

[Mr. Deputy-Speaker]

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

13-41 hrs.

MERCHANT SHIPPING BILL

Mr. Deputy-Speaker: The House will now take up the Merchant Shipping Bill, 1958, as reported by the Joint Committee. As the House is aware, 8 hours have been allotted for all the stages of the Bill. I would like to take the sense of the House as to how these 8 hours are to be distributed among the various stages of the Bill.

Shri Naushir Bharucha (East Khairpur): May I point out that there are nearly 200 amendments to this Bill? Eight hours will be required to discuss the amendments alone. Some of them are most controversial.

Mr. Deputy-Speaker: That should have been taken up at the meeting of the Business Advisory Committee.

Shri Braj Raj Singh: (Ferozabad): It was taken up.

Mr. Deputy-Speaker: Then, the discretionary power of the Speaker is there.

Shri Naushir Bharucha: At that time there were only 60 amendments. Now there are nearly 200 amendments.

Mr. Deputy-Speaker: We will proceed now. If necessary, we can extend the time.

Shri Naushir Bharucha: In the circumstances, I submit, the general discussion should not be less than six hours.

Mr. Deputy-Speaker: On the one hand, the hon. Member says that now the amendments have swelled up to 200 and odd and so more time is required for the amendments; on the other hand, he says that more time should be allotted for general discussion.

Pandit Thakur Das Bhargava (Hissar): I would submit that out of the 8 hours, 5 hours may be allotted for general discussion and 3 hours for the rest.

Shri Braj Raj Singh: As you rightly said, the allotted time can be extended by one hour. Since five hours have already been allotted for general discussion, now it will come to six hours.

Mr. Deputy-Speaker: We might say, for the present: 5 hours for general discussion and 3 hours for the rest. In case necessity arises, Speaker can at his discretion increase it by one hour. The time-limit for speeches, as usual, will be 15 minutes for Members and 30 minutes for leaders of groups.

The Minister of Transport and Communications (Shri S. K. Patil): Mr. Speaker....

Mr. Deputy-Speaker: I am Deputy to him.

Shri S. K. Patil: I am sorry. Sir, I beg to move:

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

I shall now proceed to briefly examine some of the changes that have been brought about by the Select Committee on the original proposals that were there. The Bill that has now emerged as a result of the deliberations of the Select Committee is a

distinct improvement over the original draft, inasmuch as it enlarges the scope of the Bill and gives it the emotional content that it needed. For the first time in our history as a free country, we are bringing on the national register our Indian ships, our own ships, without national flag flying on them, and our flag on these ships will gloriously fly on the high seas of the world and will carry our message of peace, prosperity and goodwill to all peoples of the world.

By enacting the Indian Shipping Act, we are putting into effect, in howsoever small a measure, our resolve and determination to make India a maritime country. I have advisedly used the expression "maritime country" and not "maritime power", as other powers are conventionally called. The difference is obvious. Our flag will neither be preceded, nor followed, by any national desire to spread our power to any part of the land outside our frontiers. Our ships are primarily meant to carry our cargo, export and import to and from all parts of the world. We want to build up relationship of friendship and mutual understanding with every other country, and that is why our ambition is limited to make our country as big a maritime country as we can, but not a maritime power in the sense in which it is conventionally understood.

Now, the Bill when it was introduced on the 14th February, 1958, was intended to revise and consolidate all the laws in force in India relating to merchant shipping. Its scope was very much limited. The Bill, as it has now emerged from the Joint Select Committee, has two outstanding features, namely, the promotional and developmental aspects of the merchant marine. This has been reflected in the Long Title of the Bill, which gives us the emotional content and also the developmental activities which we propose to bring about. That reads as follows:

"to foster the development and ensure the efficient maintenance of an Indian mercantile marine in a manner best suited to serve the national interests and for that purpose to establish a National Shipping Board and a Shipping Development fund to provide for the registration of Indian ships and generally to amend and consolidate the law relating to merchant shipping."

