

The Bills of Lading Bill, 2024

THE MINISTER OF PORTS, SHIPPING AND WATERWAYS (SHRI SARBANANDA SONOWAL): Sir, I beg to move:

?That the Bill to make provisions for the transfer of rights of suit and all liabilities to the consignee named in a bill of lading and every endorsee of a bill of lading, to whom the property in the goods mentioned in the bill of lading shall pass, upon or by reason of a consignment or an endorsement, and for matters connected therewith or related thereto, be taken into consideration.?

माननीय सभापति : मंत्री जी, आप इस बिल के बारे में कुछ पॉइंट्स कहना चाहेंगे ।

SHRI SARBANANDA SONOWAL: Sir, today we are bringing this Bill, which is very much important for our shipping sector, particularly to enhance the trading and commercial activities, and also to have better understanding of the Bill. That is why, let me take this opportunity to enlighten this august House about the Bills of Lading Bill, 2024 being taken into consideration.

The Bills of Lading Bill, 2024 seeks to replace the pre-Constitutional Indian Bill of Lading Act, 1856. The Indian Bills of Lading Act, 1856 provides for the transfer of right of suit and all liabilities to the consignee named in a bill of lading, and every endorsee of a bill of lading to whom the property in the goods mentioned in the bill of lading shall pass, upon and by reason of a consignment or an endorsement. The said Act deals with specific aspect of rights and liabilities emanating from the transfer of a bill of lading to a consignee or an endorsee.

The bill of lading is a legal document but not a contract. It is only evidence of a contract. Rights and liabilities provided for under this law are not directly emanating from the contract but from the transfer of the evidence of contract, that is, the bill of lading. The repeal and re-enactment of this pre-Constitutional law would serve two important purposes. This is very important. Firstly, as an independent, democratic, modern nation, in the 76th year of having become a republic, and also the fastest growing major economy of the world, it is essential that our laws reflect our distinct identity, देश की अस्मिता, मान-स्वाभिमान, without remaining stuck in archive colonial mindset. In line with the Government initiative to do away with the pre-Constitutional laws, more than 1500 such colonial era

legislations already stand repealed. This law was also examined elaborately to assess the need for its repeal. It was concluded through extensive stakeholder consultation that the legislation is highly relevant for India's maritime trade.

In the Bills of Lading Bill, 2024, there is a new provision which empowers the Central Government to issue direction for carrying out the provision of the Bill, which has been incorporated to ensure that the provisions are easily implemented.

Further, the repeal and savings clause added in the Bill while repealing the 1856 Act will also ensure that any action taken in line with the provisions of the repeal statute are legitimised as long as they are not in contravention of the provisions of the new law. Hence, it is being introduced as a new legislation incorporating standard provision found in all modern laws drafted in India. This would serve the important purpose of ensuring effective and smooth implementation of the new law. It will enable ease of understanding and also facilitate ease of doing business in the contemporary global maritime sector.

Since the essence and spirit of the new legislation being considered today remain unaltered, I would not like to elaborate further and would request the august House to consider and pass the Bills of Lading Bill, 2024.

Thank you, Sir.

HON. CHAIRPERSON: Motion moved:

?That the Bill to make provisions for the transfer of rights of suit and all liabilities to the consignee named in a bill of lading and every endorsee of a bill of lading, to whom the property in the goods mentioned in the bill of lading shall pass, upon or by reason of a consignment or an endorsement, and for matters connected therewith or related thereto, be taken into consideration.?

SHRI HAMDULLAH SAYEED (LAKSHADWEEP): Thank you, Sir for giving me an opportunity. At the outset, I would like to thank my party, the Indian National Congress Party and Leader of the Opposition Shri Rahul Gandhi ji for providing me an opportunity to express my views and articulate on the Bills of Lading Bill, 2024. I would also like to thank you, Sir for allowing me to speak on this Bill.

This Bill has great ramifications and consequences on Lakshadweep, my constituency, because unlike any other State and Union Territory in the country, this Bill directly affects Lakshadweep. Transportation of most of our goods is done from the mainland. They are imported from the mainland to Lakshadweep.

Beyport Port and Mangalore Port are the two major ports from where all the goods are transported to Lakshadweep whether it is public distribution system, essential commodities, essential items or construction items.

I would also like to mention here that in our territory, there are no railways or roadways. We are totally relying on shipping. Shipping is the lifeline for us. In the passenger ships, we are transporting goods along with passengers, and there are exclusive barges which are transporting the goods from the mainland to the islands.

Sir, Lakshadweep is a Scheduled Tribe area under Schedule V of the Constitution of India. It has been granted the status of Scheduled Tribe area because of the social and economic backwardness and geographical isolation from the mainland.

Sir, my point is this. When these passenger ships and exclusive barges have been earmarked for transporting, why are all the ships not plying at the moment? There are five ships which have been under the possession and ownership of Lakshadweep Administration, and being a Union Territory, it is directly under the Central Government.

मैं माननीय मंत्री जी से कहना चाहता हूँ, चूंकि वे देश के स्वाभिमान और अस्मिता की बात कर रहे थे, पिछले चार साल से, कोविड के समय से ही, कालीकट पोर्ट से कार्गो मूवमेंट बंद है और अब तक यह शुरू नहीं किया गया है।

सर, मैं आपके माध्यम से, माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूँ, क्योंकि इन्होंने स्वाभिमान और अस्मिता की बात की। इसलिए अगर वे थोड़ा हमारा भी स्वाभिमान और अस्मिता बढ़ा देंगे, तो मंत्री जी की बड़ी कृपा होगी।

इसके अलावा, मैं कहना चाहता हूँ कि अभी पाँच शिप्स में से केवल एक शिप ही चल रहा है, बाकी चार शिप्स ड्राई डॉक में डाला हुआ है। कहा जा रहा है कि उनका मेन्टेनेंस कर रहे हैं, सर्वे कर रहे हैं। यह सालों से ऐसे ही पड़ा हुआ है, जिसके कारण लोगों को आने-जाने में दिक्कत हो रही है। पैसेजर्स और गुड्स के लिए हमारा बेसिक मोड ऑफ ट्रांसपोर्टेशन शिप ही है। इसलिए मैं माननीय मंत्री जी से रिक्वेस्ट करता हूँ कि कोचीन शिपयार्ड लिमिटेड, जो इनकी मिनिस्ट्री के अंतर्गत आता है, पहले सारे शिप्स को शिपिंग कारपोरेशन ऑफ इंडिया को दिया गया, वे नहीं चला पाए, उन्होंने हाथ खड़े कर दिये, फिर उनको वापस दे दिया। पहले कोचीन शिपयार्ड लिमिटेड के साथ एक एग्रीमेंट था, जिसके तहत सारे शिप्स की टाइमली मेन्टेनेंस करना, ड्राई डॉकिंग करना, सर्वे करना आदि इस बिल से जुड़े हुए हैं, क्योंकि पैसेंजर शिप्स में गुड्स की भी ट्रांसपोर्टेशन होती है। इसलिए मैं ऑनरेबल मिनिस्टर से रिक्वेस्ट करता हूँ कि अपने पब्लिक सेक्टर अंडरटेकिंग्स, जैसे कोचीन शिपयार्ड लिमिटेड, शिपिंग कारपोरेशन ऑफ इंडिया पर थोड़ा ध्यान देकर, आप सीएसएल के चेयरमैन को, लक्षद्वीप एडमिनिस्ट्रेशन को और पोर्ट डिपार्टमेंट को एक मिनिस्टर के रूप में, उनको डायरेक्शन दीजिए कि वे कॉर्डिनेट करके लोगों को ईज़ ऑफ डूइंग बिज़नेस और ईज़ ऑफ ट्रांसपोर्टेशन, दोनों में मदद करें। चूंकि आपने कहा कि आपका अजेंडा

है, आपका ऑब्जेक्टिव है- ईज़ ऑफ़ डूइंग बिज़नेस । इसलिए ईज़ ऑफ़ डूइंग बिज़नेस और ईज़ ऑफ़ कमर्शियल एक्टिविटीज़ एवं ट्रेडिंग के लिए यह बहुत जरूरी है कि you have a very convenient mode of transportation. Unless you do that, it is very difficult to have ease of business and you cannot have commercial or trading activities.

Sir, the objective of this Bill is to regulate the carriage of goods from any port in India to any other port in India, or from any port in India to any port overseas. इंडिया में एक पोर्ट से दूसरे पोर्ट तक जाने के लिए, इंडिया के किसी पोर्ट से विदेश के किसी पोर्ट तक जाने की प्रक्रिया को रेगुलेट करने के लिए इस कैरिज बिल को लाया गया है । यह बताया गया था कि वर्ष 1854 के कानून को, जो ब्रिटिश के समय में बना था, उसके बाद वर्ष 1925 में भी एक कानून बना था, जिसके बाद विसबाई रूल नॉर्विक शिप बिल्डिंग इंडस्ट्री में बनाया गया था । कार्गोज़ और उसके मूवमेंट में जिनका स्टेट ऑफ़ द आर्ट वर्क है, उन्होंने इसको किया था । उसमें इंटरनैशनल कंवेन्शंस हैं, including contracts, training contracts, carriers? perspectives, transporters? perspectives. All of these are regulated and we follow the international convention, the Hague Convention of 1922 -- which was amended again in 1978 -- which was called the Visby Rules. It is also called the Hague Rules.

Sir, through you, my humble suggestion to the hon. Minister and the Government is this. In order to do the ease of business and to add commercial and trading activities, you kindly ensure that there are passenger and cargo movements, and running of the ships is also important. आप शिप को बिना चलाये बांधकर रखेंगे, तो it is like an expense and expenditure on the Government.

आप उसको चलाएंगे, तो क्रू को सैलरी मिलेगी । इसलिए, जब वह चलेगा तो और अच्छा रहेगा । It is because you will be able to generate some revenue out of it. You have just tied up these ships. It is not running. So, it is basically a white elephant for the Government. Therefore, Sir, I would request, through you, that ease of doing business and commercial and trading can only be boosted and the commercial activity can only be motivated by making more of transportation facilities to the islanders and मैं आपसे मंगलूर पोर्ट के लिए there was a proposal to have a bigger port. That port is also coming directly under the Minister. This is incidental to this Bill. Unless you have a good port, you will not be able to transport goods and the carriage of goods will be difficult. बेपोर पोर्ट बंद पड़ा हुआ है । I request you to kindly to take it up with the Laskwadweep Administration and request a proposal from their side to ensure वह सदियों से चला आ रहा था, लेकिन उसको बंद कर रखा है । उसको दोबारा शुरू करें, ताकि लोगों को इससे आसानी हो और उनकी परेशानी दूर हो ।

सर, इन्हीं शब्दों के साथ मैं अपनी बात खत्म करता हूं । आपने मुझे बोलने का मौका दिया, इसके लिए आपका धन्यवाद ।

SHRI BIBHU PRASAD TARAI (JAGATSINGHPUR): Thank you hon. Chairperson Sir for giving me an opportunity to speak in this August House relating to the Bills of Lading Bill, 2024 which was introduced in the Lok Sabha on 9th August, 2024.

This Bill seeks to replace the Indian Bill of Lading Act, 1856. The Bill provides a legal framework for issuance of a Bill of Lading. In simple words, this is a Bill which refers to document issued by a freight carrier to a shipper.

The bill contains details such as type, quality, condition and destination of goods being carried. The Bill states that a Bill of Lading is conclusive evidence of goods on board. It grants all rights to suits and liabilities regarding the goods by the receiver as per the bill of lading or any third party to whom the receiver may transfer ownership of goods. The Bill retains all provisions under the Act. The Bill adds that the Central Government may issue directions for carrying out the provisions of the Bill. Further, this is a legal document issued by a carrier to a shipper detailing the specifications of goods being shipped essentially acting as a proof of shipment and the receipts for the cargo and is crucial for international trading in India where a significant percentage of cargo is shipped overseas using this document. However, precise data on the exact percentage of cargo shipment in India solely relying on Bills of Lading is not readily available.

The Indian Bills of Lading Act, 1856 (the said Act) was enacted to amend the law relating to Bills of Lading with a view to address two broad aspects, such as transferring of all rights in respect of the contract contained in the bill of lading along with the property to the consignee or endorsee of the bill of lading; and ensuring that a transferred bill of lading in the hands of a *bonafide* holder be treated as conclusive evidence of the goods being laden on board.

So, though the substantive aspects of the said Act continue to remain relevant, being a pre-independence statute, it is imperative that the provisions of the said Act require to be revised without changing the substance or spirit of the said Act so as to bring in line with modern legislation in order to facilitate simplification and ease of understanding.

Further, a new provision is proposed to be incorporated to empower the Central Government to issue directions for carrying out the provisions of the proposed legislation. An incident had happened in Paradip Port in 2009 in Odisha. One Mongolian vessel, *MV Black Rose* carrying a cargo of 20,847 metric tonnes of iron ore and 920 metric tonnes of furnace oil, sank near Paradip Port under mysterious

circumstances. Actually, it was engaged in illegal transportation with forged documents. The owner of that ship is not known to the Government till today. It happened when Congress was ruling the country.

At that time, I was the MP of Jagatsinghpur Parliamentary Constituency. When this incident happened, the then Government of Congress could not trace out the owner of that ship and till today it is under investigation. That is why this Bills of Lading Bill is required.

Now our Government of India, under the efficient leadership of our beloved Prime Minister, Shri Narendra Modi ji and the Shipping Minister, Shri Sarbananda Sonowal ji, has taken so many steps to carry out business relating to sea. I would like to mention here that Odisha is enriched with so many minerals, like iron ore, manganese, coal, and so many other minerals are there. Our coastline is around 480 kilometres from Ganjam to Balasore. So many ports have been established here like Paradip Port, Gopalpur Port, and Dhamra Port. So many ports will be established all over India by our Government. So many ports are going to be established in Odisha by PPP mode of investment.

I would like to just reiterate that India has a fleet strength of 1,526 vessels with a total gross tonnage of 13.75 million in 2023. During the last one year, six vessels have been added to the fleet. Available data points to the fact that approximately 95 per cent of India's total cargo is transported by sea. It means that a vast majority of cargo shipments in India is done by maritime transport. This translates to around 95 per cent of the country's EXIM merchandise trade by volume being moved by sea.

In this context, I would like to say that by this Bill, our Government has decided to enhance the business by sea route so that it can strengthen our economy. There is a target that our economy will be more than five trillion dollar and we have already reached the 4.4 trillion-dollar economy.

We are going to become the third largest economy by 2047. In this context, our Government has taken efficient steps to promote business relating to sea route, so that our country will become a developed nation by 2047. It is an appreciable step taken by the Central Government. I would again like to reiterate that our beloved Prime Minister and our Shipping Minister have taken this Bill in a way that will enhance and strengthen our economy in future.

Thank you.

SHRIMATI PRATIMA MONDAL (JAYNAGAR): Sir, on behalf of All India Trinamool Congress, I rise to speak on the Bills of Lading Bill 2024.

Sir, the Bill being brought by the Ministry of Ports, Shipping and Waterways contains several problematic provisions that could seriously harm the interest of shippers, traders, and stakeholders. Instead of improving maritime trade, the Bill increases Government control, reduces transparency, and creates scope for commercial fraud, all in the name of legislative modernization.

One of the most alarming provisions of the Bill is found in Section 5 which gives the Central Government ultimate power to issue any direction it feels necessary to implement the Act. This means the entire authority over maritime shipping will now be controlled by the Central Government, leaving no space for State Governments, traders or industry stakeholders to influence policy-making in coastal regions. This provision clearly reflects an attempt of centralizing power in the hands of the Central Government. It also allows the Ministry of Ports, Shipping and Waterways to intervene in any shipping transaction without any valid justification, violating the principle of cooperative federalism, and reducing the autonomy of shipping business and traders.

Another extremely dangerous provision is found in Section 4(1) which legalizes commercial fraud. According to this provision, even if the goods have not actually been shipped, a fake bill of lading can still be considered valid proof of shipment. Such a provision would also open doors for smuggling, black market trading and international money laundering. Small traders, especially exporters, would be highly vulnerable as they could easily be defrauded without any legal remedy. This provision also significantly damages India's trade credibility as international companies may refuse to conduct business with India due to the increased risk of fraudulent transactions.

Sir, the Government has repealed the Indian Bills of Lading Act 1856 without introducing any significant improvement to maritime trade, except for centralizing power under the Ministry of Ports, Shipping and Waterways. This is merely a ploy to introduce unchecked Government power over maritime commerce.

Another extremely unfair provision appears in Section 2 of the Bill, which states that all legal and financial liability for any dispute or contract breach will automatically fall on the consignee, a person receiving the goods. Sir, this means

that even if the shipping company or the seller is at fault, the consignee will still be held legally responsible.

This is extremely unjust, especially for small businesses, SMEs, and exporters, who may end up paying heavy penalties for mistakes they did not commit. This provision discourages smaller companies from engaging in maritime trade. It also completely ignores consumer protection as the Bill offers no legal remedies for consignees who receive faulty, incomplete, or fraudulent shipments.

Sir, another major flaw of the Bill is that it does not regulate freight charges. The shipping lines, freight companies, and consignment agents often increase freight charges arbitrarily, especially for small businesses. The Bill does not set any regulations or price caps which can massively affect small and medium-scale enterprises as they will struggle to afford shipping costs.

Instead of supporting small businesses, the Bill appears to protect large shipping corporations, allowing them to charge any price they want without Government regulation. This would further push small businesses out of maritime trade, weakening India's domestic market. The Bill exhibits a clear pro-corporate bias, offering no protection to small traders or exporters.

The Bill gives the Central Government complete power to control shipping lines, manage shipping documents, transfer ownership of goods, and interfere in private maritime contracts. It could also use this power to manipulate trade for its own political or economic interests or target specific businesses by obstructing their trade. This will significantly harm India's Ease of Doing Business rankings, as businesses will have to operate under constant Government interference. Additionally, this paves the way for political favouritism, where only a few selected companies may receive special treatment from the Government, while others may face obstacles in their shipping operations. The Bill provides no role for State Governments in regulating maritime trade, despite the fact that they have a direct stake in port infrastructure, employment, and trade revenue. Excluding States and undermining local governance will severely impact local economies and port revenue generation.

The vague and open-ended language of the Bill also increases the risk of corruption in maritime trade. The Bill creates three major loopholes. Firstly, Section 4 allows fake bills of lading to be legally accepted, even when no goods have been shipped, making commercial fraud easy. Secondly, Section 5 gives the Government

unchecked power to interfere in shipping contracts without any valid reason. Thirdly, Section 2 shifts all legal and financial liability onto the consignee, even if the fault lies with the shipping company or the seller. These loopholes will encourage massive corruption, large-scale smuggling, and fraudulent trade practices. It will destroy accountability in maritime trade and make it easier for illegal activities like smuggling and money laundering to thrive.

Sir, the Bill also creates confusion and uncertainty in international trade. Foreign investors and shipping companies may feel hesitant to do business with Indian traders because the Government now has the power to make sudden policy changes or interfere in trade contracts. This could damage India's reputation in global trade and may even lead to trade restrictions, penalties, or sanctions against India for not following international shipping standards.

The Bill also fails to modernize maritime trade by completely ignoring digitalization, making it harder for India to keep up with modern global shipping practices. Modern maritime trade also requires arbitration frameworks or mediation systems to resolve conflicts efficiently which are clearly absent here.

The Bills of Lading Bill, 2024 is not a progressive legislation aimed at modernizing trade. Instead, it is a blatant power grab by the Central Government to centralize maritime power.

Sir, I would like to mention here that the Haldia Dock Complex is connected to National Waterway-1. The port is connected with the riverine ports of Bangladesh and Indian State of Assam by National Waterway-97, Sundarbans Islands Waterways and Indo-Bangladesh Protocol Waterways.

I would like to draw the attention of the hon. Minister for Ports, Shipping and Waterways. Every day more than 100 large cargo ships come from our neighbouring country Bangladesh to India for trading purpose by using the waterways of Sundarbans. These cargoes cross several rivers around the Sundarbans delta like Muriganga, Matla, Thakuraen, Vidyadhari, Piyali, etc. leading to soil erosion and thereby causing severe damage to the river embankments of entire Sundarbans area. Agricultural lands and ponds are getting polluted and becoming infertile, and mud houses of the residents of Sundarbans are being damaged by saline water which passes through the broken embankments. The most alarming thing is that many islands like Kumirmari, Satjelia, Chhotomollakhali, Amtoli, Mousuni, Ghoramora, etc. are becoming vulnerable,

struggling to exist due to heavy waves that hit and submerge the islands during the movement of large cargoes. Moreover, the rising sea levels caused by climate change are also worsening the situation.

To protect our Sundarbans and residents of the area, our hon. Chief Minister Mamata Bandopadhyay has sanctioned an amount of Rs.27 crore for construction and repair for the embankment of Sundarbans area. I would also like to request the Central Government and the hon. Minister, who is present here, that either the trade should be conducted by road transportation or the Ports, Shipping and Waterways Ministry should provide financial assistance for maintenance and construction of river embankments of the entire Sundarbans area. Thank you, Sir.

DR. KALANIDHI VEERASWAMY (CHENNAI NORTH): Thank you very much, Sir, for giving me an opportunity to speak on the Bills of Lading Bill, 2024. I would like to thank the hon. Minister for naming it as the Bills of Lading Bill, 2024 instead of calling it some Hindi name, which would not have been found easy for us to understand or even comprehend.

I was also trying to check the dictionary for some English words, and I was surprised to find that for several words like computer, mouse and all those things, the actual translation in Hindi is only transliteration. They call the computer a ? computer? and the mouse a ?mouse?. Probably, for the Bills of Lading, there is not an appropriate word in Hindi. Maybe, I do not know, and they may explain it when they give a reply about this.

माननीय सभापति: हाँ, इसका हिन्दी है। इसका हिन्दी नाम वहन-पत्र है।

DR. KALANIDHI VEERASWAMY: I should then thank the hon. Minister doubly that they have not changed the name from English to either Sanskrit or Hindi.

I would like to say that maritime trade is not something new. Maritime trade has been here in India, especially in Tamil Nadu for several centuries. You have to remember that the Kingdom of Cholas was one of the tallest kingdoms at that point of time. It is very much underscored in the Indian history. We talk much about the kingdoms in the north, about the Chalukyas and other dynasties. But the Chola dynasty was one of the largest dynasties because they had one of the biggest maritime routes. When China was having the Silk Route, we had probably something like a sea route which was connecting Tamil Nadu to several parts of the northeast and even up to places like Greece and Persia. We have archaeological evidences, which show that these Cholas were doing trade where Indian artifacts

have been found in those countries and their artifacts have been found in Tamil Nadu.

