर। मैं निवेदन करना चाहता हूँ कि जब ऐसी स्थिति है, जब हमारे अपने स्वर्ज के लिये पया चाहिये, जब हमें रुपया चाहिये ताकि हमारा उद्योग पनपे, ऐसी सूरत में यह कहां तक उचित होगा कि हम इस उद्योग को प्राइवेट पूंजीपतियों के हाथ में बनाये रखें, चाहे वे देशी पूंजीपति हों या विदेशी। यहां जो चर्चा चल रही है उससे लगता है कि यहां पर दो गुट हैं, एक गुट चाहता है कि देशी पूंजीपतियों का उत्थान हो, दूसरा जो वर्ग है वह समझता है कि देशी पूंजीपतियों के ज्यादा आने से उनकी मोनोपली नहीं रहेगी। वह चाहता है कि विदेशी पूंजी भी आ जाये।

श्री रघुनाथ सिंह : हम लोग दोनों को चाहते हैं।

श्री बजर्राज सिंह : इन दोनों को लड़ाई में हम अपने मुल्क के फायदों को, मुल्क के नागरिकों का जो उत्थान है, उसको नहीं रख सकते। कहा जाता है कि हमारे मुल्क का डेढ़ सौ करोड़ रुपया फ्रेट में चला जाता है। जैसे जैसे मुल्क का उत्थान होता है, वैसे वैसे हमारा व्यापार दूसरे देशों से बढ़ता जाता है। जैसे जैसे मुल्क का व्यापार बढ़ता है, वैसे वैसे यह रुपया बढ़ता ही चला जायेगा। ऐसी स्थिति पैदा हो सकती है कि यह डेढ़ सौ करोड़ के बजाय दो सौ करोड़ हो जाय, दो सौ करोड़ से बढ़ कर ढाई सौ करोड़ हो जाय। यानी इस तरह से जो पया आप पैदा करेंगे उसे आप पूंजीपतियों को दे देंगे।

इसी रुपये से आप इस उद्योग को आगे बढ़ा सकते हैं और वह चलता चल सकता है।

अब सवाल यह उठता है कि क्या आज मुल्क में इस प्रकार के साधन हैं जिससे कि हम इस उद्योग को पनपा सकते हैं। मैं निवेदन करना चाहता हूँ कि साधन पैदा करने से हो सकते हैं। इस मुल्क में ऐसी स्थिति पैदा हो सकती है कि जिस उद्योग में हम आज पिछड़े हुये हैं उसमें बहुत आगे बढ़ जायें। सात साल के अन्दर हमारे शिप्स और हमारे जहाज इतने बढ़ जा सकते हैं कि हम दूसरों पर निर्भर न करें। क्यों नहीं ऐसे साधन पैदा किये जा सकते? मुख्य कार्य यह है कि हम लोगों को बतायें कि वे अपनी पूंजी निकालें। हमें मुल्क के लोगों के पास से धन निकालना चाहिये।

वह धन आकर हमारी इंडस्ट्री में लगे, जहाजरानी के उद्योग में लगे। इस तरह की भावना आज देश के नागरिकों में फलाने की जरूरत है ताकि हमारे देशवासी शिपिंग के व्यवसाय को उन्नत करने के लिए अपना पैसा दें और हम उसका कार्य सुचारू रूप से चलाने के लिए पब्लिक निगम बनायें, एक कारपोरेशन बनायें। हम उसके लिए कर्जा लें और जहां तक मैं समझता हूँ बहुत आसानी से वह कर्जा लिया जा सकता है। अब इसके लिए यह बात कही जा सकती है कि हम अपनी दूसरी पंचवर्षीय योजना को सफल बनाने के लिए मुल्क से कर्जा नहीं ले पाते हैं और जिसके कि कारण आज हमारे मुल्क में संकट की लहरसी आ रही है। लेकिन हम जानते हैं कि यह संकट जो आ रहा है यह सरकार की गलत नीतियों के कारण से आ रहा है मुल्क में पैसे की इस रूप में कमी नहीं है जैसा कि स्थाल किया जाता है क्योंकि जिस देश ने आजादी प्राप्त करने के रास्ते में इतनी कुर्बानियां कीं और जिस देश के नागरिकों ने अन्नकों कठिनाइयां झेल कर और कुर्बानियां