There was a persistent desire expressed by many hon. Members that we should have a preamble to the Bill, giving it the emotional content. Since this House has now given up having preambles to the Bills, we have embodied this emotional content in the long title which I have read to you just now.

The main features of the development aspects are the establishment of a National Shipping Board and the establishment of the Shipping Development Fund. The shipping interests in the country had all along demanded that the shipping policy of the country should be more representative than what it was before. We have responded to this legitimate demand and included a provision in the Bill to establish a National Shipping Board. The Board will be advisory and will deal with matters relating to Indian shipping, including its development and such other matters arising out of the Act as might be referred to it for advice. The advisory character of the Board, however, does not limit the possibilities of its functioning as a great helpful factor in influencing the shipping policy of our country. The very composition of the Board—it will consist of not more than 21 members including five Members of Parliament—is a guarantee that its counsels should be treated with the respect that they deserve.

A provision has been made that the Board shall include an equal number of persons representing ship-owners and seamen. The Central Government shall nominate one of the members

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of the Board to be its Chairman. It is Government's desire that by convention a practice will be established that the Chairman shall ordinarily be a non-official person.

Another important feature of the Bill is the provision regarding the shipping development fund on a statutory basis. As this House is aware, Government had recently decided to set up this fund on a *pro-forma* basis because there were some constitutional difficulties in making it a statutory body. The provision in the Second Five-Year Plan has been fully utilised, but in view of the rising cost it has become apparent that more funds will have to be provided if the target laid down in the Plan is to be achieved. A fund has accordingly been established so that some additional finance may be available on a continuous basis for the development of shipping. The fund would be maintained from the amounts received in repayment of loans already given and by the interest accruing thereupon. It is hoped that annual contributions will also be available for this fund from the Consolidated Fund of India. Opportunity has been taken to give a statutory basis to this fund by including this provision in this Bill. The fund will be drawn upon for granting loans and financial assistance to shipping companies for acquisition and maintenance of ships and will be administered by a small committee. Its accounts will be laid before the Parliament from time to time.

Perhaps the most important feature of the Bill is the definition of an Indian ship. The discussion on this point was accompanied, if I may say so, by a mild but positively helpful and constructive criticism. I am obliged to the hon. Members for the helpful manner in which they have really guided the deliberations of the Joint Committee on this particular point. As a result of the deliberations of the Joint Committee it has now been decided to amend the original decision so as to provide that

only Indian nationals or Indian companies which satisfy a certain criteria would in future be able to own Indian ships. The principle criteria laid down in this Bill for this purpose are five. They are—

(1) Not less than 75 per cent of the share capital of the company should be held by citizens of India.

(2) Not less than three-fourths of the total directors of the company should be Indian nationals.

(3) The Chairman of the Board of Directors and the Managing Director, if any, shall be citizens of India.

(4) The Managing Agents, if any, of the company shall be Indian nationals or if a company is the managing agent, the company shall also satisfy the same requirements.

(5) The principle place of business of the company shall be in India.

As the hon. Members will see from the minutes of dissent appended to the Report, a certain section of the Joint Committee felt that larger than 25 per cent of foreign participation should be allowed. There are also other members who felt equally strongly that no foreign participation should be allowed in view of the special position of the shipping industry. The provision that has finally been made by the Joint Committee appears to be very practical and a reasonable compromise in that it will enable limited foreign participation and yet keep an effective control of Indian ships predominantly in Indian hands. This is also in consonance with the policy decision of our Government announced in 1947.

A brief explanation of the Government's position in this regard is necessary to clear the doubts which may

lurk in the minds of hon. Members who desire a larger foreign participation. I can at once grant that those who want larger participation mean well by Indian shipping but the question is whether it will be a wise move. On this point this House has got to decide once for all. They are afraid that our target of the Second Five Year Plan, viz., 900,000 GRT would not be reached without adequate foreign participation. We have to remember quite a number of important factors in this connection. The shipping target could be reached by several ways. Important among them are; firstly, if we find enough internal resources and also foreign exchange on our own, then surely we can do it ourselves and we have not got to look to anybody else for reaching our targets; secondly, securing foreign exchange by international loans—that is another way because we have been taking loans for many developmental projects of our country; and thirdly by allowing more equity capital from outsiders, in other words larger foreign participation.