Sir, at this moment, I would also like to mention that Tamil Nadu has broken a historical record. Where everybody used to say that the Iron Age was only about 1200 BC, recently there has been a finding in one of the archaeological sites in Tamil Nadu where they have dated back the Iron Age to 5450 years ago, that is, about 3450 BC. I would like to mention that our Chief Minister has immediately announced this whereas it is sad that the Union Government, neither the Prime Minister nor any of the Ministers have even acknowledged this. I am sure that had this happened in Gujarat, everybody would have been very proudly talking about it.(Interruptions) So, I hope that somebody over there responds and acknowledges that the Iron Age has been rewritten in history from Tamil Nadu because Tamil Nadu is also a part of India.

Tamil Nadu is a part of India. Do not look at us as if we are outside of India. The reason why I say that is whenever a fisherman from any other State, like Gujarat or any other State, gets into a distress, he is called an Indian fisherman. But the moment there is a person from Tamil Nadu who is a fisherman having a problem in the Sri Lankan waters, they immediately say it is a Tamil fisherman. They do not call him as an Indian fisherman. So, I hope this Government would look at Tamil Nadu people also as part of this country and extend the same benefits.

Coming to the Bill, apart from historical sites, even during the British period, we had one famous person V. O. Chidambaranar, who bought two ships and he was operating them between Tamil Nadu and Sri Lanka, in spite of the British oppression. They were trying to oppress his business. They finally imprisoned him; they tortured him and then he died as a poor man. But he was the one who actually started off the Indian maritime trade even during the British era. Commemorating his efforts and his laudable work which has been done, we have named one of our ports in Tamil Nadu as V. O. Chidambaranar (VOC) Port in Tuticorin, which is the constituency of our parliamentary floor leader. So, I hope that the Government also does enough for the improvement of the ports over there and all other ports in Tamil Nadu also.

Even during the earlier period, in Tamil Nadu, we have one song being sung: *‘Velli pani malaiyin meedhulavuvom adi, melai kadal muzhudhum kappal viduvom’*. This was sung several years back, which means: ‘We will walk in the silver clad snow

mountains and we will also go maritime into the far-out seas?. This is the extent to which the Tamil people have scaled great heights.

Coming to the Bill, this Bill is actually talking about the responsibility of any goods to ensure that the safety of the goods and the economic consideration of the people is taken care of. There is a person who is going to be sending products or goods, and it is being shipped where the carrier is responsible for it, and on the receiving end, the person is finally going to get that. All these people's interests have to be taken into account. For this, they have something called as the Bills of Lading Bill, and this Bills of Lading Bill is something which is a physical format. I am surprised because this Government talks so much about advanced India, shining India, electronic India, and all these things, but this is a process where several countries have started using something called as an Electronic Bill of Lading. You do not need to have a physical copy. The only reason why they have changed this Bill is because this Bills of Lading Act is of 1856. In fact, they had made a presentation about this Bill in the Parliament. Sadly, when I went to attend that, there was not even a facility for translation, and the presentation was made in Hindi. I had to have somebody sitting behind me, and then I had to have him translate that to me in English, and I had to take part. Inside the Parliament, MPs from several States are coming and the translation is not available. It was actually a very, very sad state of affairs. After that, I went and complained to the hon. Speaker also, and he assured that in future, all Parliament meetings which are held inside the Parliament, they will have translation services provided. Even when the officials were presenting, I went through the Bill, and I asked them, 'What is the purpose for amending this Bill?? Why are you bringing this new Bill? They said, 'Sir, there is no change excepting the year in which it is being made. It was 1856, and now it is 2024?. Other than that, there is absolutely nothing which is of any significance or importance, and there are no new provisions.

माननीय सभापति : ऑनरेबल मेंबर एक मिनट रुकिए । आदरणीय मंत्री जी ने अपनी इंट्रोडक्टरी स्पीच में बताया कि वे इस बिल को किस कारण से लाए हैं । This was well spoken by the hon. Minister when he was giving his introductory speech. I think you were not here at that time. So, you please listen to him carefully. Whatever you have discussed in his chamber, it is not to be mentioned here. You talk about the Bill.

DR. KALANIDHI VEERASWAMY : Sir, you did not understand what I am trying to tell you. I was not referring to the Minister's speech at all. I was only stating about the person who had made the presentation. You can ask, it is all video recorded. It

is available on YouTube even today. You can go and see. You can see the interaction.

HON. CHAIRPERSON: Hon. Minister, you have to check it.

DR. KALANIDHI VEERASWAMY: The officials are the ones who gave me this reply when I inquired about this.

HON. CHAIRPERSON: Who is the officer who spoke like this? You have to check it.

SHRI SARBANANDA SONOWAL: Respected Sir, actually in this regard whatever presentation was made, it was being done by our senior officials. All the queries that the hon. Members of Parliament had raised were effectively addressed. I believe that the provision was created there and comfortably done. I do not see any controversial issue to be raised out of this. But if you ? *(Interruptions)*

Respected Member of Parliament, please let us stick to the provisions of the statute. I think that would be better.

SHRIMATI KANIMOZHI KARUNANIDHI (THOOTHUKKUDI): Sir, I want to ask one question. ... * You are supposed to protect us. ? *(Interruptions)*

HON. CHAIRPERSON: No, I am allowed.

? *(Interruptions)*

SHRIMATI KANIMOZHI KARUNANIDHI: Sir, ... *

HON. CHAIRPERSON: No.

SHRIMATI KANIMOZHI KARUNANIDHI: Sir, you are representing us also. ? *(Interruptions)*

HON. CHAIRPERSON: The Chair is for all.

? *(Interruptions)*

SHRIMATI KANIMOZHI KARUNANIDHI: Yes, that is exactly what we are saying. ? *(Interruptions)* You are the custodian of the House. ? *(Interruptions)*

DR. KALANIDHI VEERASWAMY: Sir, I will clarify the misunderstanding. ? *(Interruptions)* Sir, you had assumed that I was not here when the Minister made his presentation. I would like to correct that I was here when the Minister had made his presentation. But you did not understand what I was trying to say. What I was

trying to say was that during the meeting over there, the officials told us that there is no change in the provisions or any of the content other than the year in which it is being done. So, I asked them whether it is because it was during the colonial period that this Act was brought and they are changing it, and they just laughed.

HON. CHAIRPERSON: I truly understand what you are saying. But when the meeting was going on, if any officer speaks like this ?

? *(Interruptions)*

HON. CHAIRPERSON: I have given the floor to the hon. Minister to clarify his stand. There is no other intention in it.

? *(Interruptions)*

SHRI D. M. KATHIR ANAND (VELLORE): There is no clarification. He is making a statement. ? *(Interruptions)*

HON. CHAIRPERSON: Please, no other intention is there.

? *(Interruptions)*

DR. KALANIDHI VEERASWAMY: Sir, I am actually grateful that you are asking for a clarification immediately then and there, but I hope that on more sensitive issues, the Chair will always behave in such a way where the same fairness is extended to all the Members in the Opposition Benches. ? *(Interruptions)* I am saying this because we have found that several times, though we keep screaming -- even if we come to the middle of the well and we keep screaming -- none of these are being addressed. Most of the time, we are being ignored. Usually, the protocol of the House is that when the House is not in order, the House will not run. But here we find that several times even if there are 50 MPs inside the well and shouting, the House is running comfortably whereas the person in the Chair is not at all bothered about this. ? *(Interruptions)*

HON. CHAIRPERSON: Please come to the point.

? *(Interruptions)*

DR. KALANIDHI VEERASWAMY: Sir, you brought me here. I was actually going in a different path. ? *(Interruptions)*

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री; तथा नवीन और नवीकरणीय ऊर्जा मंत्री (श्री प्रहलाद जोशी) : सभापति महोदय, ये लोग हर दिन वेल में आते हैं, हर दिन शोर-शराबा करते हैं, रकस करते हैं। यदि इनके हिसाब से चलेंगे तो पार्लियामेंट चल ही नहीं सकता है। हमारे पास गवर्नमेंट बिजनेस है। उन लोगों को भी सुनना है, हम सुनने के लिए आते हैं।

DR. KALANIDHI VEERASWAMY: We are only following your precedent. ?
(Interruptions) We are following what you did when you were in the Opposition. ?
(Interruptions) The same democracy you had. ? (Interruptions) We are just following
the same thing. ? (Interruptions) We are not doing anything undemocratic. ?
(Interruptions)

HON. CHAIRPERSON: Dr. Veeraswamy ji, please come to the point.

? (Interruptions)

SHRI T. M. SELVAGANAPATHI (SALEM): Sir, you started it. ? (Interruptions)

HON. CHAIRPERSON: No, it should be cleared for all.

? (Interruptions)

DR. KALANIDHI VEERASWAMY: Sir, you have to understand that Tamil people are
of the belief and faith that wherever we go, every one of them is a relative. ?
(Interruptions) They are all related to us. ? (Interruptions) For this, we have a saying: ?
Yaathum Oore Yaavarum Kelir?

So, this is what we believe in, but most of the people in the Treasury side do not see
Tamil people as their relatives. You can look at them as a political force, but you are
looking at us as ... * ? (Interruptions)

So, we have a spirit where? (Interruptions) I am talking on the Bill. Please keep
quiet. ? (Interruptions)

HON. CHAIRPERSON: This ...* word should be excluded.

? (Interruptions)

SHRI T. M. SELVAGANAPATHI (SALEM): Sir, ... * is not unparliamentary. ?
(Interruptions)

HON. CHAIRPERSON: No, he can speak. He is capable enough to speak. Please sit
down.

? (Interruptions)

DR. KALANIDHI VEERASWAMY: Sir, as I was saying ? (Interruptions)

SHRI T. M. SELVAGANAPATHI: Sir, ... * is not unparliamentary. ? (Interruptions)

माननीय सभापति : आप बैठ जाइए । उनको बोलने दीजिए ।

DR. KALANIDHI VEERASWAMY: I have already explained, and I will say that again. There is a saying in Tamil which actually translates to 'go in all eight directions and get whatever wealth you can'. When we say 'wealth', we are not only talking about economic wealth, we are also talking about knowledge. So, we are willing to learn from others, from everyone. We also hope that you people will learn certain things from us. So, we would like to say that we have a lot of things which are precious to us. One of them is language, one of them is culture, one of them is the way we eat, the way we dress, and everything we respect. We hope that the Treasury Benches will give the same kind of respect to each and every person. I am not saying for myself. I am speaking for all the States in India. I think they should be given a free and fair way of following their culture, their food practices and their education system. Everything should be given to them. In fact, if you want me to go on talking about that, I can keep going on and on.

Sir, I will come back to the Bill. National waterways can be a huge thing for the development of this country. The National Waterways Project was envisaged about more than 10 years back. In so many years, despite this present Government giving a budget outlay of around Rs. 6 lakh crore or more, there is no major development from National Waterways-1 to National Waterways-6. Tamil Nadu will benefit if National Waterways-4 project is completed. This is a National Waterway which will run from Eluru in Andhra Pradesh to Pondicherry, traversing across Tamil Nadu, especially Chennai which is my constituency. So, I would request the Government to look into it, because statistics have shown the costs of transportation of goods. It is four times more expensive to transport by road, two times more expensive to transport by train, and 0.5 times more expensive to transport by ship. So, shipping is one of the cheapest, simplest, most reliable ways, and if the national waterways project is implemented, Tamil Nadu will benefit in a huge way, and not only Tamil Nadu, all the States, but whichever States are connected through all the National Waterway Projects. One hon. Member also spoke about this. So, I would like to re-emphasize this Government to see what can be done to implement the National Waterways Project.

Once again, I thank the hon. Minister for retaining the name of the Bill in English, but I oppose this Bill because only the year has changed. Thank you.

डॉ. आलोक कुमार सुमन (गोपालगंज) : सभापति महोदय, आपने मुझे इस बिल पर बोलने का मौका दिया, इसके लिए मैं आपका आभार व्यक्त करता हूँ। The Bills of Lading Bill जो Indian Bills of Lading Act, 1856 को रिपील करने के लिए लाया गया है। यह विधेयक आजादी से पहले का है। लेकिन अभी परिस्थितियाँ काफी बदल चुकी हैं। इसलिए, यह आवश्यक हो गया था कि 1856 के एक्ट को वर्तमान समय के अनुसार, इसमें बदलाव लाया जाए। विधेयक में 1856 के एक्ट सब्सटांस या स्पिरिट ऑफ एक्ट में बहुत ज्यादा बदलाव नहीं किया गया है, लेकिन कुछ नये प्रोविजन लाये जा रहे हैं, ताकि जहाज पर माल ढुलाई आदि से संबंधित प्रोविजन सरल हो सकें।

महोदय, जैसा कि हम सब जानते हैं कि विश्व में व्यापार सीमलेस तरीके से बढ़ रहा है। The Bills of Lading Bill रिसिप्ट और कॉन्ट्रैक्ट का पार्ट है, साथ ही साथ ओनरशिप का भी पार्ट है। इस विधेयक में एक की-एलिमेंट भी है।

महोदय, वर्तमान विधेयक के सेक्शन-2 में बिल्स ऑफ लेडिंग के अधिकारों को कान्साइनी या एन्डोर्समेंट में निहित किया गया है तथा सभी समानों की लाइबिलिटी, जो उनके नामों में उल्लेखित है, की गई है। The Bills of Lading Bill, 2024 के सेक्शन-3 में यह प्रोविजन लाया गया है कि जहाज पर माल भेजने वाले असली मालिक के अधिकारों में छेड़छाड़ न हो। इस विधेयक के सेक्शन-6 में केंद्र सरकार को सक्षम बनाया गया है कि इस अधिनियम के सभी अथवा किसी भी प्रावधान को उपयुक्त समझकर निर्देश जारी कर सकता है।

महोदय, वर्तमान विधेयक समुद्र के रास्ते माल की ढुलाई संबंधी यह कानूनी दस्तावेज है। भारत में समुद्री विरासत 7,500 किलोमीटर विशाल और गतिशील है। वर्ष 2023 में विश्व के व्यापार में 16 परसेंट का योगदान रहा है। भारत समुद्री क्षेत्र वाणिज्य कनेक्टिविटी और अंतर्राष्ट्रीय सहयोग के लिए एक महत्वपूर्ण कड़ी के रूप में उभर रहा है।

यह देश के व्यापार का लगभग 95 प्रतिशत मात्रा के हिसाब से और लगभग 70 प्रतिशत मूल्य के हिसाब से संभालता है। वर्तमान विधेयक के पास होने से यह स्वीकृति मिलेगी कि माल किसी विशेष जलयान से निर्दिष्ट गंतव्य तक सुरक्षित भेज दिया गया है तथा वह सही-सलामत पोत मालिक की कस्टडी में आ गया है।

महोदय, मैं इस महत्वपूर्ण विधेयक पर अपनी बात रखते हुए पत्तन, पोत परिवहन और जलमार्ग मंत्री जी का ध्यान नारायणी रिवर फ्रंट की ओर आकृष्ट कराना चाहता हूँ, जो मेरे संसदीय क्षेत्र गोपालगंज में है। विगत वर्षों में मंत्रालय ने इसके लिए 6.62 करोड़ रुपये आवंटित किए थे तथा इसका काम भी शुरू किया गया था। वहां दो घाटों को बनाया भी गया था। गंडक या नारायणी नदी को नेशनल वाटर वेज-37 घोषित किया गया था, जो भैसालोटन बैराज से गंगा नदी, हाजीपुर के नेशनल वाटर वेज थ्री में मिलाने की योजना है। सरकार की स्टडी रिपोर्ट में भी यह जलमार्ग विकास के लिए उपयुक्त पाया गया है। इसके माध्यम से शिपिंग और नेवीगेशन किया जा सकता है।

महोदय, मैं इस सदन के माध्यम से माननीय मंत्री जी से यह आग्रह करता हूँ कि नारायणी रिवर फ्रंट के जलमार्ग-37 को विकसित करके पोर्टेंशियल कार्गो का परिचालन शुरू किया जाए, ताकि मेरा संसदीय क्षेत्र गोपालगंज भी जलमार्ग से व्यापार कर सके। मैं इस बिल पर अपनी बात रखते हुए तथा इस बिल का समर्थन करते हुए अपना भाषण समाप्त करता हूँ।

SHRI SRIBHARAT MATHUKUMILLI (VISAKHAPATNAM): Hon. Chairperson, Sir, I rise to speak in favour of the Bills of Lading Bill 2024. The intention to provide legal framework and to ensure that any open ends are tied up with this Bill is a part of the larger agenda to improve and strengthen the maritime sector. We support this. In recent past also, we have seen incidents of illegal goods being shipped in. But the question mark arises on who takes the ownership, who has the liability for it. I am glad that this Bill does that and also gives flexibility to the Central Government to issue directions as and where needed based on the current changing circumstances.

Speaking about the maritime sector, I am happy to see that our overall cargo handling capacity has doubled from about 800 million tonnes per annum to about 1630 million tonnes per annum as of March 2024, indicating the commitment of the NDA Government towards developing maritime trade. Nine Indian ports are ranked amongst the top 100 ports globally and I am sure that over the years many more will show up on those rankings. We see how global events like the Russia-Ukraine War are disrupting maritime trade, leading to shipping delays and higher costs, impacting all our industries.

Sir, 95 per cent of our trade happens through the shipping sector and 75 per cent value comes from the shipping sector. There are many things we need to do to ensure that we remain competitive and increasingly compete with the global market in this. I think the resources need to be put in this direction.

I have a few points that I would like to put in front of the Government. One is the high freight cost that has increased in the last few years because of the global uncertainty. We have to see how we can reduce that. The next is the shortage of containers. I think India should invest more into developing our own containers. Instead of depending on carriers from international companies, I think we should do more on manufacturing. Recently, the Hindustan Shipyard in Visakhapatnam was awarded a contract for building three ships. I think we need to be doing a lot more of that and not just building more ships but building the so-called mother ships, the really large ships which require drafts of 18 metres or more. In fact, in Visakhapatnam we are unable to receive them because our draft sometimes does not meet that depth requirement. The major disincentive right now is that the shipping lines are expected to invest into that dredging behaviour which often does not happen. So, the request is that if the Government can provide a dredging subsidy to places like Visakhapatnam and other parts of the country, I think we will

be able to reduce the transshipment cost so that we are able to do it in our ports itself.

15.00 hrs

Now, I would like to say something on the shipping ecosystem. There is a small request relating to my Parliamentary constituency. We have invested about Rs. 100 crore to develop a cruise terminal in Vizag port, but not having an e-visa facility over there is limiting our ability to conduct more cruises over there. I request that the Government takes a favourable view on that.

I also want to appreciate the Government for the turnaround time in major ports. In 2013-14, it was about 94 hours. Now it has come down to 48 hours in 2023-24, showing a massive improvement in the efficiency of the shipping sector.

There are many other points, but overall, I think investment into this would be critically relevant for our future, and Andhra Pradesh would be very happy to partner on this because recently we have announced our maritime policy. We have almost a 1000 - kilometre coastline, and we have notified about 14 ports, both large and minor. We will actively seek the support of the Central Government and support any regulation that makes this industry more transparent, more agile, and more ready to adapt to the changing global conditions and make us a competitive force in the maritime trade.

Thank you.

श्री वीरेन्द्र सिंह (चन्दौली) : सभापति महोदय, धन्यवाद । आज मैं समाजवादी पार्टी की तरफ से वहन-पत्र विधेयक, 2024 पर बोलने के लिए खड़ा हुआ हूँ । समुद्री जलमार्ग निश्चित रूप से आयात और निर्यात का एक अच्छा साधन है । केन्द्र सरकार का एकाधिकार होने के कारण इस पर राज्य सरकार की कोई विशेष सहभागिता नहीं रहती है । जल परिवहन और पोर्ट हमारी आर्थिक स्थिति को बढ़ाने का बहुत महत्वपूर्ण साधन है । आयात और निर्यात करने वाली एजेंसियों द्वारा माल की सुरक्षा, माल की ढुलाई और देश विदेश से आयात और निर्यात करने के लिए इतनी सस्ती परिवहन सेवा संभवतः देश में नहीं है । हम चाहते हैं कि जो विधेयक लाया गया है, उस विधेयक में व्यापारियों के माल के सुरक्षा की गारण्टी हो । डैमरेज और वारफेज चार्ज पोर्ट पर लिए जाते हैं, जिसके बहाने व्यापारियों का शोषण होता है, तो उस शोषण को कम किया जाए और उसका सरलीकरण किया जाए । जो माल डैमेज हो जाता है, इंश्योरेंस कंपनियां उस डैमेज माल का मुआवजा देने से कतराती हैं ।

मैं सरकार से कहना चाहता हूँ कि जो विधेयक लाया गया है, उस विधेयक में संशोधन करते हुए कुछ ऐसी व्यवस्था की जाए, ताकि इंश्योरेंस कंपनियां समय पर व्यापारियों के डैमेज का भुगतान समय-सीमा के अंदर उपलब्ध करवा दें । उत्तर प्रदेश में जनपद वाराणसी है । सरकार ने फैसला किया है कि गंगा में जल परिवहन के द्वारा यात्रियों के आने-जाने की सुविधा होगी, साथ ही साथ माल ढुलाई के साधन भी वहां उपलब्ध करवाएंगे, ताकि परिवहन भाड़ा कम होने से व्यापारियों को लाभ हो सके और महंगाई कम हो सके । हम आपसे कहना

चाहते हैं कि जनपद वाराणसी में मिल्कीपुर में पोर्ट बन रहा है। वहां करीब तीन हजार गरीब परिवार बसे हुए हैं। उनको मुआवजा नहीं दिया जा रहा है, लेकिन उनको जबरदस्ती बेघर किया जा रहा है। वहीं बगल में भगवान बुद्ध के नाम से एक संस्थान है। वहां सरकार के द्वारा 50 एकड़ भूमि को जबरदस्ती कब्जा करने का प्रयास किया जा रहा है।

वाराणसी से लेकर हल्दिया तक चाहे वह गाजीपुर हो, बलिया और पटना हो, जहां तक वे सेवाएं जाती हैं, वहां बन रहे पोर्ट्स पर किसानों की आस-पास की जो जमीन है, वहां जो सड़क बन रही है, उनको ठीक तरह से मुआवजा नहीं दिया जा रहा है। वाराणसी में परिवहन की सफलता का प्रतिशत .001 भी नहीं है। एक बार यात्री सेवा को लेकर यात्रियों को जल परिवहन मार्ग से भेजने का प्रयास इस सरकार ने किया। वह गंतव्य स्थान से फूल माला और बाजे-गाजे के साथ उस यात्री पोत को समय से रवाना किया गया। लेकिन हर जगह गंगा नदी में बालू का इतना गाद है कि वह फंस जाती थी, फिर ड्रेजर लगाकर किसी तरह से पीछे से धकेल कर आगे बढ़ाया जाता था। आगे जाकर वह बलिया में फंस गयी। उसके आगे वह पटना में फंस गयी। अंततः जो यात्रा 15 दिन में खत्म होनी थी, वह यात्रा करीब डेढ़ महीने बाद अपने गंतव्य स्थान पर पहुंच सकी।

मैं जानता हूं कि माननीय प्रधान मंत्री जी का यह सपना है कि बनारस से जल परिवहन को शुरू किया जाए। इसलिए मैं आपके माध्यम से माननीय प्रधान मंत्री जी से अनुरोध करना चाहता हूं कि वहां आवश्यक धन उपलब्ध करवाएं ताकि गरीबों को मुआवजा मिल सके ताकि गंगा को और गहरा किया जा सके ताकि वह परिवहन सेवा ठीक तरह से अपने गंतव्य तक चल सके। गंगा में पानी नहीं रहता है। सिंचाई के पम्प स्टेशन बंद हो जाते हैं। किसानों को सिंचाई का पानी नहीं मिल पाता है। गर्मी के दिनों में लोगों को पानी नहीं मिल पाता है तो कल्पना कीजिए कि ऐसी स्थिति में जल परिवहन सेवा वहां कैसे चलायी जा सकती है? इसलिए मैं आपसे इस विधेयक पर अपनी बात रखने के लिए आया हूं कि आप आवश्यक धन उसके लिए उपलब्ध करवाइए और मैं जो पहले कहा कि आयात-निर्यात करने वाले जो व्यापारी हैं, उनका शोषण न हो सके, उनको इंश्योरेंस डेमेरेज और मार्केट चार्ज पर मिल सके। यह सारी व्यवस्था आप करें ताकि यह सस्ती परिवहन सेवा देश को उपलब्ध हो सके।

मैं आपको धन्यवाद देते हुए अपनी बात को समाप्त करता हूं।

SHRI ARVIND GANPAT SAWANT (MUMBAI SOUTH): Thank you, Chairperson Sir. I would like to express my views on the Bills of Lading Bill, 2024. The hon. Minister has placed it with some recommendations, some comments on it. While doing so, he spoke about the *asmita* of India. I did not understand where the *asmita* lies in the Bill. A colonial Bill was there in 1925 which was based on the Hague-Visby Rules. Those are being changed. Simplification has been done. You yourself have accepted that you have done simplification in the Bill.