देकर इस मुल्क की आजादी प्राप्त की, वे राष्ट्र निर्माण के लिए सब कुछ कर सकते हैं लेकिन सवाल तो यह उठता है कि आखिर हम कुर्बानी करें तो किस के लिए करें? क्या हम यह कुर्बानी उन थोड़े से देशी और विदेशी पूंजीपतियों के लिए करें जो कि मिल कर इस काम को चलाना चाहते हैं? जब यहां के लोगों को इस बात का विश्वास हो जायगा कि इसमें मदद करना और अपना योग प्रदान करना राष्ट्र की और देशवासियों की भलाई करनी है तो वे सहर्ष इसमें अपना योग प्रदान करेंगे और इसको उन्नत बनायेंगे। इसलिए आज आवश्यकता इस बात की है कि सरकार इस विषय में एक निश्चित नीति निर्धारित करे। हम साफ़ तौर पर यहां यह कहें कि मर्चेंट शिपिंग में कर्टई प्राइवेट उद्योगपतियों का कोई हाथ नहीं रहेगा चाहे वे देशी उद्योगपति हों या विदेशी उद्योगपति हों। इसका समाजीकरण होगा, अथवा राष्ट्रीयकरण होगा और इस व्यवसाय को सरकार अपने हाथ में लेकर सुचारू रूप से इसका संचालन करेगी। अगर सरकार इसको अपने हाथ में नहीं ले सकती तो कम से कम एक पब्लिक कारपोरेशन बना कर उसके जरिए यह काम किया जाय। फिर हमारे सामने जो दूसरी दिक्कतें हैं चाहे वह रुपये की दिक्कत हो और चाहे किसी और तरह की दिक्कत हों, उन सब को हल किया जा सकता है। जब तक इस तरह की कोई एक निश्चित नीति नहीं बनती है और वही डिलमूल नीति चलती रहती है कि विदेशी पूंजी १०० फ्री सदी हो, ७५ फ्री सदी हो, ६६ २/३ हो या ५१ फ्री सदी हो, जब तक इस तरीके की गड़बड़ चलती रहेगी तब तक यह शिपिंग व्यवसाय ठीक से चलने वाला नहीं है। मुझे मालूम है कि मुल्क के देशी पूंजीपति इस बात के लिए बहुत दबाव डाल रहे हैं कि किसी तरीके से उनका शिपिंग इंडस्ट्री पर एकाधिकार बना रहे और विदेशी पूंजीपतियों को कोई हिस्सा न मिल जाय जब कि कुछ लोगों को यह राय है और मांग है कि राष्ट्र

[श्री बजराम सिंह]

के उत्थान के लिए और शिपिंग इंडस्ट्री को उन्नत करने के लिए हमें विदेशी पूंजी को निमंत्रण देना चाहिए। मैं समझता हूँ कि यह दोनों ही बातें खतरनाक हैं। मैं तो चाहता हूँ कि शिपिंग इंडस्ट्री के काम को चलाने के लिए पब्लिक कारपोरेशन बनना चाहिए अथवा उसका राष्ट्रीयकरण होना चाहिए और इसके अलावा शिपिंग जिसको कि रक्षा की दूसरी पंक्ति कहा जाता है उसकी सुरक्षा ग्राप कर नहीं सकते।

Shri S. K. Patil: Mr. Chairman, Sir, I am grateful to the hon. Members of this House for the very keen and live interest that they have taken in this very vital subject—our mercantile marine. As I said while moving the motion for consideration of the Bill, for the first time in the history of our free country we are opening a register of our own ships. That in itself is very significant and very important and that should enthuse all right-minded persons. I must not take the time of the House by dealing with emotional sentiments. I shall immediately come to the criticism that has been offered.

Criticism, by and large, has been constructive and has been if I may say so, motivated by one single objective that India must have its national shipping as big and as formidable as possible. Therefore, I attribute no motives, no matter from what quarters those criticisms arose, and I shall very objectively reply to several points of criticism that have been raised.

First and foremost is the amendment of my hon. friend, Shri Tridib Kumar Chaudhuri, which is to be voted first, because he wants that the Bill should be recommitted to the Joint Committee on account of the several defects that he has pointed out and the fact that the functional and executive authority should have been vested in the National Shipping Board that we are providing for in this Bill. He

knows very well that when the Bill came first before the House, there was no mention of any National Shipping Board. There were emotions in the country, and very naturally indeed, that when the shipping is expanded, it shall not be the sole prerogative of the Government or any officer appointed by the Government, but possibly the shipping policy should be shaped in a representative character by representatives of this country, of this country or outside. That sentiment was rightly expressed and the Government saw that it was their duty to respond to that sentiment, because thereby we shall make a beginning in regard to the ultimate objective which hon. Members have got in view.