Now, the last to my mind is a very risky proposition. Shipping is not like any other industrial enterprise where foreign participation may not prove to be an inconvenient or even a dangerous factor sometimes. Shipping is the very life and soul of a nation. It is also in times of emergency the second line of defence for a country. The existence of any outside or foreign element in our national shipping is bound to prove a very irksome factor in the long run. The Government have wisely decided to avoid this contingency by limiting foreign participation to only 25 per cent. I do not know how far even this 25 per cent may be utilised since in the last ten years experience has shown that it has not been utilised. Ever since 1947 that limit of 25 per cent has been there but nobody has availed of it during all this long period.

Everybody knows that we have not got foreign exchange just at present

for the completion of our target of 900,000 GRT. The course that is open to us is international loans at a reasonable rate of interest and on terms and conditions which are mutually acceptable. Such loans are forthcoming and I expect no difficulty in processing them in time for the completion of our targets. As it is we have come very near the target point. During the last two years we have been adding annually substantial tonnage to our fleet. We have to add somewhere about 160,000 GRT for the completion of the target. Really speaking, it is somewhere about 120,000 GRT, but I am adding 40,000 GRT because by that time some ships will go out of commission, i.e., the old ships. Therefore, this figure of 160,000 GRT in order to complete the target of 900,000 GRT. This also includes, as I said, a bit of shipping that will go out of commission by old age. It should, therefore, be remembered that the consideration of reaching the target should not be an overbalancing factor in fixing the percentage of foreign participation. I am quite sure that with the provision that we have made now, we shall be able not only to complete the target, but also, I hope, to exceed it.

There are quite a few other improvements in the Bill as reported by the Joint Committee, particularly, attention has been paid to amendments, the object of which is to assist our seaman. All revenues from fines imposed on seamen are to be utilised for the welfare of seamen. I would give the House with your permission a few figures for their consideration because these figures will help them in the deliberations on this Bill.

The total tonnage of the Indian ships today which is actually functioning or is in operation is 621,060 GRT. Total number of ships is 39. In coastal trade there are 84 ships and in overseas trade there are 55 ships. Our revenue from overseas trades and which means the earnings in

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foreign exchange, are increasing year after year and last year, that means in 1956-57, we reached a target of Rs. 17·88 crores. The target by March 1961, i.e., by the end of the Second Five Year Plan, as I said, is 900,000 GRT. To make a net addition of about 300,000 GRT during the Second Five Year Plan, we have ordered both in the public sector and in the private sector ships which will bring the total as I said, only 120,000 GRT short of the target. To that I have added 40,000 GRT more in order that even those ships that will go out of commission would be taken care of. Therefore, our problem is, during the next two years, we must secure by loan or otherwise tonnage which will be the equivalent of 160,000 GRT. That completes our Second Five Year Plan, or a target of 900,000 G.R.T. Monetary provision made was Rs. 37 crores—Rs. 17 crores for the private sector and Rs. 20 crores for the public sector. The entire provision has been fully committed. Loans to the extent of Rs. 14 crores have been sanctioned so far to private sector companies.

14 hrs.

A word about sailing vessels. This is also a considerable factor in shipping. The number of vessels existing at present is 1500,—one cannot be very accurate to the last ship so far as sailing vessels are concerned—of which about 200 are engaged in overseas trade. The volume of cargo lifted is about 2 million tons. There is a provision of Rs. 40 lakhs in the Second Plan for mechanisation of selected units of sailing vessels. These are some of the figures which I have placed before the House.