Coming to the major changes in the Bill, you are replacing the term 'rules' with 'applicable rules' reflecting modern standards. The Bill also grants the Central Government the authority to amend these rules, through notification in the Official Gazette allowing for a swift update while maintaining Parliamentary oversight. I welcome this Bill. It is not that I am opposing the Bill. But there are certain lacunae in it. Coming to the perspective of the Bill, the aim of the Bill, the object of the Bill,

while doing so, do we look at the fact what is happening practically? When you say a substantial aspect of the said Act is relevant in the present context, since it is a pre-independence legislation, the language therein requires simplification without changing the substance or the spirit of the provisions so as to bring it in line with the drafting practices followed in recent Indian statutes and in order to facilitate ease of understanding.

The ease of understanding and ease of business are two different terms. Then, I come to the simplification of the language of the provision of the Act by dividing long Sections into sub-clauses in the Bill for ease of understanding to the extent possible without changing the substance or spirit of the provisions. The fact is that you have not changed the spirit, structure, and substance. Then, what is the change in this Bill? And what has been brought in? Just for the sake of saying that as it is a colonial Bill, the Government of India is bringing in this Bill. Therefore, the *Asmita*? is coming in your mind. I do not know where the *Asmita*? is lying in this.

Then, you are saying that the right of stoppage of transit or claims for freight not to be affected. Now, when we talk about the right of stoppage of transit, piracy is also stopping it. What is the provision to protect it from that? Something has to be done. The jurisdiction of the sea is given to the State Government. At certain levels, certain areas and certain kilometres of the sea will be controlled by the State Government, and beyond it, the Central Government will control it. The international border also comes in. It happens in the case of the fishermen also.

Now, the case is this. Any right of stoppage in transit; or any right to claim freight against the original shipper or owner; or any liability of the consignee or endorsee by reason or in consequence of his being such consignee or endorsee, or of his receipt of the goods by reason or in consequence of such consignment or endorsement -- all this is not said in a simple language. When you say that you want to simplify it, it is not simplifying it. It is creating more confusion. So, let us be very simple on this thing.

I feel that the most dangerous part of it, as far as I am concerned, is that the Central Government may give such directions, as it may deem necessary, for carrying out all or any of the provisions of this Act. Now, here lies the issue. It is challenging the federal structure of the country. It is my opinion. We have a Maritime Board in the State. Now, what will happen to the Maritime Board in the State? You want to do something good. The loading will be done at one port and unloading will be done at another part, and in between, the transit is there. And in

transit, as I have said, the problem of piracy is there. Now, once it arrives over here, the consignee or endorsee will be responsible for suit or everything. That is a correct provision. But the fact remains is this. When you want to do this, you have to have good ports and you have to have a Maritime Board which is functional at the State level. Now, that Maritime Board should take care of what exactly the Central Government wants. I would like to know whether that Maritime Board is going to carry out that responsibility or not. Who is going to carry out that responsibility? Is the Central Government going to carry out that responsibility? Or, will the Central Government monitor it and give a directive to the Maritime Board? Or, are you going to make Maritime Board non-functional? These answers have to be given by the hon. Minister. I feel it is rather a very evasive action of the Central Government with regard to the Maritime Board of the State Government.

As far as Mumbai in Maharashtra, is concerned, you are well aware of the same. You have come several times to Mumbai. The Mumbai Port was the best port in the country. Of late, you have gone for Vadhavan Port. There is a strong opposition against the same. Resentment is there. Agitations are going on. I do not want to politicise the issue over here. But when you are developing it, you are bringing the sand from Gujarat to Vadhavan port to reclaim the land or sea land over there. Okay, it is good. But why is it not from the Mumbai Port? If you do it, the draft of the Mumbai Port will increase automatically. You need sand. You bring it. Dredging has not been done. Silting has not been done for long years. I have been demanding it in the Parliament for the last 10 years. But you are not doing it. Why are you not doing this? And wherefrom will this business go? Where will it go? It will not go to Mumbai Port. Vadhavan Port will come. It will take some time. For whom are you doing it?

It is a million dollar question. Everyone knows who is holding the ports now. Therefore, while doing so, I, with folded hand, request you not to ignore Mumbai, and do not have revengeful action. Mumbai is the country's port. Mumbai is the financial capital of the country. The business goes in Mumbai. Do not ignore Mumbai port. The dredging could have been done easily. When you want to reclaim the land, the sand should have been taken from Mumbai port and should have been brought over here. It is not being done. I feel that the intentions of the Bill are good. It is not a question of anything else. It is a question of business itself. To make ease of business, these provisions are there. I can understand that. But I expect you to do, at least Sonowal Ji during your tenure. As you are taking some right steps, I will tell you some additional policies to include in it.

I think Mr. Shankar is the Secretary over there in your Department. He has given some optimistic answer to me because the encroachments which are there on the ports, have to be removed and they should be rehabilitated. There also, we have to go for a policy. If you are going there to do the ease of business, that also is hampering. So, that also has to be thought, and you have moved a bit in this direction.

With folded hands, I say thanks to it but we will have to come to a final achievement by rehabilitating those people who are residing there. That should also be done. The Mumbai port should be taken up. You must give priority for the redevelopment of Mumbai port.

Thank you so much, Sir.

श्री रविन्द्र दत्ताराम वायकर (मुम्बई उत्तर-पश्चिम) : सभापति महोदय, मैं इस महत्वपूर्ण बिल, दी बिल्स ऑफ लेडिंग बिल, 2024 पर बोलने का अवसर देने के लिए प्रधान मंत्री श्री नरेंद्र मोदी जी; पतन, पोत, परिवहन और जलमार्ग मंत्री श्री सर्बानंद सोनोवाल जी और सरकार का हृदय से आभार व्यक्त करता हूँ। यह विधेयक समुद्री व्यापार को सुगम और पारदर्शी बनाने तथा ईज ऑफ डुइंग बिजनेस को बढ़ाने की दिशा में एक ऐतिहासिक कदम है।

सबसे पहले, मैं माननीय प्रधान मंत्री मोदी जी को भारत के पहले गहरे पानी वाले मेगा पोर्ट वधावन की आधारशिला रखने के लिए धन्यवाद देना चाहता हूँ। 76,000 करोड़ रुपये की लागत से बनने वाला यह पोर्ट दुनिया के शीर्ष 10 बंदरगाहों में शामिल होगा। यह भारत को वैश्विक समुद्री व्यापार का केंद्र बनाने में मदद करेगा और भारत की निर्यात क्षमताओं (export capabilities) को दोगुना करेगा।

इस परियोजना से 12 लाख से अधिक प्रत्यक्ष और अप्रत्यक्ष नौकरियाँ सृजित होंगी, जिससे स्थानीय अर्थव्यवस्था को भी बड़ा लाभ मिलेगा। दी बिल्स ऑफ लेडिंग बिल, 2024 सन् 1856 के कानून का आधुनिक संस्करण है।

अब मैं दी बिल्स ऑफ लेडिंग बिल, 2024 के विषय पर आता हूँ, जो 1856 के पुराने कानून को हटाकर एक आधुनिक विधेयक लाने की दिशा में कदम है। यह भारत की समुद्री व्यापार प्रणाली को दुनिया के बेहतरीन मानकों के अनुसार विकसित करेगा।

सभापति महोदय, दी बिल्स ऑफ लेडिंग बिल का जो कानूनी ढाँचा है। वह एक महत्वपूर्ण दस्तावेज है, जो शिपर (shipper) और मालवाहक (carrier) के बीच अनुबंध को प्रमाणित करता है। यह माल के स्वामित्व हस्तांतरण (transfer of ownership) और दायित्व (liabilities) को स्पष्ट करता है। इसमें परिवर्तन का अधिकार (Right of Transfer) है। विधेयक में यह प्रावधान है कि प्राप्तकर्ता (consignee) और तीसरा पक्ष (third party), जिसे स्वामित्व हस्तांतरित किया गया हो, वे सभी माल से संबंधित अधिकार प्राप्त करेंगे। बिल ऑफ लेडिंग का निर्णायक प्रमाण के अंतर्गत विधेयक स्पष्ट करता है कि यह बिल ऑफ लेडिंग में दर्ज विवरण ही माल का प्रमाण होगा, जिससे किसी भी विवाद की स्थिति में यह दस्तावेज निर्णायक होगा। अभी कई सदस्यों ने भी कहा कि इसमें जो भी रेट होगा, उसके ऊपर यह बिल निर्णायक होगा। इस बिल में यह स्पष्ट किया गया है। इसके अंदर केंद्र सरकार को निर्देश जारी करने की शक्ति है। सरकार को यह अधिकार होगा कि वह विधेयक के

क्रियान्वयन के लिए आवश्यक दिशा-निर्देश जारी कर सकती है। इस विधेयक का सकारात्मक प्रभाव यह पड़ेगा कि यह नौवहन व्यापार यानी शिपिंग ट्रेड को आसान बनाएगा। इससे माल ढुलाई में पारदर्शिता यानी ट्रांसपैरेंसी इन कार्गो हैंडलिंग में बढ़ोतरी होगी, लॉजिस्टिक्स सेक्टर को मजबूती मिलेगी, निर्यातकों और व्यापारियों के लिए सुरक्षा और सुविधा सुनिश्चित होगी।

माननीय सभापति महोदय, मैं आपके माध्यम से भारत में समुद्री व्यापार के विकास का महत्व बताना चाहता हूँ। वर्ष 2014 में भारत के प्रमुख बंदरगाहों की कार्गो हैंडलिंग क्षमता मात्र 800.50 एमटीपीए थी, जो मार्च 2024 तक 1,630 एमटीपीए हो गई है, यानी यह दोगुनी हो गई है। 98 पोर्ट्स, मॉडर्नाइजेशन प्रोजेक्ट्स पूरे किए गए हैं, जिनकी लागत 32,000 करोड़ रुपए है। इन परियोजनाओं की वार्षिक पोर्ट क्षमता 230 एमटीपीए है, यानी उसमें वृद्धि हो गई है।

इंडलैंड वाटरवेज पर माल ढुलाई वर्ष 2014 में 18.1 एमएमटी थी, जो वर्ष 2024 में 133.03 एमएमटी हो गई है। इसमें लगभग 7 गुना वृद्धि हुई है। 'कूज भारत मिशन' को मुंबई से लॉन्च किया गया है, जिससे भारत में कूज टूरिज्म को बढ़ावा मिलेगा।

सभापति महोदय, मेरी कई मांगें हैं। मुंबई में कूज भारत मिशन का त्वरित विकास होना बहुत जरूरी है। अभी कई माननीय सदस्यों ने भी कहा है कि मुंबई पोर्ट्स का सशक्तिकरण और अच्छी तरह से होना चाहिए। मुंबई को कूज टूरिज्म का हब बनाने के लिए सरकार को जल्द से जल्द इस मिशन को विस्तृत रूप देना चाहिए। यह मेरी पहली मांग है।

मेरा संसदीय क्षेत्र मुंबई के नॉर्थ-वेस्ट में है, वहां समुद्र के बाजू का इलाका वसोवा है। वसोवा जेटी का निर्माण होना बहुत जरूरी है। वसोवा और उससे जुड़े तटीय क्षेत्रों को जलमार्ग के माध्यम से मुंबई से जोड़ने के लिए वसोवा जेटी का निर्माण होना बहुत जरूरी है। मैंने इसके पहले भी कहा था कि वसोवा जेटी का निर्माण जल्दी कराएं। मैं इसके लिए माननीय मंत्री महोदय से भी मिला था। वसोवा जेटी का निर्माण होना बहुत जरूरी है।

मुंबई और कोंकण के बीच जलमार्ग की भी आवश्यकता है। वहां के लोग इसकी मांग सालों से कर रहे हैं। कोंकण के किसानों और व्यापारियों के लिए, विशेषकर फल और सब्जी उत्पादों के लिए, यह बेहद आवश्यक है कि उनके उत्पाद जलमार्ग के माध्यम से मुंबई तक सुगमता से पहुँच सकें। अगर मुंबई और कोंकण के बीच वाटरवेज विकसित किया जाए, तो खराब होने वाले सामान को जल्दी और सस्ते में पहुंचाया जा सकता है। इसलिए वाटर ट्रांसपोर्ट की वृद्धि होनी चाहिए। इससे कोंकण के किसानों को सीधा लाभ मिलेगा और उनकी आय में वृद्धि होगी। मुंबई, कोंकण और अन्य क्षेत्रों में जलमार्ग एवं पोर्ट इंफ्रास्ट्रक्चर को और विकसित करने की जरूरत है।

यह विधेयक भारत के समुद्री व्यापार और लॉजिस्टिक्स सेक्टर को विश्वस्तरीय बनाने की दिशा में एक बड़ा कदम है। लेकिन इसके साथ हमें पतन और जलमार्ग के आधारभूत ढांचे में और भी सुधार लाना चाहिए, कंस्ट्रक्ट करना चाहिए। वहन-पत्र विधेयक, 2024 हमारे व्यापारियों और उद्योगपतियों को सुरक्षा और पारदर्शिता देगा। मुझे विश्वास है कि सरकार हमारी इन माँगों पर जल्द से जल्द कार्यवाई करेगी और भारत को समुद्री व्यापार और लॉजिस्टिक्स का वैश्विक केंद्र बनाने में महत्वपूर्ण भूमिका निभाएगी। धन्यवाद।

SHRI BHASKAR MURLIDHAR BHAGARE (DINDORI): Hon. Chairman, thank you very much for allowing me to speak on the Bills of Lading Bill, 2024. This Bill has been brought to replace the Indian Bills of Lading Act, 1856. This Act provides a

legal framework for issuance of bills of lading to modernize shipping, logistics, other shipping and maritime trade.

Maharashtra has got a long coastline, Chhatrapati Shivaji Maharaj constructed many ports and forts alongwith this coastline. We have a Jawaharlal Nehru Port Trust and a new port at Vadhavan is proposed in Palghar district. This port is being developed now, but all the political parties have played an important role to materialize it. It would provide an infrastructure for import and export facility. You have brought this Bill but it would create many problems in near future. This bill is not going to facilitate trade but a new kind of constraints we are likely to face. Through this bill, we propose to legalise digital and electronic bill of lading but farmers in rural areas, small trader, shipping and logistic companies may face obstacles due to this because no digital or internet facilities are available in many parts of India.

It might be beneficial for big corporate houses but not for small farmers and traders. We have to think about the internet penetration and cyber security as there is a constant threat of data leak and cyber-attack for business transactions. This bill is not in consonance with international shipping rules. Due to this, Indian shipping companies may suffer losses as it lacks transparency. This is pro corporate but against the smaller and marginal traders. The Government should provide separate provisions for small and medium traders. Our shipping sector is not up to the mark and it cannot match the standards of American and European shipping industry because they have robust digital infrastructure there. Small ports and shipping companies are not ready for it yet. So, the Government first should develop port infrastructure and logistics on priority and only after think about it.

Many farmers from Nashik and Dindori export agriculture produces but, due to import-export policy, they have to suffer losses at large scale. We must fix MSP for long term benefits of farmers who produce onions and grapes. The Government keeps on banning export of it. Import duties levied by foreign countries cause losses to farmers. The farmers at Lasalgaon Onion Market have protested this morning against the export duty levied by our Union Government.

Government has failed to frame a policy regarding sugar and Ethanol production as well. On one hand, they are banning sugar export and on the other hand, they stopped ethanol production. This import of sugar is not in favour of farmers. So, I would like to request Union Govt. to assess the crop cycle and its production by using modern technology through its Departments and Ministry. The Exim Policy

should be finalized on the basis of expected production and reserve buffer stock of crops.

One dry port is proposed at Niphad in Nashik district but it has been pending for a long time. If this dry port came into existence, it would be very beneficial and convenient for the export of onions, grapes and pomegranate from this area. This Niphad dry port should be connected to Vadhavan port by railway line and roads. I would also like to request to look into the demands of local farmers and fishermen regarding Vadhavan Port.

This Bill is like a hollow modification as it would benefit only the big corporate houses and industries and not the small and medium traders and farmers. If you really want to go digital, you must have to ensure cyber security first.

The Government needs to fix a policy for farmers to improve export. It should also develop basic infrastructure, cold storage and warehouses to facilitate it.

Union Government should protect the interests of small farmers and not only of big corporate. This legislation should not help only the industry giants but Government needs to review it for the interests of small and medium farmers too.

Thank you.

CAPTAIN VIRIATO FERNANDES (SOUTH GOA): Thank you, hon. Chairperson Sir, for giving me this opportunity. I would also like to thank my Party Leadership for giving me this opportunity to speak on this very important Bill.

Sir, the Bills of Lading Bill, 2024 was introduced in Lok Sabha on August 9, 2024. It seeks to replace the Indian Bills of Lading Act, 1856. The Act provides a legal framework for issuance of bills of lading.

A bill of lading refers to a document issued by a freight carrier to a shipper. It contains details such as the type, quantity, condition, and destination of goods being carried. The Act states that a bill of lading is conclusive evidence of goods on board. It grants the following persons all rights of suit and liabilities regarding the goods: the receiver as per the bill of lading, or any third party to whom the receiver may transfer ownership of the goods.

Sir, when we are discussing the Bills of Lading Bill, 2024, it is but necessary that we get into the discussion of shipping and shipping related matters, because the entire issue is related to shipping. In this context, I suggest that the Government

should facilitate to modernise the shipbuilding industry in India as we have huge potential to compete with the global industry of shipping.

Sir, when we speak about shipping, the name that pops up is the Shipping Corporation of India. The Shipping Corporation of India has played a huge role in contributing towards India's economy, both during peace time and during hostilities. But the provisions in the Bill make one wonder what the real intentions are in bringing this Bill. Has the Government involved all stakeholders while formulating the Bill? Or is it intended to dilute the stake of the Shipping Corporation of India? At first glance, it seems that the Bill is intended to carry forward the legacy of this Government by handing over every aspect of our economy to their most favoured businessman. This is not a mere allegation; we know who it is.

Sir, there are certain factors that I would like to suggest to the Government. Has the Government calculated the impact on the shipping industry while trying to bring this Bill? Some of the related problems plaguing the shipping industry are container shortage, surge in freight rate and shipping cost, shipping delays at the ports, and turnaround time at the ports.

Sir, some of the major problems faced are at Customs and Immigration. There are certain issues like complex documentation, inaccurate or incomplete paperwork, goods misclassification, valuation issues, delays due to strict regulations, potential for corruption, lack of transparency in the process, and difficulties with classifying restricted or prohibited items, often leading to significant delays in import and export shipments.

The key points about customs clearance issues in India at the ports are documentation challenges, missing or incorrect information on customs declarations, invoices and other required documents that can cause delays. Incorrect classifying of goods can lead to incorrect duty calculations and clearance issues. Disputes over the assessed value of imported goods can lead to delays and additional charges. A complex system of import and export regulations including restrictions on certain items can make it difficult to navigate. Bureaucratic hurdles make the customs clearance process lengthy and involve multiple approvals leading to delays. In some cases, customs officials may demand bribes to expedite the clearances of goods. So, this Bills of Lading Bill has to have provisions to ensure that such practices are not allowed at the customs or clearance places at the ports.

Due to lack of transparency, importers may not have clear information on duty rates and other customs requirements may create uncertainty. Technology issues like glitches in the electronic customs clearance system can further hamper the process.

Sir, when we are talking about the shipping industry, the Government has recently formed a 12-member panel to advise the Government on the National Shipbuilding Mission. But, sadly and surprisingly, why are the Indian shipbuilding designers not placed on the panel? Our shipbuilders have done tremendous progress and contributed to the shipbuilding industry in a big way. Some are involved even in designs of corvettes, frigates, destroyers and passenger vessels. But none of them have been included in this particular panel. They are not only not included, but here we come to know that people who are nowhere connected with it are on the panel. I smell a rat because it looks like the entire exercise may finally end up in breaking the Shipping Corporation of India; and who will gain from that, but the most favoured businessman friend of the Government.

Sir, while presenting the Budget, the hon. Finance Minister announced a Rs.25,000 crore Maritime Development Fund, a revamped Shipbuilding Financial Assistance Policy to address cost disadvantages faced by Indian yards. A credit note scheme for shipbreaking in Indian yards to promote circular economy and infrastructure status to large ships above a specified size were also announced.