Hon. Members must remember that just as shipping cannot be built in a day, even the functional and executive authority of shipping cannot be built in a day. That also requires experience and some time must elapse. Possibly with efflux of time, after five or ten years, when we have built up our shipping, when we know how to conduct shipping, a time may come when we may have an authority of that character, not of one man, but of a board of that description. But a beginning has to be made and that has been done. I assured the House and I repeat that assurance once again that it is the desire of Government that in all policy matters affecting the mercantile marine, the advice of the National Shipping Board will be accepted. Therefore, they need not think that because it is an advisory body, it will not be effective. Very very unfortunate expressions were used, that it is an impotent and useless body which should not have been created at all. All those misapprehensions will be really laid at rest when they know what exactly we propose to do, so far as this National Shipping Board is concerned.

A lot of meaning was given to it, which really is not conveyed by the actual words. My hon. friend, Shri

D. C. Sharma, who made a very nice contribution to this debate—I hope he is attentive—referred to clause 5 of the Bill like a professor, who concentrates on a particular thing, being thoroughly oblivious about things which are round about. He referred to sub-clause (b) which says:

“on such other matters arising out of this Act as the Central Government may refer to it for advice.”

He does not know that there is a sub-clause (a) also to that clause. Therefore, the meaning of it is this. I do not want merely to score a point against my hon. friend. But I may point out to the House that although the words used may be few, they are very significant words in sub-clauses (a) and (b). Mere words do not mean much. Sub-clause (a) says:

“The Board shall advise the Central Government on matters relating to Indian shipping, including the development thereof.”

That means that in regard to everything that comes within the purview of this Act, it is the right of the National Shipping Board to frame the policy and advise either the D.G. Shipping or the Government accordingly. By convention and by practice—I hold out that assurance on the floor of this House—we shall make it a practice that the opinion given by such a representative influential body generally will be accepted by Government for all purposes. Sub-clause (b) says “on such other matters arising out of this Act as the Central Government may refer to it for advice”. There are some matters which *suo motu* the Board can take up—all those matters which are provided in 481 clauses; all of them will be sections of the Act, when the Bill finally gets the assent of the President. But those things which the Board cannot take up *suo motu*, they are within the competence of the Government. In those cases Government, under sub-clause (b) want to make

another offer to the Board. Even when the matters are not hundred per cent. within the scope of this Bill, even when the matters are outside the purview of the Bill, we shall send them for the consideration of the Board. Therefore, it should not be thought even for a moment that because Government wanted to create some kind of board in order to satisfy the nation, and, therefore, they have done it. Our purpose is that the Board should be the precursor to the future boards. What we envisage is to give a lot of experience to this board, and that is why this section has been introduced.

Therefore, I do not agree with my hon. friend, Shri Tridib Kumar Chaudhuri, who wants the recommittal of this Bill to the Joint Committee for that purpose alone. We are very anxious that it should be enacted into law, so that we shall start our register as early as we can, so that next time I shall have the proud privilege to come here and say that so many Indian ships have been brought on the national register of India. That exactly being the case, I do not want that this kind of dilatory tactics like the recommittal of the Bill to the Joint Committee should be resorted to.

Having disposed of that, now let me come to the other points that have been raised. Now a lot has been said,—out of the 23 speeches that have been delivered, I think about 20 of them—about 25 per cent and 75 per cent, and the Government has been blamed. My hon. friend, Shri Parulekar, whom I know for many many years—he was in another Legislature for ten years—an able parliamentarian as he is, when he found that there is nothing in the Bill that can find fault with, he went to the old Bill, because something must be done and some obstacle must be placed against the Government; he went to the old Bill. If you cannot run a live horse, then try it with a dead horse. That is why my hon. friend came and said: why such a retrogressive measure is being enacted? He used all adjectives and

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accused the Government. Now I am not here in defence of the Government. It is a dead horse anyhow. Nobody can run it.

Shri Nath Pai: Who is the dead horse?