As I say, this is the first time that we are having this enactment. It has been a voluminous enactment with 461 clauses. I am not surprised that there are up to now as many as 200 amendments. Possibly more will be forthcoming. I am glad about the

interest that hon. Members are taking in this business. I can tell them one thing. The Government share the anxiety of this House, much more so, I, if I may say so, personally. I am not satisfied with a target of 900,000 tons, when I say that we want to make India a maritime country. Such a vast country like ours with 4000 miles of sea line, needs many more ships than that. Therefore, our endeavour would be, to see not only that the target should be reached, but the target should be exceeded. Sometimes in my enthusiasm which is not always shared by facts, I really run even farther than the expectation of many hon. Members that it should be given to us to see within a very short time, within our living memory or in our own time, to reach a target of 2½ million tons. That would really make India a maritime country, a thing of pride which really we aim at. That being the aim, we have got to see how easily we can reach that aim and what are the methods that we can employ and therefore we must make a big beginning. I daresay that in having this Bill as it has now emerged after the deliberations of the Joint Committee, we have given a kind of a Bill of which the country should be proud, which lays the foundation truly and well for a mercantile marine which has been always a dream and which will be in the realm of finality in the next 10 or 15 years.

Mr. Deputy-Speaker: Motion moved:

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

To this consideration motion, I have received notice of an amendment from Shri Tridib Kumar Chaudhuri.

Shri Tridib Kumar Chaudhuri (Berhampur): Yes, Sir. I am moving it.

Mr. Deputy-Speaker: There is another amendment by Shri U. C. Patnaik. He is not here. That is not moved. Shri Tridib Kumar Chaudhuri may move his amendment.

Shri Tridib Kumar Chaudhuri: I beg to move:

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

It is a matter for deep gratification that we have been able to place this Bill on the legislative anvil. It is no pleasure for me that I have to move this amendment which, if accepted, would delay the passage of the Bill by some time. I want this Bill to be passed with godspeed. But, unfortunately, the Bill, as it has emerged from the deliberations of the Joint Committee, alters the entire scheme of the Bill. If you look at the preamble and the long title of the Bill, you will find that the entire preamble and long title have been inserted by the Joint Committee and they had no place in the original Bill. Two important things that the Bill, as it has emerged from the Joint Committee proposes, to which the preamble also refers, are the formation of a National Shipping Board and the creation of a National Shipping Development Fund and also the constitution of a National Shipping Development Fund

Committee for the administration of that Fund. To my mind, the general picture of the entire scheme of the Bill and the entire scheme of administration of the merchant marine as envisaged in the original Bill has been altered fundamentally as it is now proposed in the report of the Joint Committee. If I may refer you to Part III of the present Bill as reported by the Joint Committee, you will find and it was the scheme of the original Bill also, that all powers of administration of merchant marine was concentrated in the hands of a single officer, the Director General of Shipping. Now, when the Joint Committee proposes the formation of a National Shipping Board, as the preamble says that we should have for the development of the merchant marine and for the efficient maintenance of the merchant marine, best suited to our national interest and all that, it can be legitimately expected that all these powers at least should be wielded not by a single officer, but by the Board which is now being proposed. But, as the hon. Minister has told us, it has nothing but advisory powers. It can only advise. Of course, the Minister has assured us that because Members of Parliament will be represented in the Board and shipping interests and other interests connected with shipping would be represented in this Board, its advice would be given due weight by the Government. In this regard, I feel that the Government has not done justice either to this House or to the interests of merchant shipping themselves.

Part II of the Bill, as I have already said, concentrates all powers of administration in the hands of the Director General of Shipping. A study of the Bill shows that under various provisions Government propose to arm themselves with extensive powers over the industry which is desirable. I support those powers, as for instance, over the acquisition and registration of ships, their movements and disposals, the cargoes that they shall

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carry, freights and all that. All the powers that are necessary for the development and for the administration and effective maintenance of a merchant marine should be in the hands of the Government, but I would like to understand why these powers are sought to be concentrated in the hands of a single officer.