Today, India holds less than one per cent of the global shipbuilding market but it aims to break into top 10 ranking by 2030 and top five by 2047. Why not? We have to. But with such backward-looking provisions, are we going to break into the top 10?

Sir, now I would like to draw the attention of the Government towards my State of Goa. Everybody knows that we are situated on the west coast of the country. For centuries, sea trades from foreign countries into Goa have prospered our shipping industry. The thrust of the Government should also be to ensure that the shipping lines are exploited to the maximum so that it benefits not only the State but also the country in terms of economy. I mean, more trade, more business.

Unfortunately, Goa was ruled for 450 years by a colonial power that came through the sea route. Ironically, today we have again become slaves to trade that has come by sea, where coal is being brought from Australia. When it arrives at the Mormugao Port Trust, now known as the Mormugao Port Authority, the coal must

be sent to other States like Maharashtra and Karnataka. Consequently, they are expanding tracks and roads, and in the process, the beautiful State of Goa is being destroyed. Recently, even the iconic and most vivid temple of Lord Kapreshwar was demolished by authorities to facilitate this expansion. For what? Moreover, the people who tried to save the temple have been booked.

Even yesterday, for facilitating this coal trade, when they were trying to expand the railway tracks, a lady sarpanch has been booked by the authorities. Even the local authorities have become agents of the Central agency to suppress.

I request through you, Sir, this Bill that has been introduced, let us use it for the benefit of all the States and the country, instead of using it for certain trade, which is going to destroy certain places, like the way my State of Goa is being destroyed. Thank you, Sir.

SHRI ABHIJIT GANGOPADHYAY (TAMLUK): I thank my leader, Narendra Modiji, and I also thank the hon. Speaker, while speaking in support of this Bill.

The object of the Bill, as stated by the hon. Minister, is to facilitate ease of business and give right direction to the persons involved in this business, which will take India at least 50 years ahead through this Bill. Now, one of the respected Members was talking about sending some goods through water, like furnace oil, etc., and nobody knew who was the owner of the goods. Here, without giving any blow to the earlier Bill, which has been repealed by this Act, it has been stated clearly that the consignee would be accepted as the owner of the goods, where the property in the goods would transfer to the consignee. It is a dimming provision; it is a friction of law. Before this, in the Indian Bills of Lading Act, the consignor and consignee were mentioned, and it was the consignor who was taken as the owner of the goods. Here, by using one legal friction, it has been done that the property in the goods, property in the goods means the ownership of the goods, will be deemed to have been transferred to the shipper, that is, the owner of the ship through which the goods were being sent, and or being sent, and also the consignee to whom it has been sent. Suppose, thousands of tons of smuggled coal from West Bengal is transported by ship to some other country outside India, and if it is caught by the Navy or any of the Water Monitoring Authority, then the first question would be, who sent this thousand tons of coal. This coal is coming to my mouth because of the reason that there is a huge coal scam in West Bengal. Who is the owner of this coal? Now, nobody will be able to find out as to who is the owner of the coal. Here, what has been done is that it is deemed, it will be considered, and it will be

accepted that the person who is shipping the coal is the owner of the coal. This is the advantage, which has been created by this Bill in modern terms instead of a Bill which was framed in 1800. A new Bill was always required to bring the new terms in the Act.

Another very important thing is Section 2 where not only the rights, but liabilities also have been fastened upon the shipper, that is the consignee or the person who is transporting the good. A bill of lading is actually a document which shows who is sending the goods, what is the amount, where it is being sent, and to whom it is being sent. A bill of lading is a very simple thing where some information is given. It was always considered that the person who is sending is the owner. Now, in this Bill, it has been stated at the very outset, that is in the Objects and Reasons to transfer of rights of suit and all liabilities to the consignee.

Who would sue if something happens to the good? The person who has some insurable interest in the goods. Why I am saying insurable interest? It is because anything which is to be shipped is bound to be insured. So, the person who has some insurable interest in the goods will sue. Now, if the person is not available and if the shipper says that somebody booked it and the consignee said that I sent some money, but the person who sent it is never found, there will not be any suit. But in the meantime, the shipper and the consignee have already accounted a huge loss.

In this Bill, it is stated who will extract the money, that is the damages caused due to some problems in the goods, which has been shipped and not only the goods, some goods which is mentioned in the bill of lading, but has not been given in the ship. Here, the word 'ship' also includes any carriage by Railways or by road. Shipping does not always mean that it has to be shipped by ship. Shipping is a term of insurance which covers also the carriage of goods by transporters through road.

If something is required to be done in the court of law, the person to whom the good has been transferred for shipment to the consignee, not the ownership, he can also sue the person who is liable for the damages. This particular provision along with the opening up of the whole thing, that is proposed Section 5 states: 'The Central Government may give such directions, as it may deem necessary, for carrying out all or any of the provisions of this Act'. It has an opening to the national trade and also the international trade.

If some direction is required, a person is to go to the court of law where a litigation will continue for 20 years. Here, the Government has taken the responsibility of giving directions. If the direction is bad, the court is already vested with the power by the Constitution of India to declare it as bad.

Whether it is a bad decision or a good decision, I am not talking about it. I am on the question of whether the Government can issue certain directions for the betterment of transport by sea or by road. A bill of lading bill is not only used in ships; it is also used in road transport and in multimodal transport. We have one Multimodal Transport of Goods Act which shows that some goods will start, say, from Calcutta to Paradip, from Paradip to some other country's port, and from that port to some factory. For the whole thing, one bill of lading bill can be used. The multimodal transport will also come within the meaning of this Act. While supporting the Bill, I say that it has opened up an area for our country which is very progressive and will bring India at least 50 years ahead of our time.

Thank you!

SHRI MADDILA GURUMOORTHY (TIRUPATI): Sir, the new Bill simplifies and improves the efficiency, and the way we do business in terms of maritime trade.

Sir, I will call out a few strengths and positives of the Bill. The first point is, replacing the old 1856 Act is a big step towards modernizing and standardizing trade, making India compete with global markets and standards. The second point is that this Bill brings clarity in the supply chain and in protecting the interests of shippers, freight carriers, and third-party buyers, reducing any potential disputes. The third point is, as India becomes the fifth largest economy in the world, and in view of the strides that we are making in the 'Make in India' movement, it truly complements such changes to the Bill.

As a representative from Andhra Pradesh, a State which has the second longest coastline in India, I know how important this law is for strengthening India's maritime trade. At this time, I want to recall that under the leadership of our former Chief Minister, Shri Y. S. Jagan Mohan Reddy *Garu*, Andhra Pradesh has taken several steps to boost the Blue Economy and has seen substantial growth. To refer briefly, we are building three new greenfield ports at Bhavanapadu, Machilipatnam, and Ramayapatnam, and developing nine fishing harbours to support fishermen's exports and sustainable practices. These harbours increase fishing and prawn catching by approximately 4.5 lakh tonnes, contributing to gross

value added of Rs. 9000 crore, and providing employment for one lakh fishermen communities.

Hon. Chairman, Sir, I see there is a need of immediate action. As outlined in Part 10, 13th Schedule, in Infrastructure and Special Economic Measures of the Andhra Pradesh Reorganisation Act, 2014, the Government of India committed to the development of a new major port at Dugarajapatnam in Tirupati Parliamentary Constituency. Despite this provision, the project has not yet commenced which was expected to kick off by 2018 itself as Phase-I.

Hon. Chairperson, Sir, I urge the Government to expedite the development of shipbuilding and improve the infrastructure at Durgarajapatnam Port in Tirupati Parliamentary Constituency. This project holds immense potential and regional economic growth and national maritime advantage.

Hon. Chairperson, Sir, I would like to call out a few challenges of this Bill. First, although the Bill recognizes the rights of *bonadfide* holders of bills of lading, it does not transfer in bills giving support and encouragement to the small traders in promoting the maritime economy. Second, dispute resolutions are not heavily discussed which could lead to unpleasant scenarios between the consignees and shippers and the liabilities and rights under the Bill. Third, I would suggest a training programme to build the capacity formation that is needed in terms of infrastructure and seamless coordination. Finally, we support this Bill, Sir.

एडवोकेट चन्द्र शेखर (नगीना) : सभापति महोदय, आपने मुझे लेडिंग बिल पर अपनी बात रखने का मौका दिया है, इसके लिए मैं आपका धन्यवाद करता हूँ। सभापति जी, सन् 1856 में अंग्रेजों द्वारा जो कानून बनाया गया था, मैंने यह बिल पढ़ा है और पढ़ने के बाद मुझे अहसास होता है कि इसमें कोई बदलाव नहीं है, सिर्फ कॉपी पेस्ट किया गया है। अब श्रेय लेने और प्रचार करने में तो मौजूदा सरकार को अलग से मेडल देना चाहिए कि कॉपी पेस्ट कर दिया और श्रेय ले लिया कि यह हमने किया है। नाम बदलने में और श्रेय लेने में हमारी सरकार को महारथ हासिल है। जबकि हकीकत यह है कि यह इंटरनेशनल लॉ है, जिसके आधार पर सभी देशों को काम करना पड़ता है। अगर सरकार कुछ बदलाव चाहती थी, तो इसमें बिल को इलेक्ट्रॉनिक फॉर्मेट में कर सकते थे। यह डिजिटल युग है, अब तो फॉर्म से ले कर सब जगह डिजिटल बातें होती हैं, लेकिन फॉर्मेट आपने कागज़ में ही रखा है। कई देशों के बिल इंडिया में ही बन रहे हैं, जिसका कारण मैनपावर है। वहां मैन पावर कम है, यहां मैन पावर ज्यादा है। अगर यह इलेक्ट्रॉनिक फॉर्मेट में आ जाता तो बहुत से भारतीयों को रोजगार मिल जाता। लेकिन मुझे यह भी बताना पड़ेगा कि हमारी सरकार को रोजगार देने में बड़ी परेशानी है और वे रोजगार देने के खिलाफ हैं, इसलिए उन्होंने इसको शायद इलेक्ट्रॉनिक फॉर्मेट में नहीं रखा। उदाहरण के लिए जैसे कि ऑस्ट्रेलिया में कोई माल जहाज़ पर चढ़ता है तो उसकी इनवेंट्री यहां बनती है, उसके लैडिंग बिल भी इंडिया में बनते हैं। इलेक्ट्रॉनिक फॉर्मेट में कर देते तो उसका बैकएंड फॉर्मूला हमारे पास आ सकता था, जिससे देश को फायदा होता और हमारे बहुत सारे लोगों को रोजगार मिलता।

महोदय, राष्ट्रीय जलमार्ग कानून, 2016 के तहत कई राष्ट्रीय जलमार्ग विकसित होने थे, परंतु अभी तक सभी नहीं बने हैं। ये जलमार्ग बन जाते तो बाढ़ व सूखे की समस्या से भी निजात मिल सकती थी, लेकिन सरकार को बाढ़ से भी फर्क नहीं पड़ता क्योंकि उससे भी आम जनता को परेशानी होती है। अगर ये जल मार्ग बन जाएं तो पेट्रोल और डीज़ल की खपत कम हो सकती है और बहुत बड़ा फायदा हो सकता है, लेकिन सरकार का इसमें कोई इंटरैस्ट नहीं है। इसलिए मैं अपनी भावनाओं के साथ इस बिल को अपोज़ करता हूँ और मैं यह कहता हूँ कि सरकार अगर चाहे तो हमारे सुझावों को मान कर कुछ अच्छा कर सकती है, वरना फिर मैं दोहराते हुए कहना चाहता हूँ कि श्रेय लेने में और नाम बदलने में सरकार को महारथ हासिल है। इसके लिए पुनः मेरा अनुरोध है कि इनको मेडल दिया जाए। धन्यवाद।

DR. PRADEEP KUMAR PANIGRAHY (BERHAMPUR): Hon. Chairperson, Sir, I support this Bill introduced by the hon. Minister of Port, Shipping and Waterways, Shri Sarbananda Sonowal. This Bill is very important as far as the international trade and India's position as a global player in developing our economy in national and global field is concerned. This bill replaces the old Bill which is outdated in nature, to comply with international norms and to protect our national interests in modern times.

16.00 hrs

This is a Bill which is giving ample opportunity, new sections, simplifying the structure and bringing many changes in the old Bill to make it visible in port sector.

16.0 ½ hrs

(Shri A. Raja *in the Chair*)

Many speakers from the Opposition side are criticising this Bill, but I say that this Bill is very important as far as the compliance with international obligations, streamlining regulations, broadening eligibility for ship ownership, establishing maritime utility framework, streamlining administrative framework, integrating coastal and inland waterways and simplifying regulations are concerned. All these are very important factors that are covered under this Bill.

As far as Odisha is concerned, Odisha's coastline is around 480 kilometres. So, we request the hon. Minister to focus on Odisha. The Prime Minister is already focusing on Look East Policy. Odisha plays a major role in this area. The Prime Minister regularly visits the State. There is now a double-engine Government that works at the Centre and in the State. This Bill plays a major role. I request the hon. Minister to focus on developing new ports, particularly in Astaranga in Puri district, Bahuda at Ganjam and Pallur in Chhatrapur of Ganjam district. This will do a wonderful job as far as the economic growth of Odisha is concerned.

Communication is a very important part of the nation as far as the seaport is concerned or the airport is concerned or the railways are concerned or the roads are concerned. In modern days, communication plays a major role. I hope this Bill brings in a major change as far as the maritime trade is concerned.

I hope the hon. Minister during the passing of the Bill, will focus on Odisha to bring new ports with new provisions to make Viksit Bharat agenda of hon. Prime Minister by 2047 a reality, and Odisha will play a major role by providing its contribution to the national growth as far as the economy is concerned.

Thank you for giving me an opportunity to speak on this Bill.

SHRI SACHITHANANTHAM R. (DINDIGUL): Sir, the exports from India have come to a standstill as shipping companies hiked shipping charges nearly six times. Various sectors such as jute, seafood, food processing etc., have been disrupted. All items are in stock. Due to this, hundreds of people have lost their jobs. It is said that the reason for the increase in price is the shortage of containers. Higher import costs lead to higher prices for goods ranging from toys to computers. Exporters say that the Union Government is doing nothing to tackle the crisis. Before COVID-19, a container that was sent abroad for Rs. 2 lakh now costs up to Rs. 12 lakh. The fare from Kochi to Shanghai, China was USD 1,200 to USD 1,500. It has now risen between USD 5,000 to USD 6,000. The Kochi-Dubai container fare has increased from USD 300 to USD 350 to USD 1,000. Kochi-Colombo fare has increased from USD 1,500 to USD 2,000. Due to the COVID lockdown, shipping containers are stuck at ports due to the shortage of containers. The Kerala Exporters Association said that the shortage of containers has increased due to reduced imports from China. Due to reduced imports from China, the shipping companies are reluctant to deliver containers to Kochi. They want to deliver to other ports for higher profits. So, the Bills of Lading Bill has been brought to control the shipping charges.

Thank you very much, Sir.

श्री राजा राम सिंह (काराकाट) : सभापति महोदय, इस बिल्स ऑफ लैडिंग बिल में बात की जा रही है कि इसके जरिए हम वर्ष 1857 के कानून को बदल रहे हैं। लेकिन, दूसरा बड़ा सच यह है कि जैसे रेलवे और विभिन्न क्षेत्रों में प्राइवेटाइजेशन को प्रमोट किया गया है, इस बिल के जरिए भी प्राइवेट कंपनीज़ को ज्यादा तरजीह दी गई है। अभी एक माननीय सदस्य ने भाड़ा वृद्धि की बात कही। अंग्रेजी विरोध का नारा है, लेकिन इस शिपिंग बिल के जरिए कंपनीकरण की कोशिश है, इसलिए मैं इसका विरोध करता हूँ।

मैं दो बातें इस संदर्भ में कहना चाहूंगा। हमने सेतु समुद्रम का किस्सा तब पढ़ा था, जब हम सांसद नहीं थे। एक अखबार में रिपोर्ट पढ़ी कि सेतु समुद्रम से बड़े जहाजों को ले जाना है और उसके लिए भारत सरकार ने एफीडेविट सुप्रीम कोर्ट में दिया है कि सेतु समुद्रम कुछ भी नहीं था। लंका के बीच में जो पहाड़ बना हुआ है, वह प्राकृतिक बनावट है और राम-रावण युद्ध नहीं हुआ था। एक तरफ राम मन्दिर पर राजनीति की जाती है और दूसरी तरफ कॉरपोरेट हित जहां टकराते हैं, वहां एफीडेविट करके सुप्रीम कोर्ट में दिया जाता है। यह क्या है, यह कौन सा अपार्चुनिज्म है?

दूसरी बात, एक समय देश में दाल का संकट हो गया था। उस समय अफ्रीकन कंट्रीज़ में बड़े कॉरपोरेट घरानों ने जमीनें खरीदीं कि इन पर दाल उत्पादन होगा और अडानी के जहाज से दाल भारत आएगी। यह जो फेयर की एक डील है, इसको इस बिल के जरिए और सुगम बनाया गया है। मैं कहना चाहता हूं कि यह ठीक नहीं है।

तीसरी बात, शिपिंग इंडस्ट्री में जो रेग्युलर काम हैं, उनके लिए नियमित बहालियों को छोड़कर अब कांट्रैक्ट मजदूरों की बहाली हो रही है। उनको बहुत ही कम पेमेंट दी जा रही है, जबकि वे रेग्युलर काम करते हैं। इस पक्ष पर बिल में कोई चर्चा नहीं है कि जो शिप बनाते हैं, शिप चलाते हैं, शिप पर काम करते हैं, उसमें जो काम करने वाले लोग हैं, उनकी जीवन की स्थिति क्या है, मजदूरों की स्थिति क्या है और उनकी रेग्युलर काम के लिए पहले जो रेग्युलर बहाली होती थी, उसे आज क्यों खत्म किया जा रहा है? उनको उचित मानदेय या वेतन नहीं दिया जा रहा है। उनके जीवन की स्थिति अच्छी नहीं है।

मैं एक बात और कहकर अपनी बात समाप्त करूंगा। ओडिशा में पारादीप बंदरगाह सरकारी बंदरगाह है और उसके बगल में एक प्राइवेट कंपनी को बंदरगाह देने की कोशिश की गई। उस समय इसका बहुत प्रोटेस्ट हुआ, तब वह निर्णय वापस हुआ। उसमें यह कोशिश थी कि हमारे आयरन ओर को उस प्राइवेट बंदरगाह से वे अपने देश में ले जाएं और अपने यहां आयरन बनाकर उसे सेल करें या अपने इस्तेमाल में लाएं। यह कोशिश धीरे-धीरे चल रही है। गुजरात की कहानी हम बराबर सुन रहे हैं कि प्राइवेट पोर्ट पर किस तरह से बड़े पैमाने पर ड्रग्स आ रहे हैं, कुछ सीज़ हो रहे हैं और बाकी देश के अन्य हिस्सों में जा रहे हैं, जो हमारे देश के नौजवानों की सेहत खराब कर रहा है। इन तमाम पक्षों पर इस बिल में एक बात होनी चाहिए कि इसके जो आलराउंड असर हैं, इरोजन के असर हैं, पर्यावरण संकट के असर हैं, उन सारे पक्षों पर इस बिल में चर्चा होनी चाहिए और उस पर बात होनी चाहिए।

SHRI N. K. PREMACHANDRAN (KOLLAM): Thank you very much, Mr. Chairperson, Sir, for giving me this opportunity to take part in the discussion on the Bills of Lading Bill, 2024.

Sir, I was surprised to hear the arguments and observations from the Treasury Benches that it is going to make drastic changes in the maritime sector because ample business opportunities will be provided after passing of this Bill.

Sir, there is nothing to oppose or nothing to support in this Bill. Rightly, the hon. Minister has observed in his opening remarks that it is a repeal and re-enactment of a pre-Independent legislation. But I would like to add two more words along with these words. It is a repeal and re-enactment of a pre-Independent legislation without any changes and without any reforms in tune with the times.

What is the scope of this legislation? Sir, the pre-Independent legislation was the Indian Bills of Lading Act of 1856. It is a law that governs the transfer of goods shipped by the sea. It defines the rights and liabilities of carriers and consignees. I have gone through the Indian Bills of Lading Act of 1856. Sir, if it is the same Bill with same provisions, and if the contents and everything are same, then, what is the scope of bringing in a new Bill without any changes in order to suit with the situation and in order to suit with the new liberalised economic era? This Bill was enacted in the year 1856. This Bill was passed by the British India Government over 170 years ago. This Bill has been brought in by the Government of India led by hon. Prime Minister Shri Narendra Modi ji. And even the Minister of Ports has also spoken in his opening remarks that 1500 obsolete legislations have already been repealed and that they want to decolonise the legislations as in the case of IPC, Criminal Procedure Code, and Indian Evidence Act. But the Government is copying it in a different form. Nothing else is there. In-depth wisdom is not being put in the legislation. That is the reason why I am saying that there is nothing new in this Bill so as to oppose or so as to support the Bill.

Sir, only one new provision has been incorporated in the Bill, that is, Clause 5 of the Bill. What is Clause 5 of the Bill? It says, "The Central Government may give such directions, as it may deem necessary, for carrying out all or any of the provisions of this Act". Other than this, all the provisions are the same.

Mainly, there are three clauses. First is, rights under bills of lading to vest in consignee or endorsee. Second is, any right of stoppage in transit; or any right to claim freight against the original shipper or owner. Third point is regarding the bills of lading in the hands of consignee, etc., conclusive evidence of shipment as against master, etc. This is the content of the Bill of 1856. The Act of 1856 and the Bill of 2024 are having same provisions and contents.

Sir, I would like to ask a pertinent question to the hon. Minister. You have incorporated a new provision, Clause 5, whereby the Government of India is empowered to give directions from time to time as it deems necessary for implementing either all the provisions or any of the provisions of the Bill. Even if there is no such provision in the Bill, after a Bill is passed by the Parliament, the Government of India is empowered to give directions so as to implement the provisions of the Bill. It is implied. There is no need of an explicit provision in the Bill saying that the Government can give directions for the implementation of the provisions of the Bill. So, what is the purpose of incorporating a new provision,

Clause 5, in the Bill? It is just to show that you have reformed the Bill. That is the only reason by which the new Bill has been brought in. Otherwise, you have to come up with so many changes.

Sir, I have got five positive and concrete suggestions. The first suggestion is about the lack of adequate safeguards for the Indian exporters and importers. The bills of lading are one of the most essential documents in the international trade as they serve us both the receipt for goods and the title to the goods being shipped. However, the provisions under the Bill fail to provide adequate safeguards to the Indian exporters and importers, the backbone of the country's trade sector. The exporters, who are primarily small and medium-sized businessmen in India, often lack the resources of bargaining power to negotiate the terms of international shipping contracts. While the Bill introduces several standardisation measures, it does not address the challenges faced by the Indian exporters in avoiding fraudulent practices especially when dealing with the foreign shipping companies and agents.