Shri S. K. Patil: The old Bill. The hon. Member seems to be very anxious to run away with it. What I am telling is this, though many people asked: did Government realise the implications of clause 12 of the Bill and all that, to which my hon. colleague has adequately given a reply. I can further add one thing. It was not for any developmental or promotional purpose or anything that Government brought in this clause. It was merely for the sake of bringing the ships on the Indian register that particular provision was made. Now, it may be wrong.

But may I ask you another question, and that is the additional reason that I am giving. Now I cannot run away saying that I was not responsible for this, for Government is a continuous thing, no matter what Minister was in charge of a Bill at a particular time. Now supposing there is a ship which belongs hundred per cent to somebody. For the matter of argument, let us say it comes into the Indian register. Now, do you know what is the meaning of coming on the Indian register? Not only has it to fly the Indian flag, but it will be subject to the Indian laws; everything. That means that whatever profit it makes, it will be here in this country. They will have to pay 14 annas or 13 annas in the rupee, whatever may be the rate. It has got to do whatever the Government of India or the D. G. Shipping, ordians for it. All these conditions are to be satisfied. If a fool, if I may use that word, if he, in spite of all these conditions, wants to come on our register, I cannot really understand what type of a man he is. If I am calling him a fool, if there is any

prospective man who really wanted to come in that fashion please do not misunderstand me.

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What I am telling you is this that if anybody who was the draftsman of that particular clause heard that along with other privileges that we have got, viz., developmental, promotional, that we want to give money etc.,—we are not giving it, we merely say that such a man comes on the Indian Register and subjects himself completely, hundred per cent, to the Indian laws of shipping, subjects himself to the financial laws of the country and subjects himself to all the prohibitive laws that from time to time we shall promulgate in order to regulate our Indian shipping then what is wrong? Where is anything wrong in it? I do not understand it. In the end and in the balance of things we ultimately decided that it should not be so, but why should anybody come and say that if such a provision did exist before, it was retrograde provision, it was a bad provision, it was some kind of a concession that was given to the capitalists and all that kind of things? Where do all these fanciful ideas come into this argument? I do not understand it at all.

Now, having said that what is the trouble? You ask me, "Why this 25 per cent and 75 per cent?" Many people may have made it a kind of romantic thing, that there is something about this 25 and 75 per cent, that there is something very unholy, something which is inside and which they did not understand. I shall explain it. There is nothing romantic about it. There is nothing holy or unholy about it. As was already partly explained by one of the speakers, Shri Barman, who was the Chairman of the Joint Committee, it so happened in 1947 that when we formulated our national

shipping policy many people who were not nationals of India—by that I mean Pakistanis and not the Englishmen and the Americans—held some shares in some of our shipping. It was difficult then and it will be difficult for another ten to twenty years because they are still there to exclude them. Therefore if we merely make the law that unless hundred per cent shares are owned by Indians that ship cannot be brought on the Indian Register, even if there is one per cent share that is not held by an Indian, according to that definition, that ship will have to go off the Indian Register. Therefore, the question arose as to what should be the amount of symbolical representation or percentage that should be kept in order that the ship could be called an Indian ship and can be capable or eligible to be brought on the Indian Register. It was then thought that 75:25 is enough because 25 is the farthest margin. It is not that 25 per cent shares were there, but they thought that 75:25 was the fair margin. That is how the 75:25 came and not because that any capital was coming.

Many hon. friends refer to one thing. It is their stock argument that we have this provision of 75:25 and how much capital came with that 25 per cent being there. We did not expect any capital to come with that 25 per cent. It was a notional, a symbolical 25 per cent that whenever we wanted to do it, it should be 75 and 25 per cent. It was not accepted in order to attract any capital at all. Many suggestions have been made here. My hon. friend, Shri Raghunath Singh, a very very sincere friend of Indian shipping talked with emotion. The emotion with which he talked, if that can be shared by everybody, I am quite sure that in ten years' time we shall have a formidable mercantile marine. But may I tell him that these provisions in the other Acts also, wherever they exist, if I mistake not, I am talking subject to correction, that Italian Act where the provision is 66:33, out of

that 33 not one share has been taken by anybody. It is there on the statute but shipping being a very vital thing and subject to the regulation of a national country in every possible way, we can pass an ordinance by which it will make it prohibitive for anybody to have anything to do with our Indian shipping. Therefore the foreigners do not come and buy your shares or indulge in the equity capital. In the Italian Act the provision is there for 66:33, but if I mistake not nobody has taken advantage of it. In the United States of America, the provision may be for 51:49, but nobody has taken advantage of it. These provisions, as I said, are notional and symbolical provisions, merely because the hundred per cent should not be stated in the statute. Therefore, they make it like this. It has no meaning. It is not intended that any foreign capital should be attracted and so in Italy, in the United States and anywhere for that matter foreign capital has not been attracted.

