

Shri Lal Bahadur Shastri: Am I to answer that?

Mr. Speaker: It is not in every case that there ought to be a joint committee of both the Houses.

Shri Lal Bahadur Shastri: Not in every case. This is a very big measure, a comprehensive and long one, and this Bill has to be discussed in the other House also. If Members of both the Houses are on the Joint Committee, and the Members of the other House have also gone through the Bill clause by clause in the Joint Committee, it would facilitate discussion there also.

Mr. Speaker: The Financial Memorandum has been given. It is a very big Bill. If it is referred to a Select Committee once again there, it will take a lot of time. Both of them may sit together, and after all, the same Ministers have to sit.

The question is:

"That the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Merchant Shipping Bill, 1958, to a Joint Committee of the Houses be suspended."

The motion was adopted.

MERCHANT SHIPPING BILL

MOTION TO REFER TO JOINT COMMITTEE

The Minister of Transport and Communications (Shri Lal Bahadur Shastri): I beg to move:

"That the Bill to amend and consolidate the law relating to merchant shipping, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Shri Upendranath Barman, Shrimati Ila Palchoudhuri, Shri Liladhar Kotoki, Shri S. Osman Ali Khan, Shri Harish Chandra Mathur, Shri Anirudha Sinha, Shri Ram Dhani Das, Shri Ghanshyamal Oza, Shri Raghunath Singh, Shri Nardeo

Snatak, Shri Tekur Subrahmanyam, Shri K. P. Kuttikrishnan Nair, Shri K. Periaswami Gounder, Shri Dinesh Pratap Singh, Shri Mool Chand Jain, Dr. Y. S. Parmar, Shri N. M. Wadiwa, Shri Radha Raman, Bakshi Abdul Rashid, Shri Shivram Rango Rane, Shri Raj Bahadur, Shri Harendra Nath Mukerjee, Shri K.T.K. Tanganmani, Shri Rajendra Singh, Shri Nath Pai, Shri Ram Sewak Yadav, Shri S. A. Matin, Shri Aurobindo Ghosal, Shri Badakumar Pratap Ganga Deb Bamra and the Mover, and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

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".

Hon. Members would have already seen the provisions of the Bill and the annexed memoranda and also the Statement of Objects and Reasons.

The revision of the Merchant Shipping law in India has had a long history, but I shall not go into that. It would, however, be interesting to know that we are still being governed by the British Act, and our ships registered under the same law. It was obvious that with the advent of Independence we should have taken up the revision of the Merchant Shipping laws at the earliest. It was inconsistent with the new position of India as a Republic to allow her ships to be

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registered under the British Act and to be even technically regarded as British ships. But it would have taken some time to prepare a comprehensive measure. An Act was, therefore, passed in 1949, called the Merchant Shipping Laws (Extension to Acceding States and Amendment) Act, 1949. Under this Act, British Merchant Shipping Acts were applied to the acceding States, and Indian consular officers were empowered to perform functions in relation to Indian ships outside India, and power was taken to enable the Government of India to prescribe proper national colours for ships registered in India. Another direction in which Indian legislation was undertaken during and after the war relates to the control by licensing of Indian ships and ships engaged in coastal trade.

The long period prior to 1947 has had a very dismal picture, in so far as Indian shipping was concerned, as there was no expansion worth the name in spite of our long coast of over three thousand miles. Credit is, no doubt, due to the courage and initiative of a few eminent individuals like Shri Narottam Morarji and Shri Walchand Hirachand, who would be remembered for long for the services rendered by them in this field.

Since 1947, however, the Government of India have adopted a much bolder policy, and there has been good progress, but our progress has to be much faster in future. The House is aware that the Transport Ministry is making endeavours towards the expansion of Indian shipping. We would very much like that the target in the Second Five Year Plan of 9 lakhs tons GRT is over-reached by at least one lakh tons. The main difficulty which has come in our way during the last one year is that of the non-availability of foreign exchange. This has naturally caused us much anxiety, and we had no alternative but to wait for better times. We, however, did not lose hope, and continued to overcome this hurdle, and the House would be glad to know that our efforts have at last borne some fruit.

The House may be aware that a yen loan is being negotiated with Japan, and I am thankful to the Finance Ministry and the Commerce and Industry Ministry with whom I discussed the matter, that part of the loan would be allotted for the purchase of new ships or second-hand ships. Both the Ministries agreed, and we sent our Director-General of Shipping to Japan along with the officers of the Commerce and Industry Ministry who went there for negotiating the loan. I hope that these discussions would bear good results, and I am told that the reasonable terms offered for purchase of ships on deferred payment basis are very attractive. We believe that we would be able to get at least half a dozen ships out of this loan money, when the details have been discussed and finalised. I cannot be quite accurate about the figures, but still I hope that we would be able to get some new ships from Japan. It is really very heartening to see that the Japanese are able to build ships in about one year's time, and if orders are placed soon, it would be possible to get those new ships in about twelve to fourteen months' time. So, we will be able to get those ships very early too.