So, I suggest for a special provision for the Indian exporters to have a strong legal recourse in case of disputes involving the bill of lading particularly in relation to foreign shipping companies.

This could include establishing a dispute resolution mechanism specifically aimed at protecting the Indian interests. That is the first suggestion.

Sir, I have five suggestions. These are positive suggestions.

Second one is regarding the potential for increased cost of doing business. In the Bill, there is a lack of clarity on the regulatory framework that will cover the fees and charges related to bills of lading. The Bill potentially opens the door for increased fees and charges associated with the issuance, transfer and negotiations of these documents. These costs could place additional financial burden on Indian business, particularly the export and import. So, my point is, the cost competitiveness is a critical factor for Indian business to succeed in the global market. So, I suggest a regulatory cap on fees and charges for bills of lading ensuring that this does not unduly burden the Indian MSMEs.

And the third suggestion is regarding the maritime sector and the carriage of goods by sea. There is another Bill - Carriage of Goods by Sea Bill. There are contradictory provisions in the Bill. So, I would like to urge upon the Minister that there shall not be a contradiction between these two Bills.

The fourth one is a very important suggestion, that is about the technological advancements and the digital bills of lading. This is the most modern era of communication, even the artificial intelligence era.

Sir, the issue is that limited focus is there on the digital transformation of the maritime industry. In an era of rapidly advancing technology, the use of electronic bills of lading has become the global standard in international trade. Several countries, including major trading nations like the United States and the UK, have already embraced digitalisation in the shipping sector. India, however, has lagged behind in this area. The Bill makes only passing mention of the electronic bills of lading and fails to provide a robust framework for their adoption and regulation. The lack of clarity in digital bills of lading could make India's maritime industry less attractive to international shippers and importers who increasingly prefer the speed, security and efficiency of digital solution.

With these suggestions, I also have two points that is regarding the Vizhinjam International Sea Port Limited. There is a commitment on the part of the Government of India that Viability Gap Funding will be provided to the Vizhinjam International Port but now, the Government of India is withdrawing from the commitment to provide the VGF. That has to be taken into consideration.

I have a last point. It is regarding my Constituency. There is a Kollam Port. Hon. Minister, Mr. Suresh Gopi is also sitting here. He is also from my Constituency. He is born and brought up from my place. He studied with me in my college and he is well aware of this fact.

My point is that the work of Kollam Port has started since long. Unfortunately, it has not been operational even after the Government of India has given the clearance to it. Between Minicoy and Kollam, ship travel possibility is there from Lakshadweep. That may also be considered.

With these points, I, in a way, support the Bill.

Thank you.

डॉ. निशिकान्त दुबे (गोड्डा) : धन्यवाद सभापति महोदय । यह बिल देखने में छोटा लगता है । हमारे यहां एक कहावत है ?

?सतसैया के दोहरे, ज्यों नावक के तीर,

देखन में छोटन लगे, घाव करें गंभीर ।?

इसका क्या इम्पैक्ट है, अभी पहले जो स्पीकर बोल रहे थे, माननीय प्रधानमंत्री जी ने पिछले दस-ग्यारह सालों में क्या किया, शायद उसके बारे में वे पूर्णतया समझते नहीं हैं, समझाना नहीं चाहते हैं या ऑपोजिशन का जो रोल होता है सभी बातों का विरोध करना, वही विरोध करना चाह रहे हैं। यह 1876 का एक्ट है। इस बीच भारत सरकार ने, इस सदन की जानकारी के लिए मैं बताना चाहता हूं कि 1876 के एक्ट के बाद तीन बार इंटरनेशनल कमिटमेंट किए। एक, वर्ष 1921 में, जब यहां अंग्रेज थे। उस समय ब्रसेल्स का समझौता हुआ और उसने कहा कि लेडिंग बिल के ड्राफ्ट को हम बदलेंगे। दूसरा, जब कांग्रेस की सरकार थी, उससे पहले जनता पार्टी की सरकार वर्ष 1978 में थी। उसके बाद, वर्ष 1989 में जब राजीव गांधी जी थे। उन्होंने इंटरनेशनल फोरम पर ये बातें कही थीं कि लेडिंग के बारे में जो वहन-पत्र है, जिसके बारे में कैसे सामान लाना है, ले जाना है, किसकी डिलिवरी होगी, कौन उसका मालिक होगा, हम उसके लिए एक्ट में संशोधन करेंगे। सन् 1992 में फाइनली नरसिम्हा राव जी ने उस एक्ट पर साइन किया था। सन् 1921 से लेकर 2025 तक किसी भी सरकार ने यह नहीं सोचा था कि सन् 1876 के इस एक्ट को बदलना है।

सभापति महोदय, अभी रिपीलमेंट की बात हो रही थी। मैं उसमें पड़ना नहीं चाहता था, लेकिन प्रेमचन्द्रन जी मैं आपकी जानकारी के लिए कुछ बताना चाहता हूं। चूंकि आपने कहा है कि सरकार वाह-वाही लेती है कि उसने अंग्रेजों के समय के 1,500 बिल्स रिपील यानी खत्म कर दिए हैं। मैं इस सदन और देश की जानकारी के लिए बताना चाहता हूं कि सन् 1876 में अंग्रेज एक बिल लेकर आए थे, वह ड्रामेटिक परफॉर्मेंस एक्ट था। उनको यह लगता था कि आजादी के आंदोलन में जो यह ड्रामा है, जो नाटक है, जो गीत है, यह जो गीत गाया जाता है, जो लोग सड़क पर उतरकर गीत गाते हैं, यह देशद्रोह है। उन्होंने सन् 1876 में एक ड्रामेटिक परफॉर्मेंस एक्ट बनाया था, जिसमें यह कहा गया था कि यदि सड़क पर 10 लोग डांस करते हुए, गाते हुए, नाचते हुए, ड्रामा करते हुए मिलेंगे, तो उन सबको जेल हो जाएगी।

सभापति महोदय, क्या आपको नहीं लगता है कि उस एक्ट के अनुसार एक दूल्हा अपनी बारात के साथ जेल चला जाता? वह सन् 1876 का एक्ट था। हमारे प्रधानमंत्री जी ने वर्ष 2024 में उसको बदला है। क्या इस देश को यह पता है कि इस तरह के एक्ट बनाए गए हैं? बांस जो कि प्रत्येक घर में होता है, वह एक घास है, हमने उसको वृक्ष बना दिया है। पूरे के पूरे नॉर्थ-ईस्ट की इकोनॉमी बांस पर चलती थी। यह एक्ट भी 150 साल पुराना है। क्या इससे गरीब परेशान नहीं हो रहा था? क्या उसको रिपील नहीं करना चाहिए था? मैं इस सदन और देश की जानकारी के लिए बताना चाहता हूं कि हमने 1,500 एक्ट्स बदले हैं, उनमें से अंग्रेजों के द्वारा किस-किस तरह के घटिया कानून बनाए गए थे और उनको बदलने की आवश्यकता थी। वैसे ही सन् 1876 का एक्ट है।

आज सुबह बिजनेस एडवाजरी कमेटी की मीटिंग हुई थी। वहां चर्चा हो रही थी कि हम टैरिफ पर बात करना चाहते हैं। यहां कांग्रेस पार्टी के युवराज आकर बात करेंगे कि उस पोर्ट पर ड्रग्स पकड़ा गया, वह पोर्ट ऐसे हो गया, वह पोर्ट वैसे हो गया। क्या कभी आपने सोचा है कि 26/11 कैसे हुआ था? मुंबई में इतनी बड़ी दुर्घटना हो गई, क्या कभी आपने उसके बारे में सोचा है कि आपके पास क्या अधिकार है? आखिर यह लैडिंग बिल क्या है? यदि आप पिछले चार-पांच सालों से लेकर इस साल का डेटा देखेंगे, तो इस देश में लगभग 50,000 करोड़ रुपये का ड्रग्स और हेरोइन पकड़ी गई है, जो हमारे युवाओं को नुकसान पहुंचा रहा है।

यदि आप बाइलेटरल ट्रेड की बात करेंगे, तो मैं कहता हूं कि हमारा टेलीकॉम मैन्युफैक्चरिंग बढ़ रहा है और चाइना से गुड्स नहीं आना चाहिए। आप कहते हैं कि हमें सिंगल प्लास्टिक यूज बंद कर देना चाहिए। आप यह

कह रहे हैं कि हमने मिनिमम इंपोर्ट प्राइस लगा दिया है। हमने यहां पर स्टील सेक्टर में जो डंपिंग यार्ड बना दिया है, वह यहां नहीं आना चाहिए। मैं आपकी सारी बातों से सहमत हूं। यदि अमेरिका टैरिफ लगाएगा, तो हमारा व्यापार दूसरी जगह बढ़ना चाहिए। उसके लिए हमें बेस बनाना चाहिए। हमारे यहां मैनुफैक्चरिंग सेक्टर को बढ़ाना चाहिए। कांग्रेस पार्टी के लीडर ऑफ द अपोजिशन राहुल गांधी जी हैं, उन्होंने बहुत कहा कि आपको मैनुफैक्चरिंग के बारे में कुछ नहीं पता है। ठीक है, हमें कुछ नहीं पता है। आप कभी यह लैडिंग बिल तो पढ़ लेते कि हमने क्या किया है।

जैसे हम पाकिस्तान के साथ व्यापार नहीं करना चाहते हैं। हम पाकिस्तान को दुश्मन देश मानते हैं और हमने पाकिस्तान के साथ व्यापार रोक दिया है। हम चाइना के साथ अपना बिजनेस नहीं बढ़ाना चाहते हैं। हमारी सुरक्षा का सवाल है, हमारी मैनुफैक्चरिंग का सवाल है। आज जिस तरह से पूरी दुनिया में बांग्लादेश और चाइना के हालात हैं, हम टेक्सटाइल के साथ आगे बढ़ना चाहते हैं। यदि आप आगे बढ़ना चाहते हैं, यदि शिपिंग संघाई पोर्ट से हुआ है और संघाई पोर्ट सिंगापुर चला गया है। यदि किसी आदमी ने चाइना से टेक्सटाइल को हमारे यहां के लिए भेजा और उसने कहा कि यह सिंगापुर जाएगा। सिंगापुर से नाम बदलकर यदि वह फिर हिन्दुस्तान आ जाएगा, तो हम तो कहेंगे कि इसका जो डेस्टिनेशन पोर्ट है, वह तो सिंगापुर है।

उसी तरीके से तेल के बारे में मान लीजिए कि हमने सीरिया को बैन किया हुआ है, लीबिया को बैन किया हुआ है। हमारे यहां फर्टिलाइजर की बहुत कमी है। फर्टिलाइजर जिससे बनता है, उसमें चाहे नाइट्रेट हो, चाहे फास्फेट हो, यदि वह आता है तो उसमें कई जगह बैन है। पोर्ट पर कहां से कंसाइनी को दिया गया, शिप पर कहां लोड हुआ, कितने किलोग्राम लोड हुआ, शिप कहां से कहां गया और उस शिप से भारत में किस तरीके से आया तथा भारत में कैसे लोड हुआ? मैं आपको बताता हूं कि इस देश में ब्लैक मनी की बहुत बात होती है। ब्लैक मनी के बारे में वर्ष 1972-73 की रिपोर्ट है और वर्ष 2012 में इसी सदन में ब्लैक मनी पर माननीय प्रणब मुखर्जी साहब ने, जो तत्कालीन वित्त मंत्री थे और बाद में राष्ट्रपति हुए, उन्होंने व्हाइट पेपर जारी किया था। उन्होंने व्हाइट पेपर में कहा था कि ब्लैक मनी जनरेट होने का सबसे बड़ा साधन और 85 परसेंट इस देश का ब्लैक मनी केवल इंपोर्ट और एक्सपोर्ट से हुआ है। इंपोर्ट और एक्सपोर्ट का जो बिल है, क्या आपने उसके बारे में कभी सोचा है? मान लीजिए हम यहां से टेक्सटाइल भेज रहे हैं और वहां से आर्म्स का आर्डर ले लिया, स्टील की फैक्ट्री ला रहे हैं, आर्म्स खरीदकर ला रहे हैं या कोई भी चीज ला रहे हैं, इसके बारे में इस देश में वर्ष 1876 से लेकर आज तक एक बहुत बड़ा वैक्यूम है।

आप इलेक्ट्रॉनिक्स की बात करते हैं कि इलेक्ट्रॉनिक बिलिंग होनी चाहिए, ई-बिलिंग होनी चाहिए। प्रेमचंद्रन साहब मैं आपकी जानकारी के लिए बता देता हूं कि पूरी दुनिया में 45 मिलियन बिलिंग होती है, लेडिंग होती है। आपने अमेरिका का उदाहरण दिया है, क्योंकि दूर के ढोल सुहावने होते हैं। हम मान लेते हैं कि अमेरिका बहुत डेवलप्ड है, उसने बहुत अच्छा कर लिया होगा, चीन बहुत डेवलप्ड है, उसने बहुत अच्छा कर लिया होगा, यूरोप ने अच्छा कर लिया होगा। मैं इस सदन की जानकारी के लिए बताना चाहता हूं कि इलेक्ट्रॉनिक बिलिंग लेडिंग का केवल और केवल 2.1 परसेंट पूरी दुनिया में होता है। यदि 2.1 परसेंट होता है तो हम कम व्यापार करते हैं और हमारी इकोनॉमी तो चार ट्रिलियन की है। यूएस की इकोनॉमी हमसे कितनी आगे होगी, यूरोप की इकोनॉमी हमसे कितनी आगे होगी, इंपोर्ट और एक्सपोर्ट चीन का कितना ज्यादा होगा? वे इलेक्ट्रॉनिक क्यों नहीं करते हैं? हम जितना कर पा रहे हैं, शायद इस दुनिया में बहुत ही कम ऐसे देश होंगे। जब हम बिल पर चर्चा करते हैं तो बिल को एक सही परिप्रेक्ष्य में देखने की आवश्यकता है। इस बिल के क्या-क्या फायदे हैं और क्या-क्या नुकसान हैं। आप यह समझिए कि सबसे पहले क्या फायदा होगा? इसके द्वारा पार्टी की डिटेल्स मिलेगी कि किसका प्रोडक्शन है और यह प्रोडक्शन किस कंपनी ने किया है। मान लीजिए स्टील सेक्टर को ले लेते हैं तो उसमें यह

पता चलेगा कि चीन की किस कंपनी ने इसको प्रोड्यूस किया है या अमेरिका की किस कंपनी ने इसको प्रोड्यूस किया है। उसके बाद यह बात आएगी कि उसके इंपोर्ट का लाइसेंस किसको दिया है। यह दूसरा सवाल है। इंपोर्ट के लाइसेंस के बाद जब वह पोर्ट पहुंचेगा तो पोर्ट पर शिप ऑनर को यह बताना पड़ेगा कि इस इंपोर्ट के लाइसेंस के लिए यह ऑथराइज्ड था, उसने इस शिप पर चढ़ाया है। उसके बाद यह जिम्मेदारी शिप ऑनर की हो जाएगी। जैसे, नीरज मोदी का किस्सा है। नीरव मोदी का किस्सा क्यों हुआ? बैंक की जो गारंटी थी, जिसको एलसी कहते हैं, जिसके आधार पर भारत में कोई सामान आएगा और भारत से कोई सामान जाएगा, उसके लिए बैंक एलसी खोलता है, लाइन ऑफ क्रेडिट देता है। उसमें आपको पता है कि पंजाब नेशनल बैंक को परेशानी हुई, स्टेट बैंक ऑफ इंडिया को परेशानी हुई। इस परेशानी के लिए वह कौन सा आदमी है, जिसने एलसी मंगवाया? आप कहते हैं कि गुजरात के पोर्ट पर ड्रम्स पकड़ा गया है। ड्रम्स किसने मंगाया? Who knows it? Nobody knows it. इस लेडिंग बिल में सबसे बड़ी बात है कि भी पार्टी की डिटेल्स आएंगी, उसकी पूरी चैन आएगी। क्या इस बिल को लाने की आवश्यकता नहीं थी?

दूसरी बात यह है कि कार्गो कहां से कहां गया। कई ऐसे देश हैं, जैसे यूएस ने रूस को बैन कर रखा है। आपको पता है कि यदि रूस से सामान अमेरिका जाता है, तो वह कैसे जाता है? वह उसकी फ्रेंडली कंट्री है। मान लीजिए कि ब्रिटेन उसका फ्रेंडली देश होगा, सिंगापुर उसका फ्रेंडली देश होगा, तो रूस से सामान शिप होकर सिंगापुर चला गया, यूके चला गया।

वहां से वह वापस यूएस के रास्ते पर चला जाता है। हम यह जो लेडिंग बिल लेकर आए हैं, इससे पूरी ट्रांसपेरेंसी होगी कि कहां से इसका डेस्टिनेशन निकला? तीसरा, कार्गो वेट नहीं करेगा। सीएजी की रिपोर्ट आयी कि यूपीए की सरकार के समय में कम से कम 50 हजार करोड़ रुपये सालाना केवल लॉजिस्टिक और कार्गो वेट में जाता है। पोर्ट सेक्टर में कई समस्याएं हैं। कई लोगों ने कहा कि राज्यों का सवाल है, राज्यों का इनफ्रिजमेंट है, राज्यों के पास पोर्ट है। मुझे कभी-कभी हंसी आती है और कभी परेशानी होती है कि इस देश में क्या होगा? यहां दो पोर्ट्स हैं, एक मेजर पोर्ट और दूसरा माइनर पोर्ट है। मेजर पोर्ट वह है, जिसको भारत सरकार बनाती है। यहां सौगत दादा बैठे हैं। कोलकाता का पोर्ट मेजर पोर्ट है लेकिन हल्दिया का पोर्ट माइनर पोर्ट है। मेजर पोर्ट इसलिए कि वह भारत सरकार ने बनाया और हल्दिया का पोर्ट राज्य सरकार के सहयोग से बना है। माइनर पोर्ट मेजर पोर्ट से ज्यादा बिजनेस कर रहा है, व्यापार कर रहा है। कई माइनर पोर्ट्स ऐसे हैं जिनका मेजर पोर्ट से कोई कम्पीटिशन नहीं है। लेकिन डेफिनेशन यह है कि जो केन्द्र बनाएगी वह मेजर पोर्ट है और जो राज्य बनाएगी, वह माइनर पोर्ट है। एक का लेजिस्लेशन भारत सरकार तय करेगी और एक का राज्य सरकार तय करेगी। जैसे अरविंद सावंत जी मैरी टाइम बोर्ड की बात कर रहे थे। लेकिन जो कस्टम और एक्साइज है, जो पांच किलोमीटर के बाद इंटरनेशनल बॉर्डर होता है और जाने या अनजाने इंटरनेशनल बॉर्डर पर भारत सरकार का ही अधिकार है। भारत सरकार ही उन चीजों को देखेगी। पनामा कैनाल और स्वेज कैनाल के मामले में हमेशा ही लड़ाई होती रहती है। इंटरनेशनल लड़ाई होती है तो कौन सा कार्गो कहां जा रहा है या कहां आएगा? यह कौन तय करेगा? भारत सरकार उनको सिक्योरिटी कैसे देगी? इस आधार पर भारत सरकार देखती है। कई पोर्ट्स पर शिप वेट करते हैं, इस एक्ट के बाद उसमें ट्रांसपेरेंसी आ जाएगी। मैं अपनी बात दो-चार मिनट में समाप्त करूंगा क्योंकि बहुत सारे माननीय सदस्य इस पर बोलना चाहते हैं। मैंने कहा कि एलसी अगर खोलते हैं तो कई बैंकों के सहयोग से सामान आ जाता है लेकिन लोग सामान लेने को तैयार नहीं होते हैं अथवा उसकी क्वालिटी बहुत खराब होती है। अगर हम यहां से किसी चीज को भेजते हैं और यूएस उसको रोक लेता है या सिंगापुर या यूरोप किसी चीज को रोक देता है तो जो टर्म्स ऑफ पेमेंट है, वह सीपर पर कंसाइनी पर पहले से निर्धारित होगा। यह बिल इंटरनेशनल एक्ट 1878 को हमने जो साइन किया है, उसके आधार पर यह बना है। उसके बाद सबसे बड़ा

डेवलपमेंट है कि भारत सरकार ने तीन-चार एग्रीमेंट लगातार किए हैं । एक तो बायलेट्रल एग्रीमेंट हमने साइन किया है कि एक देश का दूसरे देश के साथ क्या रिलेशन होगा?

HON. CHAIRPERSON: Please conclude.

डॉ. निशिकान्त दुबे: मैं तीन-चार मिनट में अपनी बात समाप्त करूंगा । बायलेट्रल एग्रीमेंट में हमने टैरिफ में किसी को कनसेशन दिया या किसी के साथ हमने सहयोग किया, जैसे नेपाल और भूटान के साथ है । हम इंडोनेशिया, कम्बोडिया और साउथ ईस्ट एशिया के साथ बिजनेस करना चाहते हैं । कई कंट्रीज के पास पोर्ट नहीं है जैसे नेपाल और भूटान है । जब इन लैंड वाटर से हम सामान को लेकर जाएंगे तो बिलिंग बहुत महत्वपूर्ण होगा कि वह मेड इन नेपाल है या मेड इन भूटान है । बांग्लादेश को टेक्सटाइल में दस परसेंट का कंसेशन है इसलिए हम उसके साथ मुकाबला नहीं कर सकते हैं । यह सारी चीजें तय हो जाएंगी । इस सदन में चोल वंश से लेकर लेंग्वेज के ऊपर बहुत बातचीत हो रही है । यह देश संविधान से चलता है । आर्टिकल 343 से लेकर 348 तक नेशनल लेंग्वेज क्या होगी? बातचीत करने की लेंग्वेज क्या होगी ? (व्यवधान) तमिल की क्या स्थिति होगी, हिन्दी की क्या स्थिति होगी, अंग्रेजी की क्या स्थिति होगी? यह इस देश में पहले से निर्धारित है । इसीलिए मेरा आग्रह है कि डीएमके चुनाव हारने के डर से इस तरह की पॉलिटिक्स के आधार पर कभी भी लेंग्वेज की बात नहीं करे और सेंटिमेंट्स को खत्म न करें, क्योंकि आर्टिकल-15 में किसी भी कास्ट, रिलीजन रेस पर कोई चर्चा नहीं हो सकती और यदि बाबा साहब अम्बेडकर जी के संविधान को डीएमके खत्म करना चाहती है, तो भारतीय जनता पार्टी में जब तक मोदी जी की सरकार है, हम उसे खत्म नहीं करने देंगे, हम मुकाबला करेंगे । धन्यवाद।

SHRIMATI SUPRIYA SULE (BARAMATI): Thank you, Sir. I stand here in support of this Bill. I think, my colleague from the Treasury Bench has not heard the earlier speeches. Most Members, who have spoken since the debate has started, have specifically supported the Bill. I think it is an illusionary information that he has received that people are objecting to this Bill. I think Sonowal ji, in his opening line, has made it very, very clear that he is not making any drastic changes in the Bill. It is just changing of name and the year. ?There has not been much changes in the Bill? is what he has said when he opened his speech. So, my colleague and friend Nishikant Dubey ji was under an illusion that the entire Opposition is in a very combative mode against this Bill.