Often references were made to Panama and to Liberia. They have got 4 million and 7 million tons. Do you know what they are? They are tramp ships. They are under the Panama or the Liberian flag because they have no taxes and because many people come there from anywhere. If you have got the money and if our Government and our Finance Department is kind enough to allow you to take that money outside the country, please go and buy a ship in Panama or in Liberia. They are ships which are not subject to those national laws by which shipping in India and for that matter shipping in any progressive country is governed. Therefore, to refer to Panama and Liberia, to these tramp ships, objects of convenience, and tell us that they have been able to build, is not correct. They will build up, because, there, people from all over the globe go and invest their money in Liberia or Panama ships because they can have ships which are not subject to the laws of

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taxation in those particular countries and they are free to roam in the seven seas wherever they want. Therefore, any comparison with Liberia or Panama is out of question and irrelevant when we are discussing the national shipping of this country.

You will ask, how can you reach the target. That is the fear of everybody, a very genuine fear. Those who have been the proponents of the 40:60 and so on, I really thought, had some kind of an idea that some foreigners are coming with their 40:60. May I say in all humility, even if you make 40:60 or even if you make 49:51, I think no sane man from anywhere else will come and put his capital in equity capital in shipping knowing perfectly well that it is a vital industry of the country subject to the jurisdiction of the national Government and it can be changed without any international interference overnight? Therefore, it is not expected anywhere in this world that equity capital would come.

Sometimes the argument is made, because we suffer from some kind of ideas, that because the communists say something, it must be opposed, if the capitalists say something, it must be opposed. But, it is by a strange coincidence that we have got today, because for different reasons altogether, the communists, capitalists and everybody else, and the nationalists have come on the same platform. Is it a fault? It is a good thing that they have come on the same platform. There is nothing wrong about it. It is not a question. People ask these companies which are already operating there. There are about 30; four or five may be slightly big companies. I am talking of the present shipping companies. They never brought this 75:25. The 75:25 per cent ratio was brought by the Government of India. Therefore, they clutched at it and they said that that ratio should remain. It is not that the capitalist ratio was

brought in or the communist ratio was brought in. Merely because the capitalist or somebody else said it and the communists also said it, therefore it becomes bad: nothing of the kind. What I am saying is this.

Shri Harish Chandra Mathur: May I ask the hon. Minister to refer to the evidence which was given by those who are in shipping for a long time and who are supposed to have a great knowledge of shipping? Why were they apprehensive that foreign capital will come?

Shri S. K. Patil: I may tell my hon. friend that I will refer to that. I have been Minister of Shipping for the last, may be, three or four months. But, I have been associated with Indian shipping all my life time. Therefore, I know what shipping is, what those people have said. Sometimes, there is a fear....

Shri Harish Chandra Mathur: They are all dunces.

Shri S. K. Patil: ...because there is recession in the world today. Nearly 2 million tons of shipping has been laid off. Therefore a fear has been created, an unnatural fear, which has really no legs at all. The fear is there that possibly some of those ships which have been laid off, because they have nothing else to do, may come under the cover of equity capital and they should not come. It is a far-fetched fear. There may be the fear and they have got a right to express that. I do not find fault with them.

In the interests of national shipping, I am going to ask a question of myself and every Member should ask himself. In a matter like shipping whether you call it a maritime country or a maritime power—Shri Goray says, why is Shri S. K. Patil afraid that he should not call it a maritime power—he was bold outside, but he has become a very dumb lamb inside when he sits in this House—it is because, words do not

make anybody brave or otherwise. Call it whatever way you like, I merely wanted to have a distinction between a power and a country, that we do not do it with any idea of going and attacking anybody. It is merely for our purposes of trade and commerce. That is why I used that expression: not for any other purpose.