If we look at the railway administration, there we have at least a Board, a committee of technical officers to generally preside over the administration of the entire railway system of India. We have also heard that the postal administration is also going to be handed over to a board and that Government is considering that proposal. Then why, at this particular moment when we are thinking of codifying our law regarding the merchant marine, when as the hon. Minister of State said when speaking on this Bill we are determined to make it a vehicle of power on our onward progress with regard to merchant marine, when it comes to the administration of those powers, they are going to introduce nothing but what may be called the virtual dictatorship of a single officer?

I may refer in this connection to the Merchant Marine Act of the United States of 1936 which may be regarded as a landmark in the history of the development of the merchant marine in that country. I wish the Government would take a lesson from the way that the American Government proceeded to develop their merchant marine in terms of that Act. By that Act they originally created a Maritime Commission. The powers of the merchant marine administration were not entrusted to any single officer or to any Minister of the Cabinet or the Secretary of Commerce who is in charge of these things, but it was handed over to a Board in which different interests were represented, and they were given extensive executive powers. Of course, subsequently it was changed into the

Federal Maritime Commission, but that makes no fundamental difference, and that is only a change in nomenclature. Some technical changes were introduced, but the fundamental principal was there, and the administration was entrusted to a body of technical experts and representatives of various interests, and this body was invested with executive power under the terms of the Merchant Marine Act.

Here Government comes with a make-believe sort of proposal. They say in the preamble that they are creating a National Shipping Board, as if to give us the idea that now they have created a board and that this board will see to the development of the merchant marine, but as a matter of fact, this board would be nothing but a facade, nothing but a screen behind which that particular officer, in whose hands dictatorial powers are concentrated, will work. He will have all the powers but no responsibility.

Shri Naushir Bharucha: He will not have any power. It is only advisory. Nobody will have any power.

Shri Tridib Kumar Chaudhuri: Anyway, whatever powers are given to the Director-General of Shipping should have been given to the National Shipping Board that is proposed here, instead of making it an advisory body.

Then there is the Shipping Development Fund, and the committee constituted for the administration of that fund. Here, if you look at clause 16, it seems ridiculous what powers are entrusted to this committee. This will be simply an accountants' committee. All rules and everything will be made by the Government as to how this fund will be administered. I fail to understand why a committee has been created here, and it seems to me it was simply to create the impression that these two bodies—the

Shipping Development Fund Committee and the National Shipping Board—will be the real bodies which would really administer this Act and look to the development of the national merchant marine. As a matter of fact, there is nothing of that sort. That is why I have proposed that all these relevant parts of the Bill should be re-examined by the Joint Committee and they should take into consideration the fact that the entire scheme of the Bill as proposed originally changes if we envisage that this Board and this Committee would administer merchant shipping in this country.

Apart from this aspect, I take this opportunity to refer to the general policy as enunciated in the preamble of the Bill. I do concede that in this preamble there is some recognition of the need for the development of our merchant marine, but I am greatly disappointed that it contains no definition of our national objectives so far as merchant marine is concerned. I just now referred to the speech of hon. Shri Raj Bahadur. He said that he wants to make this Bill a vehicle of progress on our onward march.

An Hon. Member: Shri S. K. Patil.

Shri Tridib Kumar Chaudhuri: Shri Raj Bahadur made a speech earlier. I know that he is Shri S. K. Patil. I am an old Member and I am old enough to know who is who here.

Shri Raj Bahadur: I want that to be done.

Shri Tridib Kumar Chaudhuri: Anyway, neither the preamble nor the detailed clauses of the Bill actually contain any instrument by which it can be really made a real vehicle of the onward march or onward progress of our merchant marine. It simply codifies certain laws. As I said at the outset, it is a matter of gratification that we have been able to put this measure on the legislative anvil, but it has not been done in the right spirit.