Let me with full humility say that the entire Opposition has always been in support of this Bill because we understand that there is not any great policy change done in this. Well, was there an opportunity to do it? Of course, there was. There is always an opportunity to improve.

I would like to ask specific questions since it came from the Treasury Benches that they have made it far more transparent than it was. I would like to know it from the hon. Minister who in his reply explained while comparing it with the previous version that earlier it was not transparent and today it is transparent. They gave a small example that if it is one of the countries you do not want to work with or you

do not have trade with, and the goods from that country come to our country, the country of origin would always be known and then we can take a decision. Since this is a very serious policy comment which has come from the Treasury Benches, I would seek a clarification from the hon. Minister what the status before was and what it is today.

Well, in the entire global maritime trade and commerce that we are talking of, India has a very large seashore from the States where the hon. Chairperson comes from, Tamil Nadu, where I come from, and where Mr. Premachandran ji comes from. We have a very big coast line. We, over the years, have all tried to develop all our ports to generate more trade and more jobs for our people. Given the economy of the country and the rupee where it stands today, import is something that this Government should be very, very concerned about. As long as we are exporting, we are in a very good position. But I am not sure what really are the levels of trade we are doing right now.

I would like to bring a small point to the attention of the hon. Minister. Many points have already been made with regard to new provisions to make ease of doing business. The 'ease of doing business' actually was a global bank word. That 'ease of business' has even stopped. The Government is still using it selectively. When it suits them, they say it is ease of doing business and we have done better. There are some days when they say it does not even matter whether we are a part of ease of doing business. But I have a specific question in this regard. Is there an appeal authority? Now, they have made this change. What the hon. Minister is saying is that it is becoming very transparent. Any Bill when you bring in, there should be checks and balances.

Then, there was a comment in the Statement of Objects and Reasons. In point number three, they said that the new provision is proposed to be incorporated to empower the Central Government to issue directions to carry out provision of the proposed legislation. What Mr. Dubey ji said about minor and major ports, I agree with him completely. These are two completely different projects of State and country. In cooperative federalism system of Governance, nobody interferes in each other's territory. But when you go into the international waters, clearly the Central Government takes over. I mean every Government is aware of that. But what I want to understand is how in this cooperative federalism have you empowered yourself further? What is the difference? Because in your opening remarks, there was not much of difference brought in. So, how are you

empowering yourself? What worries me is that most decisions that this Government has taken has actually stopped cooperative federalism. Like in University education, a lot of control from this Government has started interfering into the States. So, my first concern is this. Are you again taking away power from the States under some surreptitious way? So, that is my concern.

I would like to ask the hon. Minister one question. You have said that there is an appealing authority. Now, who will be this appealing authority because of this specific word that they are empowering themselves? I will give you an example which has come in the newspaper. I can authenticate it. There was a company in Visakhapatnam, which was importing shrimp feed from Brazil. It was coming from Brazil into India. It came to Visakhapatnam; it landed with all the proper papers. This has come in the newspaper. I can easily authenticate it. The Interpol told the Government that there were drugs on this ship. Now, the authority obviously seized it. After seizing, the company got a notice. For nine months, this company, which is an Indian company, was battling. Both the Brazilian company and the Indian company were willing to go through any tests. They had opened their offices completely. They had denied everything and were willing for any inquiry. After full nine months, the Government realized and gave them a clean chit. It is an international company in Brazil and the Indian company is importing shrimp feed. For nine months, this company got affected. They had to pay huge tariffs because it was just parked there for nine months and their business collapsed for nine full months. If they are large organizations, maybe they can afford it. But small businesses which are trying to make India proud will not be able to afford it.

There is talk of Atmanirbhar Bharat. We are trying to do so many things to work for betterment with other countries. What intervention will your Government do in a time-bound manner? Nine months is a long period for that company. How can you help or intervene? In this Bill, is there any provision if goods are damaged? When goods get damaged, who will take ownership of it? The Government is going to put their hands up and say, "Oh, the Interpol has told us, so we cannot do anything about it?". Can we do it in a time-bound manner? There is so much technology available now. Can we have a quasi-judicial system in a time-bound manner? Anybody who has such challenges, it could even be real.

As Mr. Dubey mentioned, so many drugs are coming into India. My God, it is actually alarming! And I think this whole House together should do something for this fight against drugs unanimously. What would you do? Most drugs are not

made in India, they are imported. What are you doing in this Bill to stop any drugs entering India? I think that is what we expect from the hon. Minister. Can you tell us? Even regarding these things that are happening in the dark net, Mr. Dubey mentioned that e-billing is not something that is practical or has been done. My question to the Government is this. Even Mr. Premchandran mentioned, with so much technology coming in, which you can call a disruption or you can call a help to us, could we not have used more technology in this Bill? Can you specifically tell us how you are going to protect the Indian businessmen in this? This Bill has to be for our Indian people.

I urge you to seriously consider, if required, you can take all this feedback and strengthen the Bill. We support it, even in the case it is. But we hope that you will protect every Indian business because he or she or that company is India's pride. As you said, you are proud about India. We are proud about every enterprising businessman in India who is trying to create and generate wealth and opportunity for Indians.

I hope in this entire international game, no Indian gets compromised in the future and you will take up ownership and lead from the front for the Indian businessmen who are helping maritime commerce. Thank you.

SHRI ANIL YESHWANT DESAI (MUMBAI SOUTH-CENTRAL): Thank you, Chair.

Sir, I have gone through the Indian Bills of Lading Act, 1856, which has now been changed to the Bills of Lading Bill, 2024. The previous speakers have mentioned pro and cons of the Bill, but I think there is hardly anything to speak against the contents of the new Bill, except for a few facts. I would like to ask the hon. Minister regarding the very first point regarding Section 5, which says that the Central Government may give such directions as it may deem necessary for carrying out all or any provisions of this Act. Now, the Central Government has been there in the Act as it is legislated in the Parliament. What is that specific Act or provisions where Central Government will put intervention or play a role? This needs to be specified. I think that the hon. Minister is giving his attention here.

Another thing is that in the speech that was given by hon. Nishikant Dubey ji, I mean he came out with a lot of knowledge and I would say that he enlightened the House about what a bill of lading was earlier, how the contract went, how the improvisations have come and how specifically the best has come to everyone like

shipper, the ship owner and the consignee. Now, what are those provisions, which he has mentioned? Can the Minister elucidate them while replying?

A bill of lading, as it was there in the colonial times, is a contract between the owner of the ship and the sender of the goods, and the receiver of the goods is also mentioned on endorsing that document. It is a valid document, and after that the ownership used to transfer. Here, in the Bill it is only mentioned that it is only main fact of the thing that rights and liabilities are transferred to the consignee when the bill of lading is incorporated. Besides that, everything is there what used to be there since 1856.

Whatever Mr. Nishikant Dubey has said that letter of credit and all that also stands because here insurance plays the main role in the entire transaction. Insurance claims which arise out of disputes between the consignee and the consignor and the ship owner *per se* that whatever happens in between, that is in transit, for that the entire transaction is covered under marine insurance.

I think that Gangopadhyay ji while speaking mentioned that multimodal contract is also into operation of this Bill. Mr. Minister, can you shed some light on it while replying to this Bill as to what kind of multimodal contract is covered? I am asking this because this is from port to port and despite any other multimodal, any major ports or minor ports are covered in that in the international waters and from there onwards whether by road or by motor or any other transport is also covered in the bill of lading. Are any specific articles or any sections meant for them?

Now coming to the export and import, we find that current account deficit is the major thing. Our exports are not growing. Why are our exports not growing? Maritime business is the main business by which we earn a lot of foreign exchange. Now, why have we gone down as far as exports are concerned? The export policies are not supporting or they are not conducive to the environment where the exporters try to earn some laurels for the country or anything like that. Freight charges, which have gone up are becoming detrimental to the health of the maritime business.

As regards containers, I am just coming back to my State of Maharashtra. I am coming from Mumbai. In Mumbai Port, in JNPT, if you see the congestion and the kind of the business activities that are being conducted there, the infrastructure itself has reached the brink of collapse. I mean, have we thought over it? How do we go about it? When it is not sufficient or it is not in proper order, we have gone

for Vadhvan also. As my colleague, Arvind Sawant has raised a very valid point that draft which was needed and the reclamation which was to be done in Vadhvan, why had the sand to come from a different State, Gujarat? Why was it not taken from the Mumbai Port itself? Can the Minister enlighten on this fact?

There is a lot of scope and a lot of potential for maritime business in India to grow. Exporters are craving for that. But is the environment conducive to see that exports rise and exporters are given that kind of momentum by the Government? I hope that all questions would be answered by the Minister. Supriya Sule ji stated that for the disputes which come in transit, the Central Government has a role to play. Why is this delay? If anything comes in the way of growth of business for the exporters and for the people who are completely dependent on that kind of business, will their faith remain? What is the future for maritime trade? In this recent Budget, the hon. Finance Minister has allocated some Rs. 25,000 crore for the maritime business in India.

HON. CHAIRPERSON: Please conclude.

SHRI ANIL YESHWANT DESAI: That provision itself is not enough for the growth of maritime business compared to the way it is conducted overseas. Nishikant Dubey ji is comparing our four trillion dollars economy with the US, which has more than 30-trillion-dollar economy. If we have to match, can we go without it? If we do not have that kind of infrastructure for maritime trade, where do we go and what is the scope left for India?

Thank you.

श्री दर्शन सिंह चौधरी (होशंगाबाद) : माननीय सभापति जी, आज आपने मुझे वहन-पत्र विधेयक, 2024 पर बोलने का मौका दिया है, इसके लिए मैं आपको धन्यवाद देता हूँ। मैं इस सदन के समक्ष बिल्स ऑफ लैडिंग बिल, 2024 पर बोलते हुए गर्व अनुभव कर रहा हूँ। यह विधेयक हमारे देश की व्यापारिक प्रणाली में एक महत्वपूर्ण सुधार लाने जा रहा है।

बिल ऑफ लैडिंग एक महत्वपूर्ण दस्तावेज है जो समुद्री व्यापार में वस्तुओं की शिपिंग और स्वामित्व हस्तांतरण को नियंत्रित करता है। अब तक हम बिल्स ऑफ लैडिंग एक्ट, 1856 के आधार पर काम कर रहे थे जो वर्ष 1856 में बना था और आधुनिक व्यापार की आवश्यकताओं को पूरा करने में असमर्थ था। इस नए विधेयक के माध्यम से हम अंतर्राष्ट्रीय मानकों के अनुरूप एक अद्यतन और पारदर्शी कानूनी ढांचा प्रदान करते हैं।

हमारे विपक्षी साथी बोल रहे थे कि इस बिल से रोजगार नहीं बढ़ेगा। मैं कहना चाहता हूँ? ?Half knowledge is always dangerous?; अधजल गगरी छलकत जाए। ऐसी कहावत देश में चलती आ रही है। मैं माननीय मोदी जी का धन्यवाद इस रूप में देना चाहता हूँ कि वर्षों की गुलामी को दूर करने का प्रयास

किया गया है। पत्थर की छाती के आगे तूफान स्वयं रुक जाते हैं और अविचल विश्वासी के आगे भगवान स्वयं झुक जाते हैं।

माननीय सभापति जी, इस बिल के मुख्य बिंदु हैं? इस बिल के माध्यम से अधिकारों का हस्तांतरण किया गया है। यह विधेयक स्पष्ट रूप से निर्धारित करता है कि बिल ऑफ लैडिंग के माध्यम से वस्तुओं के स्वामित्व का स्थानांतरण कैसे होगा। इसमें यह भी प्रावधान किया गया है कि चाहे कन्साइनी हो या एन्डोर्सी हो, सबको सभी अधिकार और दायित्व प्राप्त होंगे। इससे पहले ये कानूनों के जंजालों में फंसे हुए थे और अब इन सबसे मुक्ति पाने का काम इस विधेयक के माध्यम से मिल रहा है। यह न्यायिक प्रमाण देने वाला बिल है। इस बिल को एक कानूनी प्रमाण पत्र के रूप में स्वीकार किया जाएगा जिससे किसी भी विवाद की स्थिति में इसे निर्णायक प्रमाण माना जाएगा।

हमारे मित्र आधुनिक तकनीकी की बात कह रहे थे। मैं आपको बताना चाहता हूँ कि इस बिल को इलेक्ट्रॉनिक बिल ऑफ लैडिंग (ई-बिल) कह सकते हैं और यह कानूनी मान्यता प्रदान करता है। यह डिजिटलीकरण को बढ़ावा देगा, व्यापार की गति को तेज करेगा और धोखाधड़ी की संभावनाओं को कम करेगा। यूनाइटेड नेशंस के मॉडल लॉ ऑन इलेक्ट्रॉनिक ट्रांसफर्रेबल रिकॉर्ड्स (MLETR) के अनुरूप भारत भी अपने व्यापार दस्तावेजों को डिजिटल बनाने की दिशा में अग्रसर होगा।

इस बिल के अनेक फायदे हैं, जैसे व्यापार में पारदर्शिता और विश्वसनीयता बढ़ेगी। कानूनी विवादों में कमी आएगी क्योंकि बिल ऑफ लैडिंग अब निर्णायक प्रमाण के रूप में मान्य होगा। डिजिटलाइजेशन से अंतरराष्ट्रीय व्यापार में प्रतिस्पर्धात्मक लाभ मिलेगा। पर्यावरण संरक्षण में योगदान होगा क्योंकि कागजी प्रक्रिया कम होगी।

मुझे गर्व महसूस होता है कि भारत तीन तरफ से समुद्र से घिरा हुआ है। समुद्र की टोटल लम्बाई 7500 किलोमीटर है। समुद्री व्यापार से न केवल आयात बढ़ेगा, बल्कि ड्रग्स के मामले में, विगत कांग्रेस की सरकारें नियंत्रण नहीं कर पाई थीं, इस बिल के आने के बाद उसमें नियंत्रण लाने का काम होगा। आत्मनिर्भर भारत के बारे में हमारे मित्र बात कर रहे थे।

मैं कहूँगा कि चाहे वह रोजगार की बात हो, डीजल-पेट्रोल की खपत कम करने की बात हो, उससे बड़ी बात कि जब समुद्री व्यापार होता है या जब शिप्स चलते हैं तो खर्चा भी कम लगता है। यह विधेयक न केवल भारत के समुद्री व्यापार को आधुनिक बनायेगा, बल्कि वैश्विक व्यापार मानकों के अनुरूप भी काम करेगा। यह डिजिटल इंडिया और आत्मनिर्भर भारत की दिशा में एक महत्वपूर्ण कदम होगा। इससे न केवल समुद्री दिशा में, जैसे हमारे माननीय मोदी जी ने बनारस में एक मॉडल तैयार करने का काम किया है, बल्कि छोटी-छोटी नदियों पर जिनका पाथ बढ़ा है, उन पर भी छोटे क्रूज चलाकर उनके पर्यटन को बढ़ावा मिलेगा। मैं भी नर्मदा मैया के क्षेत्र से आता हूँ। मेरे यहां भी नर्मदा मैया का चौड़ा पाथ है, चंबल मैया का चौड़ा पाथ है। इस विधेयक के माध्यम से उसमें सरलीकरण भी होगा। छोटे-छोटे पोर्ट चलाकर और स्थानीय क्षेत्र को महत्व देते हुए जहां पर समुद्री सीमाएं भी नहीं हैं, वहां इस प्रकार के व्यापार को बढ़ावा मिलेगा। मोदी जी ने वोक्ल फॉर लोकल, आत्मनिर्भर भारत की बात कही है।

इसलिए मैं कहता हूँ कि इस बिल से, जैसे आपने कहा कि हम श्रेय लेने का काम नहीं कर रहे हैं। Example is better than precept. कहने से करना भला होता है। हम लोग वह करके दिखा रहे हैं। यह मोदी जी का भारत है। जिस भारत के बारे में सपना देखा गया था, नास्त्रेदमस की घोषणा आपको ज्यादा अच्छी लगती होगी। नास्त्रेदमस की घोषणा में यह लिखा है, उन्होंने भविष्यवाणी की थी और कई साल पहले की थी कि जो देश तीन तरफ से समुद्र से घिरा है, एक तरफ पहाड़ से घिरा है, वर्ष 2024-25 और 21 वीं सदी में जाकर वह विश्व

का नेतृत्व करेगा। मैं मोदी जी के नेतृत्व को इसलिए सराहा रहा हूँ कि अब मोदी जी के नेतृत्व में विकसित भारत का मॉडल तैयार हुआ है। हम वर्ष 2047 में इन्हीं नीतियों के कारण, इन्हीं बड़े-बड़े परिवर्तनों के कारण, छोटे-छोटे बिल्स, छोटे-छोटे कानून जो प्रमाणित भी नहीं थे, काम के भी नहीं थे, अंग्रेजों के जमाने के चल रहे थे, उनको निरस्त करने का काम माननीय मोदी जी ने किया है, हमारी सरकार ने किया है।

इसलिए मैं उनको धन्यवाद देना चाहता हूँ और इस बिल का पुरजोर तरीके से समर्थन करना चाहता हूँ। मैं विपक्षी मित्रों को बताना चाहता हूँ कि यह विकसित भारत का मॉडल है, क्योंकि यह भारत यदि असली स्वरूप में दिखाई दे रहा है, जो विवेकानंद जी का सपना था, उसको पूरा करने के दिन आ रहे हैं। इस बिल के माध्यम से हम माननीय मोदी जी के नेतृत्व में इस विकसित भारत की संकल्पना को पूरा करेंगे।

सभापति महोदय, धन्यवाद।

16.59 hrs

HON. CHAIRPERSON: Prof. Sougata Ray.

PROF. SOUGATA RAY (DUM DUM): Hon. Chairperson, Sir, I rise to speak on the Bills of Lading Bill 2024. I don't know why it has not been corrected to 2025. I have a basic objection to the Bill. The Minister will remember that when it was introduced in the House, I had objected to the introduction of Bill. I said it was superfluous; it was not necessary. It is stated in the Statement of Objects and Reasons that though the substantive aspects of the said Act continue to remain relevant, being a pre-independence statute, it is imperative that the provisions of the said Act are revisited without changing the substance or spirit of the Act so as to bring it in line with modern legislation.

17.00 hrs

The Minister has said that it is the same as the previous legislation. This is superfluous. I think the Ministry has no work, so they bring legislations unnecessarily.

Before I speak on the Bill, I have a small request to the hon. Minister. He is from Dibrugarh which is on the banks of the Brahmaputra mighty river. He is also from the land of 'lahe lahe', which is in slow pace. Now my request is that you please give your Minister of State, Shri Shantanu Thakur, some chance to speak in Parliament. He is sitting every day, taking notes, but he is not getting a chance to speak. He is from West Bengal and he deserves a chance in your Ministry.

HON. CHAIRPERSON: Please come to the Bill.

SHRI SARBANANDA SONOWAL: Sir, respected Member of Parliament is a very senior Member. He should not hurt the sentiments of the people of Assam. This is not good at all. We are equal to each other. We are together. We are always living like a family. But why are you saying these kinds of words?

PROF. SOUGATA RAY: Why do you not give him a chance to speak in Parliament?

SHRI SARBANANDA SONOWAL: That is a different part. He is always getting the opportunity. He is making the statement. From time to time, he is also taking part in the different businesses. So, you have to look at it.

HON. CHAIRPERSON: Professor, you please continue.

PROF. SOUGATA RAY: Sir, now we have to consider the shipping Bill. We have to consider the shipping industry.

The shipping industry has undergone terrific changes in the last 50 years. Now, there are no more small ships. Ships are all container ships, and they are 2 lakh or 3 lakh tonnes. The bigger ships are oil tankers which bring petroleum from one country to the others. Unfortunately, though we have a big coastline, 34,000 miles of coastline which is more than China, but our coast is not indented, that is, there is not enough inlands. As a result of which, we do not have big container ships coming to our coast.

Sir, you are from Chennai. You know that in Madras port, you have to have breakwater for maintaining the port.

We need deep water ports. Kochi is a deep water port, so is Vizag. Earlier, the Government built new ports. In Mumbai, they built the Jawaharlal Nehru Port Trust. Paradip was built by the Government. Now all the new ports are going to one group of businessmen called Adani. New port in Vizhinjam in Kerala belongs to Adani. The new port in Dhamra in Odisha belongs to Adani, and the biggest port in the private sector is Mundra Port. The Mundra Port has the repute of maximum drug seizures. That also belongs to Adani. So, we have a change in the total perspective of the shipping industry, which I want to point out.

Now why is the Minister bothering about these small changes in the Bill? I spoke during the introduction. I said it is not necessary. One bad point is that they are making legislation and taking all the power in the Government's hand. They have said, the Government has repealed the Indian Bills of Lading Act, 1856 without

introducing any significant improvements in maritime trade, except for centralizing power under the Ministry of Port and Shipping.

The Bill says that the Central Government may give such directions, as it may deem necessary, for carrying out all or any of the provisions of this Act. That means the Central Government has overriding power. It is not democratic. The States should have been given some power in the matter of ports. The shipping industry could have some power. There could have been a National Shipping Council. That has not been done. We must see how to develop our ports. We must build deep-water sea ports. We must have big container ships; otherwise, we cannot compete with China. People here speak of competing with China. We are not even five trillion dollars in terms of GDP. China is 19 trillion dollars, and USA is 32 trillion dollars in terms of their GDP. Where are we? How do we catch up with China? China has a smaller coastline than us, but their Port of Shanghai has a huge capacity. We must remember that we must hasten to catch up with these countries.

The Government having more power over the ports is not important. We must encourage the shipping industry. We must encourage the ship building industry. We must encourage the ship breaking industry. Unfortunately, we are falling behind in all these things. The Minister is a good man, but he needs dynamism and a 10-year roadmap and a 50-year road perspective as to how to develop the shipping industry which has fallen behind small countries. See the Dutch; they have the Rotterdam Port. It is equivalent to 4-5 ports of ours. The small countries have big ports. We have not built big ports. I will request the Minister to take up the matter of big ports. I have nothing to say against the Bill. But I will tell you that let the Minister come to the Parliament with a more positive legislation, not this minor tinkering legislation. This tinkering legislation can be done in the Atal Tinkering Laboratory.