I may say, in an industry as vital and as delicate as the shipping industry, where we want to discuss our rates, discuss other things, discuss what particular advantage we shall give to a friendly country, or what advantage we shall receive from a country, when we have got to sit in the Shipping Lines Conferences, we must speak with one voice before international opinion. At a time like that, if we have got any participation of this description, naturally you have to appoint more than one people, two or three people. You cannot always say, take capital, make them shareholders, do not give anything. Our Company law lays down that when you take any equity capital, correspondingly you have got to give some share in the administration of that company also. It is not fair, it is not honest, it is not moral for us to say: you bring the equity capital, but no director will be yours; you will have no participation whatsoever in the managing agency, and so on and so forth. It is not right. We do not want any foreign capital in the guise of equity capital to come into Indian shipping. This 75:25 is merely intended to be notional or symbolic, it does not mean anything. I as a Minister sometimes feel that if anything comes within this 25 per cent I will be very jittery, I will have to take in some directors and so on and so forth. Therefore, I will see to it that within the 25 per cent no capital comes. It is not intended that capital should come. Does my friend Shri Raghunath Singh very seriously suggest that in a matter so vital as shipping, we will allow it?

Some people say that some offers have been made, but surely if some

offers have been made to them, they can be made to the Government of India that they are prepared to come on 49 per cent participation. No such offer has been made to the Government of India or anybody in the matter of shipping. It is problematical that it may happen, though we keep our doors open. Besides, remember that we have to operate under the company law. Certain things can be done only by a two-third majority, and therefore a two-third majority is guaranteed under 75:25 because it is three-fourth and one-fourth. Therefore we have kept it because it is notional, symbolic, and in keeping with the shipping Acts of all progressive countries, and there is no danger, not even the slightest danger in accepting participation which is notional. There is no danger and that is why it was accepted.

Many people have made fervent pleas that they want to invest Government with powers. If they want they can do so. As a representative of the Government, if it were not a democratic Government, I would have been glad of the supreme confidence of the House in investing the executive with these powers. I am sure we have deserved it by our performance, and therefore it would be an unwise Minister who would not take it when there is a tendency on the part of the hon. Members to invest the executive with part of the power which naturally belongs to this House. I am not reluctant. If you want to do it, do it. So, I assure my hon. friend Shri Raghunath Singh that if he really wants that the Government should have such power, we shall have it, we shall use it judiciously, not that we are not using our powers properly, but surely it must not be forgotten by anybody in this House that the Government is not anxious to have it. If we really want it, we have got the right to come to you, amend the section and get all the powers we need. If, in spite of that, you want any particular powers should be given to the Government, I

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am not reluctant to accept them. Therefore, I am merely saying that on that ground there should not be any difference of opinion.

But I shall warn this House again and again. Several Hon. Members including Shri Parulekar have said that shipping is the second line of defence. What they mean by it I do not know. Shri Patnaik repeated that sentiment a dozen times, but he did not tell us a single thing as to what we should do in order that it may become a second line of defence. I do not think he was thinking of foreign participation. He thought there was something in the structure or construction of stability of a ship which ultimately must conduce to its being used as a second line of defence. That was the idea, and that should be the idea. There is nothing wrong in it, because sometimes even merchant shipping is used in the convoy for carrying things. My hon. friend Shri Bharucha said that at Dunkirk it did wonderful work. It did wonderful work because there was the British Navy to support it all along. It is not that it did it by itself. Even if a Dunkirk arises—and God forbid that it should arise—and if for that you think that our merchant shipping should have some kind of turrets to launch guns etc., and that the floor should be strengthened for that purpose, I can assure the House that those precautions have been taken. If light guns have to be mounted on our ships in any emergency, like the merchant shipping of any progressive country, it can be done. If by that is meant the second line of defence, it is the second line of defence, because it brings food, it sends food, it brings materials, it sends materials. In that sense, it is a second line of defence. It does not need any lengthy argument to prove that it is a second line of defence. All precautions that are necessary are taken in order that our ships may be of the standard so that in the eventuality of war they could be actually used as fighting

vessels sufficiently strengthened and reinforced so that they can hold turrets for firing guns. We have consulted the Navy, we have consulted the commerce department; all the concerned departments of the Government of India have been consulted that we should have this arrangement.

Therefore, all these distinctions between 25 and 75 per cent, 40 and 60 per cent or whatever it may be are unreal, because if you look at it objectively, it has no meaning, because we do not go by that and we do not want capital to come in that way.