I have tried to follow the various amendments that have been proposed to this Title, and if I may anticipate my hon. friend Shri Raghunath Singh, I would commend his amendment for the consideration of this House. Again, I would ask the Minister to take a leaf from the preamble of the Merchant Marine Act of the United States. There, in the preamble they have set forth specifically and in a detailed manner what should be the national objectives of their country, so far as development of merchant marine is concerned. If I may quote Sardar Patel, Sardar Patel once said that merchant marine is the backbone of the development of a country like India which has come to be a maritime country. When we consider any Merchant Shipping Bill, a vision conjures up before our eyes of the days when India was really a maritime power; again, a vision conjures up also of the days to come when India will be a maritime power. But, unfortunately, neither in this Title nor in this Bill do we find any enunciation of that policy.

The only thing for which I congratulate Government is with regard to the development of Indian shipping, but even in that regard, when we shall consider the clauses, I hope I shall have an opportunity to refer to that matter. It is only in regard to the definition of Indian shipping, perhaps, that Government have taken a step forward; though it may not be as big a step as we wanted it to be, still it is a big step forward, and for that, I congratulate Government. Although that is a very important matter, yet, in this connection, that is, particularly in connection with the amendment that I have proposed, that is a secondary consideration. I would ask the hon. Minister to take into consideration this fact that with the proposal to constitute a National Shipping Board for the development of Indian shipping, and the constitution of a National Shipping Development Fund Committee for the same purpose, the entire scheme of the Bill changes or should change; and he should find

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it possible to take into serious consideration the points that I have made that instead of letting one officer to administer all the powers invested under this Bill, and which Government want to take under the clauses of this Bill, let him entrust it to a competent committee which would represent technical experts, the different interests connected with merchant shipping, and if necessary, as has already been proposed, it might contain a number of Members elected by this House or the other House of Parliament also. But let this shipping body be a real board with real powers to develop merchant shipping and to achieve the objectives that we have all in view.

Mr. Deputy-Speaker: Amendment moved:

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

Both the motion and the amendment are now before the House.

श्री रघुनाथ सिंह (वाराणसी) : उपाध्यक्ष महोदय, पाटिल साहब ने जिन सुन्दर शब्दों में इस बिल को यहाँ उपस्थित किया है उस के लिये उन को हम धन्यवाद देते हैं। लेकिन उन के विचारों से हम बहुत अधिक सहमत नहीं हैं।

जहाँ तक पारटिसिपेशन का सम्बन्ध है जो परसेंटेज इस बिल में रखा गया है उस को हम उचित नहीं समझते। हम चाहते हैं कि इस में कुछ संशोधन होना चाहिये। इस पारटिसिपेशन के प्रिंसिपल को आज नहीं बल्कि सन् १९२३ में ही हिन्दुस्तान ने स्वीकार किया था। पहले पहल सन् १९२३ में सेंट्रल असेम्बली में श्री शिवस्वामी अय्यर ने शिपिंग के प्रश्न को हिन्दुस्तान और उस के प्रतिनिधियों के सम्मुख रखा था। उस समय एक कमेटी बनी थी जिस में सर लालूभाई सामल दास जी भी थे ज.कि सिधिया के फाउंडर और नियरमें थे। आज जो हमारे अमरीका में एम्बेसेडर हैं मेहता साहब, उन के पिता थे। उन्होंने ने जो डेफीनीशन दी थी इंडियन शिपिंग की और ज. रिक्मंडेशन की थी वह इस प्रकार थी :

"that it is registered in India, that it is owned, and managed by an individual Indian or by a joint-stock company which is registered in India with rupee capital, with a majority of Indians on its directorate and a majority of its shares held by Indians."