Thank you, Sir.

श्री हनुमान बेनीवाल (नागौर) : माननीय सभापति महोदय, सदन में आज वहन-पत्र विधेयक, 2024 पर चर्चा हो रही है।

महोदय, मैं इस अवसर पर वहन-पत्र विधेयक 2024 के संबंध में अपने विचार प्रस्तुत कर रहा हूँ। यह विधेयक किसी वहन-पत्र में नामित पारेषिती तथा किसी वहन-पत्र के पृष्ठांकिकी के वाद में अधिकारों और दायित्वों के अंतरण से संबंधित है, जिसे वहन-पत्र में वर्णित माल की संपत्ति, पारेषिती या पृष्ठांकिकी होने के कारण संक्रान्त किया जाता है।

सभापति महोदय, इस विधेयक में ऐसे कई प्रावधान हैं, जो व्यापारिक व्यवस्था, माल ढुलाई और आर्थिक प्रक्रियाओं को प्रभावित करेंगे। लेकिन, इस विधेयक में सरकार की नीतिगत खामियां भी स्पष्ट रूप से दिखाई पड़ रही हैं, जो उद्योग जगत और छोटे व्यापारियों के हितों के विपरीत हैं।

सभापति महोदय, विधेयक की जटिलता और अस्पष्टता? सरकार द्वारा प्रस्तुत यह विधेयक अत्यधिक जटिल और अस्पष्ट भाषा में लिखा गया है। इसमें निहित कई प्रावधान स्पष्ट नहीं हैं और कानूनी दांव-पेचों में उलझे हुए हैं। यह स्थिति विशेष रूप से छोटे और मध्यम उद्योगों (एमएसएमईज़), लघु व्यापारियों और स्थानीय आपूर्तिकर्ताओं के लिए चिंता का विषय है। यदि विधेयक का क्रियान्वयन जटिल रहेगा, तो इन व्यापारियों को कानूनी परेशानियों का सामना करना पड़ेगा, जिससे उनका व्यवसाय प्रभावित होगा।

सभापति महोदय, व्यापारियों और उद्योग जगत के लिए खतरा? वहन-पत्र विधेयक 2024 को लागू करने से पहले व्यापारी संगठनों, परिवहन, उद्योग और लॉजिस्टिक्स क्षेत्र के विशेषज्ञों से परामर्श लेना आवश्यक था, लेकिन सरकार ने इस दिशा में कोई उचित कदम नहीं उठाए हैं। माल परिवहन, वहन-पत्र की पृष्ठांकितता और नामित परिस्थिति की प्रक्रिया को सुचारू बनाने के बजाए सरकार ने इसे अत्यधिक नियमों में जकड़ दिया है, जिससे व्यापारिक लेन-देन में अनावश्यक रुकावटें उत्पन्न हो सकती हैं।

महोदय, इसके अलावा छोटे और मध्यम व्यापारियों के लिए विधेयक अनुचित दबाव और कानूनी जोखिम को बढ़ावा देगा। मैं आपके माध्यम से सदन का ध्यान आकर्षित करते हुए बताना चाहता हूँ कि बड़े कारपोरेट घराने इस कानून का फायदा उठाकर छोटे व्यापारियों पर अपनी शर्तें थोप सकते हैं, जिससे आर्थिक असमानता और बाजार में एकाधिकार को बढ़ावा मिलेगा।

महोदय, इसमें परिवहन और लॉजिस्टिक क्षेत्र की अनदेखी की गई है। इस विधेयक से परिवहन और लॉजिस्टिक क्षेत्र पर सीधा प्रभाव पड़ेगा, क्योंकि माल के स्वामित्व के हस्तांतरण में परिवर्तन लाने का प्रयास किया गया है। सरकार ने यह स्पष्ट नहीं किया है कि इस परिवर्तन का परिवहन कंपनियों, ट्रक मालिकों और गोदाम प्रबंधकों के ऊपर क्या प्रभाव पड़ेगा? अगर कोई विवाद उत्पन्न होता है तो इसका निपटारा कैसे होगा, न्यायिक प्रक्रिया कैसे चलेगी और छोटे ट्रांसपोर्टर्स को इससे बचाने के लिए क्या उपाय किए गए हैं? इन सभी प्रश्नों का उत्तर सरकार के पास नहीं है।

महोदय, इस विधेयक का प्रभाव किसान और कृषि उत्पादों पर भी पड़ सकता है। यह विधेयक किसानों को भी प्रभावित कर सकता है, क्योंकि कृषि उत्पादों की ढुलाई, भंडारण और व्यापार में वहन पत्र का महत्वपूर्ण स्थान होता है। यदि किसानों और कृषि व्यापारियों के लिए माल की स्वामित्व पारंपरिक जटिल हो जाती है तो पहले से ही मंडी और व्यापारिक नियमों के संकट से जूझ रहे किसान इस संकट में और फंस जाएंगे।

महोदय, इसमें विवाद समाधान तंत्र का अभाव है। इस विधेयक में कोई ठोस विवाद समाधान प्रणाली का उल्लेख नहीं है। यदि वहन पत्र के संबंध में कोई विवाद उत्पन्न होता है तो इसका निपटारा कैसे होगा? इससे व्यापार जगत को कानूनी प्रक्रिया में उलझना पड़ेगा, जिससे आर्थिक गतिविधियों की गति धीमी हो सकती है।

महोदय, सरकार ने इस विधेयक को बिना व्यापक चर्चा के संसद में पेश किया है। इससे स्पष्ट होता है कि यह विधेयक सरकार की हड़बड़ी और अदूरदर्शिता का प्रतीक है। सरकार द्वारा लाये जा रहे कई विधेयकों की तरह यह विधेयक भी एक प्रबंधन के बजाय नियंत्रण की मानसिकता जैसा है।

महोदय, जब सरकार लगातार वर्ष 2014, वर्ष 2019 और अब वर्ष 2024 के अंदर बनी है, तब आपने हमेशा एक वादा किया था कि जितने भी अनावश्यक बिल, विधेयक हैं, उनको हम खत्म करेंगे, लेकिन यहाँ तो आप बिल पर बिल, बिल पर बिल लाये जा रहे हो। मुझे नहीं लगता कि इन बिलों का कोई औचित्य है। जो बिल देशहित के अंदर लाये जाने चाहिए, उन बिलों को सरकार लाये तो ज्यादा फायदा हो सकता है। मैं इस बिल का विरोध करता हूँ। धन्यवाद।

श्री विशालदादा प्रकाशबापू पाटील (सांगली) : महोदय, आपने मुझे बोलने का अवसर दिया, इसके लिए आपका धन्यवाद।

महोदय, वर्ष 1856 के बिल को रिप्लेस करने के लिए इस बिल को लाया गया है। लगभग 175 साल, पौने दो सौ साल पुराना यह बिल था, उसकी भाषा अलग थी, तो नया बिल लाना जरूरी था, which is more relevant to the present times. ट्रेड का 80 फीसदी ट्रेड आज मेरीटाइम ट्रेड से होता है, यह सब जानते हैं। भारत अकेला 1.3 बिलियन मीट्रिक टन का कार्गो सालाना यानी एक महत्वपूर्ण रोल ग्लोबल सप्लाय चैन में करता है। ये आउटडेटेड रेग्युलेशंस थे, उसकी भाषा अलग थी, बदलना जरूरी था, यह मैं मानता हूँ और यह बदलाव लाने के लिए यह बिल लाया गया है, यह भी हम समझते हैं, लेकिन सरकार ने एक बहुत अच्छा मौका गँवा दिया है। सिर्फ जल्दबाजी में यह बिल लाना था, नया बिल लाने के लिए कुछ अभ्यास करने की जरूरत थी। अगर अच्छी तरह से अभ्यास करके नया बिल लाते तो शायद शिपिंग कंपनियों के लिए भी और किसानों के लिए भी यह बिल एक अच्छा बिल बन पाता है। A colonial Bill was drafted assuming, of course, that the large corporations alone would be exporters. Times have changed.

महोदय, समय बदल गया है, अब छोटे-छोटे किसान भी खुद अपना माल एक्सपोर्ट करना चाहते हैं। मेरे निर्वाचन क्षेत्र सांगली में किसान अंगूर, अनार, हल्दी की खेती भी करते हैं और एक्सपोर्ट करने की कोशिश भी करते हैं। ई-बिल ऑफ लेडिंग यदि ले आते, तो सामान्य लोगों का फायदा होता। लगभग एक करोड़ बिल्स ऑफ लेडिंग सालाना इश्यू किए जाते हैं। यदि ई-बिल ऑफ लेडिंग ले आते तो कम से कम तीन बिलियन डालर्स की बचत हो जाती। किसी ने कहा कि सिर्फ दो फीसदी ई-बिल का यूज होता है। यदि हम विश्व गुरु बनना चाहते हैं, देश को आगे ले जाना चाहते हैं, तो डिजिटलीकरण बहुत जरूरी है। हम यहां भी अपने हस्ताक्षर डिजिटल फार्म में करते हैं। डिजिटल पेमेंट की बात करते हैं। सरकार सभी चीजों के बारे में देश को सिखाना चाहती है, तो फिर ई-बिल ऑफ लेडिंग लाना जरूरी क्यों नहीं समझा?

महोदय, गुड्स के ट्रांसपोर्ट के साथ-साथ एक बहुत बड़ी समस्या बिल ऑफ लेडिंग के ट्रांसपोर्ट की है। माल चढ़ा दिया, अब जो बिल ऑफ लेडिंग सामने वाले ट्रांसपोर्टर के पास पहुंचाना है, वह भी बहुत बड़ी समस्या होती है। उसके पास दो पर्याय होते हैं। एक तो कुरियर से बिल ऑफ लेडिंग आगे भेज दो। रास्ते में यह खो गया या चोरी हो गया, तो सारा माल चला गया। दूसरा यह है कि शिपिंग कम्पनी को सरेंडर कर दो। यदि कल माल ट्रांसफर करना हो या बेचना हो, तो हम कर नहीं पाते हैं। यदि ई-बिल इस प्रोविजन में ले आते, तो बहुत फायदा हो जाता। Sir, in today's time, they talk of digital economy. I wonder and it is very surprising that they themselves could not bring this in.

महोदय, जो रोटरेडैम रूल वर्ष 2008 के बने थे, वे भी जो इसमें अडॉप्ट करने चाहिए थे, वे नहीं किए गए। How much longer will a simple farmer have to depend on large exporters to send abroad his goods? How much longer does he have to share his price of goods with

the middlemen? How much longer does he have to wait for the Government to bring in provisions where he himself can go and export?

यदि सांगली का उदाहरण लेते हैं तो वहां मनेराजुरी गांव में एक किसान संजय दमदाड़े है, जो अंगूर की खेती करता है। उसने स्वयं अपने अंगूरों को एक्सपोर्ट करने की कोशिश की। जिस कंटेनर में उसके अंगूर गए, उस शिप के इंजन में आग लग गई और शिप का रेफरिजरेटर बंद होने के कारण सारे अंगूर खराब हो गए। शिपिंग लाइन की इंश्योरेंस कम्पनी को जब उसने शिकायत की तो इंश्योरेंस कम्पनी कहती है कि गलती शिपिंग लाइन की नहीं है, गलती कैप्टन की है। कैप्टन की गलती से आग लगी और माल खराब हुआ। यह बेचारा कैप्टन से पैसे कैसे वसूल करेगा? इस बिल में आर्बिट्रेशन का कोई प्रोविजन नहीं है। अगर संजय जैसे किसान स्वयं एक्सपोर्ट करने की कोशिश कर ले, if they go there and export it, then there will be a big issue. Who did they go to? Should not this Bill have provisioned for these kinds of incidents or similar incidents that common farmers, who are trying to become exporters themselves, are going to face? The Bill goes on to vaguely talk about empowering the Government to take decision for enforcing the provisions. What kind of provisions? इस बिल का परपस यह बताया गया है कि इस बिल को सिम्पलीफाई करने के लिए लाए हैं और इतने वेग प्रोविजन डाल देते हैं। यह बिल सिम्पलीफाई नहीं किया है। इस बिल को और ज्यादा कम्प्लीकेट करने की कोशिश कर रहे हैं। I would recommend to the Government that they bring a comprehensive policy of integrating the Bill of Lading with temperature tracking logger to ensure both importer and exporter get real time updates of the quality of their shipments.

Moreover, a dispute resolution mechanism needs to be worked as simple farmers like Sanjay cannot fight international disputes. This demand is most logical, and it falls in line with the Hague Rules 1926 which set the foundation for carrier responsibilities.

The fact is that we aspire to achieve two million dollars in total exports encompassing both goods and services by 2030. But in reality, India only contributes 2.5 per cent to the global seaborne trade.

We can only achieve our aim when our domestic policies are truly aligned with the realities faced by new India and its aspirations, an India where the farmers dream to export and compete with the MNC giants because they know that the world awaits their arrival.

I oppose the Bill. Thank you, Chairperson Sir.

डॉ. हेमंत विष्णु सवरा (पालघर) : सभापति जी, मैं सरकार द्वारा लाए गए बिल्स ऑफ लेडिंग बिल का स्वागत करता हूं। अब बिल्स ऑफ लेडिंग के तहत जो डाक्यूमेंट्स बनाए जाएंगे, मुझे लगता है कि it is a vital document that serves as receipt, contract and document of title for goods being

transported. It is used to ensure that goods are handled, delivered and legally transferred correctly. It is key to unlocking international logistics.

महोदय, मैं देश के यशस्वी पंत प्रधान नरेन्द्र मोदी जी को और पोर्ट मिनिस्टर सोनोवाल जी को बहुत-बहुत धन्यवाद देता हूँ कि मल्टी मॉडल कनेक्टिविटी के तहत इंडिया का सबसे बड़ा पोर्ट वधावन पोर्ट, जो पालघर में बन रहा है, उसे इंटीग्रेट करने के लिए और जिसका उद्घाटन स्वयं उन्होंने किया। पोर्ट मिनिस्टर सोनोवाल जी ने स्वयं तीन बार वहां का जायजा लिया। मुझे लगता है कि यह बिल्स ऑफ लैडिंग बिल इसके लिए भी बहुत महत्वपूर्ण रहेगा कि वधावन पोर्ट जो आ रहा है, उसके तहत जो ट्रांसपोर्टेशन होगा, वह पालघर की इकोनॉमी को ही चेंज नहीं करेगा, बल्कि इंडिया की इकोनॉमी को भी चेंज करेगा। मुझे लगता है कि पालघर डिस्ट्रिक्ट का जो कोस्टल एरिया है, करीब 112 किलोमीटर का है। पोर्ट पूरा समुद्र में 1500 हैक्टेयर में बन रहा है। उसके लिए डेडिकेटेड रेलवे है, डेडिकेटेड हाइवे है। दहानू-नासिक रेल लाइन बन रही है, मुंबई-नागपुर समृद्धि हाइवे को भी कनेक्टिविटी दी जा रही है। वॉटरवेज की कनेक्टिविटी पैदा होगी, जो समुद्र और नदी को भी जोड़ेगी। उसके तहत महाराष्ट्र सरकार ने, माननीय मुख्य मंत्री देवेंद्र जी ने चौथी मुंबई की घोषणा की है। इसके लिए मैं उनका धन्यवाद देता हूँ कि डेवलपमेंट बहुत तेज़ी से होने वाला है। पालघर जिले में एयरपोर्ट भी आ रहा है। इन सबसे एम्पलॉयमेंट और सेल्फ-एम्पलॉयमेंट करीब 10 लाख के ऊपर होने वाला है।

पालघर में इंडस्ट्रियल एरिया है, वहां से जो गुड्स पैदा होंगे, एमएसएमई बढ़ेगी, फिशिंग बहुत बड़े पैमाने पर होती है। एग्रीकल्चर द्वारा जो गुड्स पैदा होते हैं, चीकू है, कोकोनट है, फ्लावर्स है, उनके लिए इस बिल्स ऑफ लैडिंग बिल का महत्व बहुत अच्छा साबित होगा। काफी सारे फिशरमैन वहां पर हैं, जो अपने अधिकारों का संरक्षण चाहते हैं। कई बार सरकार ने उनसे बात की है और काफी विश्वास पैदा हुआ है। फिशरमैन सोसाइटी को और अधिकार और अधिक संरक्षण होना चाहिए, उनको सक्षम करना चाहिए। वे जो बोट लेते हैं, उनके लिए और सॉफ्ट लोन हमें देना चाहिए, जिससे कि वे भारी मात्रा में फिशिंग कर पाएंगे। मछुआरों के अधिकारों का संरक्षण भी हमारी सरकार कर रही है। इसीलिए जो फिक्स नेट है, फ्लोइंग नेट के माध्यम से जो फिशिंग होती है, उसके बारे में हमें और सोचना चाहिए। जो धूप प्रतिबंधक बंधारे होते हैं, जो बड़ी वॉल बनने वाली है, उसके लिए वॉटरफ्लो है, काफी हद तक चेंज होने वाला है, जिसके लिए स्टॉस, रौस के माध्यम से और टेट्राबोट के माध्यम से जो धूप प्रतिबंधक बंधारे बनने वाले हैं, जिसके लिए भारी मात्रा में फंड लगने वाले हैं, वह हार्बर देगी। हार्बर को हम अगर सब्सन करेंगे तो पूरा कॉस्टल हम धूप प्रतिबंधक बंधारे से कर पाएंगे। इनलैंड फिशिंग काफी मात्रा में होती है, उसको भी हमें एनकरेज करना चाहिए। फिशिंग एरिया, जो अभी वधावन पोर्ट से अफेक्ट होगा, वह अगर हम इनक्रीज़ कर पाएंगे, तो मेरे ख्याल से फिशरमैन को काफी आसानी होगी। जो नए बोट अगर हम दे पाएंगे, उस पर जीपीएस ट्रैकिंग युक्त टैक्नोलॉजी रहेगी तो काफी अच्छा प्रभाव रहेगा।

काफी सारी जेट्टीज़ की डिमांड है, तो जेट्टीज़ हमें बनवानी चाहिए। फिशरमैन को और कोल्ड स्टोरेज यूनिट्स चाहिए, उसके लिए भी प्रावधान हमारी सरकार कर रही है। काफी सारे कोस्टल एरिया में जो गांव हैं, वहां रहने वाले 10 वीं, 12 वीं पास और ग्रेजुएट लोगों के लिए काफी सारे ट्रेनिंग प्रोग्राम्स शुरू कर दिए हैं, तो वह भी बहुत अच्छी बात है। नेचुरल बिडिंग सेंटर्स जो हैं, जो प्रभावित एरिया है, उसकी ओर नेचुरल बिडिंग सेंटर्स अगर हमने बनाए तो मेरे ख्याल से हमारी फिशिंग वैसे की वैसे रहेगी। जो नंबर ऑफ विलेजिस अफेक्ट हो रहे हैं, वे काफी कम हैं, उसमें कोस्टल एरिया के और ज्यादा विलेज इनक्लूड किए जाएं। मेरे ख्याल से वहां पर और अच्छी फिशिंग और विश्वास पैदा होगा। मेरे ख्याल से आज का जो बिलिय ऑफ लैडिंग बिल है, उसका मैं स्वागत

करता हूँ। फास्टेस्ट ग्रोइंग डिस्ट्रिक्ट फ्रॉम इंडिया पालघर है, उसके सभी नागरिक और फिशरमेन उसका स्वागत करते हैं।

धन्यवाद।

SHRI SELVARAJ V. (NAGAPATTINAM): Respected Chairman Sir, Vanakkam. Thank you for providing this opportunity to speak on this maritime business Bill called the Bills of Lading Bill. It is my duty to say some suggestions regarding this Bill. There is a proverb in Tamil Nadu. ?Thiraikadal Odiyum Thiraviyam Thedu? which means we should venture out to foreign nations situated across seas to seek wealth.

My fellow MP and dear friend Dr. Kalanidhi Veerasamy quoted the lines of Mahakavi Bharathi. I too want to quote those lines.

?Vellippanimalai meethu ulaavuvom adi-melai kadal

muzhuthum kappal viduvOm.?

The meaning in English goes like this. ?Let us roam across the snow-covered silver mountains- Let us send our ships across the seas of the western countries.?

Similarly, we have a great history regarding participation of Tamils in the freedom struggle of our country. Shri V.O. Chidambaram Pillai, the first Tamil to own a shipping company in India, and his sacrifices during the freedom struggle are adorable. It is said that there were three flags, the flag of the Congress party, the flag of the Communist Party and the flag of the Indian Union Muslim League flying high in the ship operated by V.O.C. Such is the great and historic background of Tamils. I therefore want to provide you some suggestions regarding this Bill. I have some innovative suggestions for ensuring India to be a robust and strong economy (i) Improving the digital commerce platforms; (ii) Creating and improving e-commerce platforms providing the best connectivity between the Producers and Consumers by using India?s biggest IT sector; (iii) Strengthening the maritime trade; (iv) Concentrating in providing an improved shipping connectivity with the international centres of trade, particularly ensuring transportation of high value products such as drugs and technology; (v) Encouraging innovation in technology; (vi) Encouraging high technology in production by providing incentives for research and development activities in the fields such as Renewable energy and Biotechnology; (vii) Providing subsidy to Start-ups and SMEs besides simplification of Government policies as well as tax exemptions; (viii) Providing infrastructure development for economic development in two-third of the Cities and attempting

to reduce regional imbalances; (ix) Improving the National Distribution network and its capacity by setting up equipment manufacturing centres in the less developed areas; expansion of trade through different measures by supporting innovation; and (x) Giving impetus to economy by way of encouraging and ensuring competitiveness in the world arena. These are some of my suggestions. Similarly, in my Nagappattinam Constituency, during the period of Cholas, there were large scale trade with the world countries. We have had direct trade connections with Sri Lanka. I urge that the existing harbour in Nagappattinam should be developed. Particularly, the ship transport is being operated between India and Sri Lanka through a company named Subham Carriers. This travel service should be improved upon besides starting freight carrying activities between India and Sri Lanka. Consultative meetings are being held in this regard. Particularly there is a demand for deepening this harbour. For air transport, 5 per cent GST is levied for economy class and 12 per cent GST is levied for Business class. Whereas 18 per cent GST is levied for transports through ships. In order to improve trade through shipping activities, I urge that the GST should be brought down to 5 per cent. I urge that the Nagappattinam harbour should be deepened by 5 metres and an estuary should be developed there for a length of 300 metres. Our Hon Chief Minister of Tamil Nadu *Thalapathi* Shri M.K. Stalin visited Nagappattinam district recently. He expressed concerns about the difficulties faced by fishermen of Tamil Nadu. During last 10 years after Union Government came to power, 3,656 fishermen were arrested by the Sri Lankan Navy. As many as 611 boats of fishermen were confiscated by them. There were 736 attacks by Sri Lankan Navy on our fishermen. What is the action taken on these incidents? How the fishermen of Tamil Nadu are looked upon by the Union Government? Whether they are seen as fishermen of Tamil Nadu or fishermen of India? Is it not Tamil Nadu part of India? Why is this partisan approach from the Union Government? This should not take place. I accuse the Union Government for taking forward hatred politics and partisan approach. In order to find a solution, there should be talks with the Sri Lankan government and every possible action should be taken up by the Union Government to protect our fishermen.