My hon. friend and many other hon. friends used two big expressions. I myself would have used them if I was not a Minister. But because I am in it, I have the advantage of knowing something about it. Take this Rs. 150 crores of foreign exchange. Do you mean to say that all this 150 crores is a one-way traffic, that you will have 150 crores of rupees tomorrow if we have the ships? There are ships of other countries. The merchandise is going to and fro. Some of them will say: 'We will sell our goods, but we want that it should also go in our ships' and so on. Then what about the things we are exporting? Many countries will say: 'We will buy these goods, but we will not take them in your ships; we will carry them in ours'. That means it is a matter of mutual accommodation. Countries have got to sit together in these Liver Conferences and decide what is the percentage according to the number of ships they have and the quantum that has to be given.

Therefore, this inflated figure of 150 crores is a very deceptive figure. Even if you have the ships tomorrow, these 150 crores will not come in your pocket.

Another misapprehension or a kind of imagination that seems to be in everybody's mind is that it is only money, the foreign exchange, that

comes in the way. If tomorrow, the shipping is available, 2-1/2 million tons, as I said in my speech—and I would be a proud man with all those ships aggregating 2-1/2 million GRT—it would not be possible to use it. To have it emotionally is one thing and to have it actually is another. What I am saying is a different thing. It is not enough that you have the foreign exchange and the internal money to acquire the ships. What about servicing those ships? What about manning those ships? When you find that even in such a limited sphere, you have not got the Masters, the Mates and others for running the ships, if all of a sudden you get a hundred ships, what would you do? Unless you get the Masters and all those people who are required for manning the ships, you will never have a mercantile marine.

Therefore, I am impressing on this House that while we want to increase the tonnage, it must increase along with the services, along with the personnel that we have to train from the beginning. As my hon. colleague pointed out, we have got the *Dufferin*, *Bhadra* and *Mekhala* and some other arrangements. Those arrangements have got to be doubled, trebled and quadrupled of 5,000 people, all the required men who will be able to man our ships.

Therefore, the mere chance that we will get some loan or other assistance and we will be able to buy the ships is not enough to run the ships. We have got to train the people to run them. All these things must go together.

Shri Harish Chandra Mathur: If Egypt could run the Suez Canal, I hope Shri S. K. Patil will be able to run a few ships.

Shri S. K. Patil: Egypt runs the Suez Canal without having the ships, and if I have got to run the Suez Canal, I could do it. The Suez Canal operation is a different thing. It is just like piloting ships in the Hooghly. I am not minimising the importance of the Suez Canal. It is a life-line for us. But what I am saying is this, that what we have to do is different from merely running the Suez Canal in the sense of piloting safely the hundreds of those foreign ships that come and go. It is not as if any man, any clever Minister, immediately the shipping is available, could do something by a magic wand. What I am saying is not a damper; shipping must develop by evolutionary methods more and more, 5 times, 10 times and 20 times. Along with that there should be a definite process of increasing the personnel that we want for them. Therefore, all these things are necessary and we would not be afraid that our Second Five Year Plan targets would not be reached. As I have pointed out, even today we have got somewhere about 6,50,000 tons of shipping actually running and we have got in the near future the ships that have been ordered and are coming. Ultimately, the gap will be 120,000 tons. To this I have added another 40,000 because some of the ships would go out of commission because of old age. And it gives 160,000 tonnage. That is the maximum.

If we take one ship to be of 10,000 G.M.T. we shall require about 16 ships and if they be smaller we shall require about 20 ships. Twenty ships would cost, perhaps, Rs. 20 crores just now because the ship prices have gone down because the shipping market for buying is in an ideal condition during the last 15 years. Therefore, out of these Rs. 20 crores or Rs. 25 crores, we require only 20 per cent because by paying 20 per cent as the first instalment we get the ships. Eighty per cent the ship pays itself because it is a foreign exchange earner from the first day that it is launched. It is possible for us to finish our target of

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900,000 tons within the next two or three years.

I would like to tell the House that we had an offer of loans of 100 million dollars. Perhaps that will bring us 100 ships or more. We have declined that offer because we do not require so much money only. We cannot process these ships; we cannot service them and we have not got the personnel.