सिधिया के प्रथम नियरमें और सिधिया के फाउंडर ने इस प्रिंसिपल को स्वीकार किया था कि फारिन पारटिसिपेशन होना चाहिये अगर मैजारिटी इंडियन शेयर्स की हो तो उस को मान लेना चाहिये।

उस के पश्चात् सन् १९४५ में एक कमेटी कायम हुई। यह शिपिंग की पालिसी के रिक्स्ट्रक्शन के सम्बन्ध में थी। इस कमेटी में जो महानुभाव थे उन में एक मास्टर साहब भी सिधिया के थे। दूसरे साहब इंडियन शिपिंग से सम्बन्धित थे। वह श्री अब्दुल हलीम गजनवी थे। हिन्दुस्तान में दो ही बड़ी कम्पनियाँ हैं जिन के हाथ में मैजारिटी आफ टनेज है। सिधिया और इंडियन स्टीम नेवी-गेशन कम्पनी। अब्दुल हलीम गजनवी साहब

स्टीम नेवीगेशन कम्पनी के फाउंडर थे। जिस के सर रामस्यामी मुद्दलेयर ब्राज चेंबरमैन हैं। यह वह कमेटी थी जिस का ब्राज पाटिल साहब ने १९४७ कमेटी कह कर हवाला दिया है। उस कमेटी ने यह कहा है :

“Indian ships’ should denote shipping owned, controlled and managed by the nationals of India.”

इस कमेटी में दो सज्जन थे जिन्होंने डिस्मैटिंग नोट लिखे थे। उनमें एक सज्जन ता भ्रंषेत्री बे रेडक्लिफ साहब। उन्होंने लिखा था कि अगर मेरा कम्पनी का इस डेफिनीशन से छाड़ दिया जाये तो मैं मेटिकाइड हूँ। दूसरे सज्जन थे श्री अब्दुल हलाम गजनवी साहब। इस कमेटी ने यह निर्णय किया था कि मेट पर मेट इंडियन होना चाहिये, १ परमेट शेयर भी किसी दूसरे के नहीं होने चाहिये। इस कमेटी का यह रिक्मेंडेशन था :

“ship owned, controlled and managed by the nationals of India.”

यानी पूरा शेयर इंडियन रहे और किसी दूसरे को एक शेयर भी न जाने पाये। मिथिया के फाउंडर की राय थी कि मैजारिटी आफ शेयर्स इंडियन होने चाहिये। गजनवी साहब ने डिस्मैटिंग नोट लिखा। उन्होंने इंडियन शिपिंग के लिये बहुत बड़ा काम किया था। उन्होंने कहा :

“Though 25 years have elapsed, there is no reason to think that this definition does not equally hold good now.”

इस प्रकार से the founder of one company and the father of another company both came to the same view. दोनों की एक ओपीनियन थी। फारिन पार-टिसिपेशन होना चाहिये। लेकिन ब्राज जो

हिन्दुस्तान की कम्पनियां हैं जान लड़ा रही हैं कि कोई फारिन पारटिसिपेशन नहीं होना चाहिये।

इस के पश्चात् जब गवर्नमेंट के सामने यह रिपोर्ट आई, तो गवर्नमेंट ने कहा कि सेन्ट-पर-सेन्ट इंडियन कैसे हो सकता है, जब दूसरी इंडस्ट्रीज में हम फारिन पारटिसिपेशन को स्वीकार करते हैं, तो फिर इस में क्यों न स्वीकार करें। १२ जुलाई, १९४७ की रिपोर्ट, जिस का हवाला दिया जाता है, की डेफिनीशन को गवर्नमेंट ने नहीं माना। गवर्नमेंट ने यह माना कि—

“At least 75 per cent of the shares and debentures of companies should be held by Indians by their own right.”

यह है ७५ परसेंट। कैसे कहते हैं कि नहीं है।

(At this stage the hon. Member waved his hand and exhibited the papers in his hand).

Mr. Deputy-Speaker: This would not go into the record! The hon. Member might continue on the next day as it is now time to take up the Private Members' Business.

14.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-SIXTH REPORT

Shri Supakar (Sambalpur): I beg to move:

“That this House agrees with the Twenty-sixth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 10th September, 1958.”

Mr. Deputy-Speaker: The question is:

“That this House agrees with the Twenty-sixth Report of the Committee on Private Members'