I once again thank hon. Chairman for allowing me to speak on this Bill. Thank you.

श्री आनंद भदौरिया (धौरहरा) : सभापति महोदय, मैं आज इस सदन में वहन-पत्र विधेयक, 2024 पर चर्चा करते हुए सरकार के दृष्टिकोण पर अपनी समालोचना प्रस्तुत करना चाहता हूँ। यह बिल अंतर्राष्ट्रीय समुद्री व्यापार में आने वाले बदलावों, मालवाहन समझौतों के संबंध में कुछ महत्वपूर्ण प्रावधानों को संबोधित करता है। इसके कई प्रावधान ऐसे हैं, जिसमें व्यापारियों को, विशेष रूप से जो छोटे व्यापारी हैं, वे आयात और निर्यात के क्षेत्र में

प्रभावित होंगे और कर्मचारी भी प्रभावित होंगे। सत्ता पक्ष के साथी बोल रहे थे और माननीय मंत्री जी ने जब इस विधेयक को प्रस्तुत किया था, तब उन्होंने भी कहा कि कुछ विशेष उद्देश्यों को लेकर हम लोग नहीं आए हैं। वर्ष 1856 में यह विधेयक आया था, उसके बाद इसमें कोई खास परिवर्तन नहीं किया। यह कहें कि नई बोतल में पुरानी शराब है। आपने उसी विधेयक का केवल साल बदला है। इसके प्रावधान में आपने कुछ खास बदलाव नहीं किया है। आदरणीय दुबे जी बड़े जोर-शोर से पोर्ट की चर्चा कर रहे थे कि गुजरात के एयरपोर्ट पर ड्रग्स पकड़ी जा रही हैं। आपने कई बार चर्चा की, जिक्र किया, लेकिन यह नहीं बताया कि एक खास एयरपोर्ट पर, एक खास व्यक्ति के द्वारा संचालित एयरपोर्ट पर ही बार-बार ड्रग्स क्यों पकड़ी जा रही हैं? जरा इस पर भी अपनी चिंता व्यक्त कर दें। आप वहन-पत्र में दावों के समाधान का अमेंडमेंट लाए हैं। इसके तहत माल के नुकसान या विलम्ब से संबंधित दावों का समाधान केवल एलिजिबल पार्टिज़ के बीच किया जाएगा। इसे निर्धारित करने की प्रक्रिया जटिल हो सकती है। इसमें कई बार छोटे व्यापारियों की अनदेखी हो सकती है।

सभापति महोदय, अंतर्राष्ट्रीय समुद्री व्यापार में एकरूपता की कमी है। अंतर्राष्ट्रीय व्यापार के दृष्टिकोण से देखा जाए तो यह विधेयक पूरी तरह से एकरूप नहीं है। विश्व स्तर पर समुद्री व्यापार में कई देशों में अलग-अलग नियम और प्रोटोकाल लागू हैं। क्या इस विधेयक में सरकार ने भारत के लिए कोई स्पष्ट दिशा तय की है, ताकि अंतर्राष्ट्रीय समुद्री व्यापार में किसी प्रकार की कोई दिक्कत उत्पन्न न हो?

पर्यावरण के दृष्टिकोण से इस बिल में कोई प्रावधान नहीं है। आज के समय में हम पर्यावरण संरक्षण की बात कर रहे हैं और उसकी सबसे अधिक आवश्यकता है, तब सरकार ने इस वहन-पत्र में उसको बिल्कुल नजरअंदाज किया है। क्या सरकार ने मालवाहन से संबंधित प्रदूषण व अन्य पर्यावरणीय प्रभावों पर विचार किया है? क्या इसमें कोई प्रावधान है जो समुद्री व्यापार के पर्यावरणीय प्रभाव को नियंत्रित कर सके? अच्छा होता कि सरकार इसके लिए भी कुछ प्रयास करती। श्रमिकों के अधिकारों की अनदेखी हो रही है। इस बिल में मालवाहन उद्योग से जुड़े श्रमिकों के अधिकारों का कोई स्पष्ट उल्लेख नहीं है। यह क्षेत्र लाखों लोगों को रोजगार प्रदान करता है, लेकिन उनके अधिकारों की सुरक्षा पर कोई ठोस पहल नहीं की गई है। क्या सरकार ने इस क्षेत्र के श्रमिकों की स्थिति सुधारने के लिए कोई कदम उठाया है? मैं सरकार से आग्रह करना चाहता हूँ कि इस विधेयक में आवश्यक सुधार किए जाएं, ताकि यह हमारे व्यापारिक समुदाय और श्रमिक वर्ग के लिए एक सशक्त और समान अवसर प्रदान करे। एक बहुत पुरानी नदी जोड़ी योजना सरकार की थी। एनडीए सरकार में नदी जोड़ी परियोजना पर कुछ काम भी शुरू हुआ था। हमारी सरकार से मांग है कि नदी जोड़ी परियोजना पर सरकार काम शुरू करे। हमारे उत्तर प्रदेश में कोई पोर्ट नहीं है, अगर नदियों को जोड़ेंगे तो हो सकता है कि कोई पोर्ट उत्तर प्रदेश और बिहार को भी मिल जाए। सारी नदियों को जोड़िए, जिससे पोर्ट बन जाए। यदि पोर्ट बनेगा तो उत्तर प्रदेश के किसानों, गरीबों और श्रमिकों को भी इसका लाभ मिलेगा।

सभापति महोदय आपने मुझे इस बिल पर बोलने का मौका दिया, मैं आपका आभार प्रकट करते हुए अपनी बात समाप्त करता हूँ। बहुत-बहुत धन्यवाद।

SHRI SARBANANDA SONOWAL: Respected Sir, today, I am thankful to all the hon. Members of Parliament who took part in this particular discussion on the Bill.

I would especially like to thank S/Shri Hamdullah Sayeed, Bibhu Prasad Tarai, Pratima Mondal, Kalanidhi Veeraswamy, Alok Kumar Suman, Sribharat Mathukumilli, Virendra Singh, Arvind Ganpat Sawant, Ravindra Dattaram Waikar, Bhaskar Murlidhar Bhagare, Captain Viriato Fernandes, Abhijit Gangopadhyay,

Maddila Gurumoorthy, Adv. Chandra Shekhar, Pradeep Kumar Panigrahy, Sachithanantham R., Raja Ram Singh, N. K. Premachandran, Nishikant Dubey, Supriya Sule, Anil Yeshwant Desai, Darshan Singh Choudhary, Sougata Ray, Hanuman Beniwal, Vishaldada Prakashbapu Patil, Hemant Vishnu Savara, Selvaraj V. and Anand Bhadauria. So, I am thankful to everybody. With your limited understanding, you have expressed your views on this Bill. But let me tell you one thing.

हमारे देश के आदर्शवादी नेता, दुनिया के सबसे लोकप्रिय नेता प्रधानमंत्री नरेन्द्र मोदी जी के विजन को साकार करने के लिए आज देश में विकास के सिलसिले में जनता एकत्रित होकर लगी हुई है। जो मंत्र परम आदरणीय प्रधानमंत्री जी ने दिए हैं, रिफार्म, परफार्म और ट्रांसफार्म, उसी नीति के आधार पर आप लोगों ने देखा कि कैसे लेजिस्लेटिव रिफार्म और फाइनेन्शियल रिफार्म लाया गया। उसी वजह से आज देश विकास के रास्ते पर तेजी से चलने लगा है। आज जो यह बिल लाया गया है, यह बिल 168 वर्ष पुराना है। एक पुराना कानून है, जिस समय ब्रिटिश का राज था, उसी कालखंड में अलग-अलग देश में उसी देश के आधारित कानून-व्यवस्था प्रस्तुत की। आज हमें स्वतंत्रता मिले 78 वर्ष हो गए हैं और 76 वर्ष रिपब्लिक होने के नाते सिक्युरिटी मिली है। इस काल खंड में सबका यही मानना है, हर भारतीय का यही स्वाभिमान है कि हम स्वतंत्र भारत की कानून व्यवस्था लागू करें। प्री-इंडिपेंडेंस इंस्टीट्यूट के रिप्लेसमेंट और रिपील के लिए यह बिल लाया गया है।

इस बिल में हमारे जो भी स्टैकहोल्डर्स हैं, खासकर सीफरर और कैरियर, सभी स्टैक होल्डर्स के साथ एक्सटेंसिव कंसल्टेशन के बाद और जो लीगल एक्सपर्ट हैं, सभी के साथ डिटेल चर्चा करने के बाद इस बिल को इस रूप में आप लोगों के समक्ष रखा गया है। इस बिल को हम लोगों ने सिम्प्लीफाई किया है, ताकि जब अंडरस्टैंडिंग बने तो जो स्टैक होल्डर्स हैं, उनको समझने में कोई कठिनाई न हो। इसमें खासकर क्लॉज-5 में केंद्र सरकार को डायरेक्शन इश्यू करने के लिए जो भी प्रोविजन रखा गया है, उसका मूल लक्ष्य यह है कि हमारे जो भी स्टैकहोल्डर्स हैं, वे किसी भी हालत में दिक्कत में न पड़ें। आज आधुनिक जगत है और 21 वीं सदी है। बढ़ते हुए चैलेंजेज और परिस्थितियों के साथ मुकाबला करने के लिए आधुनिक कानून व्यवस्था हमारे लिए बहुत आवश्यक है।

इसके लिए एक फ्यूचरिस्टिक स्टैट्यूट है। आने वाले दिनों में जरूरत के मुताबिक, to facilitate the stakeholders properly, we have to make the provisions. That is why this clause 5 has been brought.

1.41 hrs

(Hon. Speaker in the Chair)

अध्यक्ष जी, मुझसे जो सवाल किए गए हैं, उसी हिसाब से मैं आप लोगों को आपके सवालों के जवाब देना चाहता हूं। श्री सईद जी ने Carriage of Goods by Sea Bill के बारे में उल्लेख किया था। मैं कहना चाहता हूं, this Bill being discussed is the Bills of Lading Bill, not the Carriage of Goods by Sea Bill. The Bills of Lading Bill relates to the transfer of rights of suit and liabilities to endorsees and consignees of the bills of lading.

श्रीमती प्रतिमा मंडल जी का जो सवाल था, मैं उसका जवाब देना चाहता हूँ। The power of the Central Government under clause 5 is limited to issuing direction for carrying out all or any provisions of the Bill. This power is an enabling provision with respect to earlier provision of the Act. The Bill does not seek to slash any existing provisions of the Indian Bills of Lading Act, which have been substantively retained in the Bill with simplification of language. Therefore, the Bill will not result in investor uncertainty. Since the Bill only relates to the transfer of rights of suit and liabilities to endorsees and consignees, it does not relate to regulation of court and does not exclude State. आपके मन में जो शंका थी, मैं उसी शंका का जवाब दे रहा हूँ।

डॉ. कलानिधि जी का जो सवाल था, उस सवाल के जवाब में मैं कहना चाहता हूँ, the Bills of Lading Bill will not result in legal recognition of e-bill of lading. The Bills of Lading Bill does not provide any legal recognition to e-bills of lading, which will require a detailed framework. वाइड-कन्सल्टेशन की जरूरत है। अगर इसको लाना है, तो स्टैकहोल्डर्स के साथ कन्सल्टेशन जरूरी है। आईटी, फाइनेंस के जो भी इंस्टिट्यूशन्स हैं, उनके साथ डिटेल में चर्चा करनी होगी। जब मत बनेगा, तब इसको उसी हिसाब से लाया जाएगा as it is evident from the current legal framework in other common law countries, such as Singapore and United Kingdom, that have come up with a separate legislation that provides for the legal recognition of e-bill of lading.

As regards the question raised by Shri Virendra ji, the Bills of Lading Bill only relates to the transfer of rights to suits and liabilities to consignees and endorsees. It neither relates to the contract of carrier between shipper and carriers nor does it relate to safety of vessels. Therefore, issues such as insurance and freight are not relevant to this Bill.

As regards the question raised by Shri Arvind ji, the Bill under consideration is the Bills of Lading Bill and not the Carriage of Goods by Sea Bill. He also repeated the same question.

As regards the question raised by Shri Gurumoorthy ji, the Bill does not relate to major ports for which other statutes exist.

As regards the question raised by Shri Sachithanantham ji, the bill of lading only relates to the transfer of right of suits and liabilities to consignees and endorsees. It neither relates to the contract of carrier between shipper and carriers nor does it relate to safety of vessels. Therefore, issues such as freight are not relevant to this Bill.

As regards the question raised by Shri N. K. Premachandran ji, it will bring the law out of their pre-colonial mindset. This was the argument. Also, some new provisions have been added which are important for the smooth implementation and enforcement of the provisions of the Bill which did not exist in the 1856 Act. This is in line with the modern legislative drafting practices which will lead to smooth implementation of the law. The power of the Central Government under Clause 5 is limited to issuing direction for carrying out all or any provisions of the Bill. This power is an enabling provision with respect to only the provision of the Act. It is limited to the provision of the Act. Devising a detailed legal framework and overall architecture for recognition of e-bills of lading needs a wide range of consultation, which I have already said.

As regards the questions raised by Shrimati Supriya Sule and Shri Anil Desai, the power of the Central Government under Clause 5 is limited to issuing direction. As I have already said, recognition of e-bills of lading needs a wide range of stakeholder consultation. The Bill deals with specific aspects of rights and liabilities emanating from the transfer of bill of lading to a consignee or an endorsee. The bill of lading is a legal document and not a contract. It is only evidence of a contract, not a contract. The rights and liabilities provided for are not directly emanating from the contract, but from the transfer of the evidence of the contract. Therefore, the Bill does not contain any provision on dispute resolution or appellate mechanism.

As regards the question raised by Captain Viriato Fernandes, the aspect of shipping and carriage of goods by sea are governed by other statutes. Merchant shipping is governed by the Merchant Shipping Act, 1958. Ports, State Maritime Boards, major Port Authorities are governed by other statutes. This Bill only relates to bills of lading. The provisions of the Bill are not subject to the quantity or nature of goods being shipped.

These are the responses as you wanted to know from my side. For your information, let me tell you that this legislative reform is giving a very important boost to the stakeholders, particularly those who are involved in this particular maritime trade because we have to create an ecosystem which will provide an ease of doing business environment. If they have the clarity of the legislation, they would definitely put their effort in with full confidence. That is why the hon. Prime Minister's vision is always helping the nation to grow faster, and whatever reforms have been brought to the country in the different Ministries. In my Ministry, if I want to glorify the success story, it will take hours. Since 2014, there are initiatives

taken such as Sagar Mala Programme, Maritime India Vision 2030, and Amritkal Vision 2047. In every sector, you have seen what exemplary initiatives under the hon. Prime Minister's direction and vision are taking place. As a result, it is giving a lot of boost and also contributing to the faster growth of our economy.

I just want to cite one example in the national waterways. Up to 2014, let me tell you one very exciting example. This particular Act was enacted in 1986, and since then, up to 2014, there were only three operational national waterways in the country. Although there were total five, operational were only three. As a result, the kind of infrastructure growth and the development of the national waterways, whatever effort during that time the respective Government took was meagre. Only Rs. 1,480 crore were spent, but that is almost from 1986 to 2014. You just count the years. In the last 10 years, you will see the total expenditure in this sector, for developing infrastructure facilities in the different national waterways, it is more than Rs. 5,000 crore. Till 2014, the cargo handling capacity was limited to 18 million metric tonnes per annum, but in the last 10 years, it went up to 133 million metric tonnes. So, that is the story of growth and success of this particular sector.

Look at the shipping and port modernization, mechanization, and digitization in the port sector. Now JNPA has improved its capacity for container handling up to 10 million, becoming the first container handling port in the country to attain this particular level of success. This is happening only because of the hon. Prime Minister's vision. There are many other ports coming up like Paradip and Kandla; they are all going to become mega ports because of the cargo handling capacity increasing at a very fast pace. Of course, there are private players. Vizhinjam Port is also coming up. These are there in the private sector and in the public sector. There are ports run by the State Governments and the State Maritime Board everywhere. This success story is now creating special encouragement for the people of the country, and they are generating confidence in the mindset that yes, this country will become self-reliant, 'Atmanirbhar Bharat' by 2047. No doubt about it that it is going to be one of the top developed nations in the world.

Thank you.

माननीय अध्यक्ष: प्रश्न यह है:

कि किसी वहन-पत्र में नामित पारेषिती तथा किसी वहन-पत्र के पृष्ठांकित के वाद में अधिकारों और सभी दायित्वों के अंतरण, जिन्हें वहन-पत्र में वर्णित माल की संपत्ति पारेषिती या पृष्ठांकित होने के कारण संक्रान्त करने और उससे संबद्ध विषयों का उपबंध करने वाले विधेयक पर विचार किया जाए ।?

प्रस्ताव स्वीकृत हुआ ।

माननीय अध्यक्ष: अब सभा विधेयक पर खण्डवार विचार करेगी ।

CLAUSE 2

Rights under Bills of

Lading to vest in

consignee or endorse

माननीय अध्यक्ष : प्रो. सौगत राय जी, क्या आप संशोधन संख्या 3 प्रस्तुत करना चाहते हैं?

PROF. SOUGATA RAY (DUM DUM): Sir, I beg to move:-

Page 2, for lines 6 to 11 , -

substitute ?2. Every consignee of goods in a bill of lading or every endorsee of a bill of lading to whom the property in the goods therein mentioned refers shall pass to any individual or entity named as the recipient of goods or anyone who has been legally transferred ownership of the bill of lading through endorsement, essentially giving them the right to claim the goods therein mentioned, shall be subject to the same liabilities in respect of such goods as if the contract contained in the bill of lading had been made with such consignee or endorsee.". (3)

माननीय अध्यक्ष : अब मैं प्रो. सौगत राय द्वारा खंड 2 में प्रस्तुत संशोधन संख्या 3 को सभा के समक्ष मतदान के लिए रखता हूँ ।

संशोधन मतदान के लिए रखा गया तथा अस्वीकृत हुआ ।

माननीय अध्यक्ष : प्रश्न यह है

? कि खंड 2 विधेयक का अंग बने ।?

प्रस्ताव स्वीकृत हुआ ।

खंड 2 विधेयक में जोड़ दिया गया ।

खंड 3 से 6 विधेयक में जोड़ दिए गए ।

CLAUSE 1

*Short title and
commencement*

माननीय अध्यक्ष : माननीय मंत्री जी संशोधन संख्या 2 प्रस्तुत करें ।

Amendment made:

Page 2, line 3,-

for "2024"

substitute "2025". (2)

(Shri Sarbananda Sonowal)

माननीय अध्यक्ष : प्रश्न यह है:

कि खंड 1, यथा संशोधित, विधेयक का अंग बने ।?

प्रस्ताव स्वीकृत हुआ ।

खंड 1, यथा संशोधित, विधेयक में जोड़ दिया गया ।

ENACTMENT FORMULA

माननीय अध्यक्ष : माननीय मंत्री जी संशोधन संख्या 1 प्रस्तुत करें ।

Amendment made:

Page 2, line 1,-

for "Seventy-fifth?"

substitute "Seventy-sixth". (1)

(Shri Sarbananda Sonowal)

माननीय अध्यक्ष : प्रश्न यह है:

कि अधिनियमन सूत्र, यथा संशोधित, विधेयक का अंग बने ।?

प्रस्ताव स्वीकृत हुआ ।

अधिनियमन सूत्र, यथा संशोधित, विधेयक में जोड़ दिया गया ।

प्रस्तावना और विधेयक का पूरा नाम विधेयक में जोड़ दिए गए ।

माननीय अध्यक्ष : निशिकांत जी, क्या आप कुछ कहना चाहते हैं?

डॉ. निशिकान्त दुबे (गोड्डा) : माननीय अध्यक्ष जी, माननीय प्रधान मंत्री जी के नेतृत्व में शिपिंग सेक्टर ने बड़ा काम किया है, इसके लिए मंत्री जी धन्यवाद के पात्र हैं । लेडिंग बिल में दो पैरामीटर्स हैं- नेगोशिएबल और नॉन-नेगोशिएबल । जापान नॉन-नेगोशिएबल है और चीन नेगोशिएबल है । हमारे यहां भी इनलैंड वॉटर वैज़ के तौर पर झारखंड के साहबगंज में एक मल्टीमॉडल हब आया है । मंत्री जी के क्षेत्र में भी ब्रह्मपुत्र नदी है और पहले से वहां शिपिंग होती रही है । असम में भी एक मल्टी मॉडल हब बन रहा है जिससे नेपाल और भूटान को हम इस तरह की लेडिंग फैसिलिटी दे पाएं । मंत्री जी बताएं कि ब्रह्मपुत्र और साहबगंज का जो मल्टी मॉडल हब है, वह कब तक ऑपरेशनल हो जाएगा । इसके अलावा नेगोशिएबल और नॉन नेगोशिएबल को हम कब तक लेडिंग बिल में खत्म कर पाएंगे?

माननीय अध्यक्ष : अगर यह देना चाहेंगे, तभी!

श्री सर्बानंद सोनोवाल : माननीय अध्यक्ष जी, माननीय निशिकांत दुबे जी ने जो भी आग्रह किया है, उसका विशेष रूप से ख्याल रखा जाएगा ।

18.00 hrs

माननीय अध्यक्ष : माननीय मंत्री जी प्रस्ताव करें कि यथा संशोधित विधेयक पारित किया जाए ।

SHRI SARBANANDA SONOWAL: I beg to move:

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

माननीय अध्यक्ष: प्रश्न यह है:

?कि विधेयक, यथा संशोधित, पारित किया जाए ।?

प्रस्ताव स्वीकृत हुआ ।

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माननीय अध्यक्ष : सभा की कार्यवाही मंगलवार, दिनांक 11 मार्च, 2025 को प्रातः 11 बजे तक के लिए स्थगित की जाती है ।

18.01 hrs

The Lok Sabha then adjourned till Eleven of the Clock

on Tuesday, March 11, 2025/ Phalguna 20, 1946 (Saka).

16.58 hrs