Somebody actually suggested that we can take money from loans because it is easy. We are our own masters in our own country and if we take our loans everybody in the world knows that India is committed to discharge its loans whenever they become due. We have not become a kind of a country where if we take a loan we are not expected to pay. All the present difficulties that we find in foreign exchange today arise out of the fact that we are conscientious that the commitments that have been undertaken have got to be really honoured. Therefore, if it is only money that is required for our purpose, surely we need not be shy that money is not coming. Money will be forthcoming so far as the fulfilment of the target of 500,000 tons is concerned. For the matter of the fulfilment of the target of 2 millions or 2½ millions in the next 10 or 15 years, by our endeavour by the new Bill and the spirit we have created and by having the open co-operation that the Members of this Parliament will be giving us—and of the people outside and of those who are concerned—we shall be able to build a marine in less than the time we expect. We shall be realising most of the dreams that are in the minds of the hon. Members.

I will say one word about the Shipping Development Fund. Many hon. Members—and Shri Mathur also—said that what is the use of this small thing. It is just like the account in a post office of a town clerk or something like that. This country is such that we cannot put Rs. 100 crores in it. Do you see the difference that has been

there. Hitherto, if we kept apart some money and if we did not utilise it it was lapsable. Now, we are creating a Fund which does not lapse. It is our own fund and from time to time if this House is wide awake, we can tell the Finance Minister if they do not find enough sum, if the sum of Rs. 5 crores is not diverted every year to this Fund, where is the contribution you are expected to make to the Shipping Development Fund. By creating this we are giving an incentive not only to the shipping trade, but to this House and to the country. The Fund shall develop with all the sums that accrue to it and the loans that we get. All that will be kept in this Fund so that the Fund shall swell and ultimately, we shall devote it to build our own ships wherever we need. Therefore, if the amounts are small they need not worry about it. The Ganges and the Jamuna wherever they had begun had small beginnings and they swell when the flood comes.

An Hon. Member: That is all poetic

Shri S. K. Patil: It is not poetic; it is very objective.

It really brings me to the end of many of the criticisms that hon. Members have made. There are one or two amendments which I can indicate that the Government would be prepared to accept if the House so desires. There are amendments to which reference has been made by my hon. friend Raghunath Singh. If we really want that 75 and 25 should remain and that no further power should be given to Government and so on, I am not opposed to it although I have not pioneered it. Government does not desire that any such power should be given to them. But if the hon. Members want such power to be vested in the Government for the convenience or for other reasons which hon. Members have explained, I am not against it. My hon. friend, Shri Barman, Chairman of the Joint Committee, has suggested that in order to adjust the ratio of 2:1 between the Lok Sabha

and the Rajya Sabha, the membership from this House should be raised to four from three and that the total membership should be raised to six from five. I would accept it because it seems to be a very reasonable proposition. There would then be some consequential changes because instead of 21 it will have to be 22. Many hon. Members have asked why these 21 have not been defined. It is for the precise reason that I am telling. We are building precedents just now. Let us develop by evolutionary processes; let us go very naturally, by evolution. Two or three years afterwards will be the time to see whether these 21 or 22 should be defined as to what it should be. For the time being, we have taken the precaution to see that those will represent the shipowners and the seamen shall be equal so that it could not be said that the capitalists are dominating or the labour are dominating or somebody else is dominating. We do not expect anything to dominate. What we expect is dominating the domain of our mercantile marine by concentrated efforts by the shipowners, seamen, Government and everybody. By these efforts, we shall build up a sizable mercantile marine which shall be the pride of this country. With these words, I request the House that it need not go into the small details and allow the Government to go with this Bill so that next time—I mean, next session—when we come here, we shall be able to report as to how many Indian ships have come on our national register.

Mr. Chairman: The question is:

"That the Bill to amend and consolidate...

Shri Eaghunath Singh: There is an amendment.

Mr. Chairman: I shall put the amendment to the vote of the House. The question is:

"That the Merchant Shipping Bill, 1958, as reported by the Joint Committee, be recommitted to the same Joint Committee with instructions to make necessary alterations in Parts, II, III and IV of the Bill relating to the constitution of the National Shipping Board, General Administration and the Shipping Development Fund so as to confer greater powers and executive authority to the National Shipping Board in the sphere of general administration and the administration of the Shipping Development Fund and to report by the end of the first week of the next Session of Lok Sabha."

The amendment was negatived.

Mr. Chairman: The question is:

"That the Bill to amend and consolidate the law relating to merchant shipping, as reported by the Joint Committee, be taken into consideration."

The motion was adopted.

17.25 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 17th September, 1958.