As I said, we can get more ships from Japan, not, of course, from the loan credit that we are expecting to get or from the amount which we expect to be allotted from the yen loan, but from outside that loan, that is, from our own funds. The terms offered by the Japanese, of course, are very difficult for us, from our point of view, but still they should be considered quite reasonable, and if some foreign exchange is made available to us, we would be able to place orders for more ships in Japan. We shall have to discuss this matter with the Finance Ministry and the Planning Commission, and see if Rs. 1 crore of foreign exchange could be allotted for this purpose. Of course, I do realise that it is not easy to do that, but still this sum of Rs. 1 crore is not a very big sum for the development of

shipping, which is absolutely essential, and which is undoubtedly one of the biggest foreign exchange-earners. So, I hope that we would be able to do something in this regard, but it all depends on how the Finance Ministry take to this proposal and whether it would be possible for them to render us adequate help in this regard.

I might also inform the House that there is talk of further loans being negotiated with other countries like Western Germany and USA, and we would be very happy indeed if any part of it could be allotted for the development of shipping also. Needless to say, more tonnage means a good deal towards the furtherance of our general economy. As I said just now, there is no quicker foreign exchange-earner than shipping, and it is essential that we should arrest the enormous expenditure of foreign exchange on payment of freight for our imports and exports. In the circumstances I feel that we must try to get at least 20 to 24 ships within the next few years and, of course, several more before the end of the Second Plan period so as to reach the million ton mark.

Mr. Speaker: How long are we to go on purchasing from outside?

Shri Lal Bahadur Shastri: The purchases have been very heavy during the last ten years.

Mr. Speaker: Why not manufacture them?

Shri Lal Bahadur Shastri: We are manufacturing them, but there is only one shipyard and we are not able to cope up with the demand. Anyway, we want ships immediately, otherwise we will have to continue to charter ships of foreign companies and pay freight. I cannot vouchsafe for the accuracy of the figure, but perhaps we have paid about Rs. 169 crores as freight for the import of foodgrains alone during the last ten years.

Sir, the House is also aware that our plans regarding the development of major ports are also in the offing and we have to go ahead with them. Loans are to be negotiated from the World Bank for the Calcutta and Madras ports and the House might be aware that the Secretary of the Transport Ministry would be going to the United States soon and along with him will go the Chairman and the Chief Engineer of the Madras Port Trust and similarly the Chairman and the Chief Engineer of the Calcutta Port Trust. They will be making, I think, final negotiations there and therefore we are sending this team of officers to U.S.A so that everything is finalised as quickly as possible. All this discussion will take place in the month of March.

I need not emphasise the fact that the development of ports has to accompany the expansion of shipping and increase in imports and exports. We are attending to this aspect also and, as the House is aware, the ports are included in our core of the Plan. I might also mention that important concessions have also recently been given to the private shipping companies to add to their present tonnage. We have recently decided to set up the Shipping Development Fund, which would be a non-lapsable fund. Funds would be made available every year from the general revenues and after some time when the Fund has developed to some extent, we will not have to depend from year to year for allotment of funds from general revenues for the purchase of ships either new or second-hand. The idea of setting up this development fund is to have a non-lapsable constant fund available so that we could go ahead with the problem of development of shipping.

Then, recently we have reduced the rate of interest also. It was 4½% for coastal shipping and we have now reduced it to 3%. The Shipping Development Fund, the lower rate of interest, the Co-ordination Committee for regulating the shipments of Government cargo are steps which have

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been greatly welcomed by the shipping companies.

Another very important question of higher rebate is also under active consideration and the final decision is expected to be announced soon. I have no doubt that if there is some improvement in the foreign exchange position, the private shipping companies would surely come forward, with the concessions already given to them, to purchase new and second-hand ships as they are available. So, in the context of what I have said there is every hope that we would be able to develop our Indian shipping considerably and the next 10 to 15 years should show a further marked progress in this sector of the economy.

I need not stress that in this background the need for a consolidated and compact Merchant Shipping Act is quite obvious. The Bill which I have introduced is a lengthy one. But this need not frighten us. It is mainly a consolidating measure and to some extent an amending Bill also. It consolidates the provisions of the existing Indian Merchant Shipping Act, the Control of Shipping Act, the Merchant Shipping (Extension to Acceding States and Amendment) Act and also the Coasting Vessels Act and Indian Registration of Ships Act. It also embodies the provisions, with necessary amendments, of the various parts of the British Merchant Shipping Act including Part I relating to registration. And I am glad to inform the House that it repeals all the British laws applicable to India, as recommended by the Law Commission in its Fifth Report.

In regard to revision, the Bill primarily gives extra-territorial force to its provisions in relation to its application to Indian ships and also brings up-to-date the appointment of various administrative authorities required for the administration of its provisions. Numerous amendments, which have been found by the experience of the administration of the Indian Merchant Shipping Act over the last three deca-

des to be necessary, have also been incorporated in the various chapters. The scope and contents of the Bill have been indicated in some detail in the Statement of Objects and Reasons and these matters need only be referred to in general terms.

I shall now like briefly to deal with a few salient points of some chapters of this Bill. The Bill is divided into 14 parts most of which are based on the corresponding parts of the Indian Merchant Shipping Act, 1923, except Part XII relating to Control of Indian ships and ships engaged in the coasting trade, which is based on the Control of Shipping Act. The parts, which are entirely new, are Part III relating to Registration of Ships, Part VIII relating to Collisions, Accidents at Sea and Limitation of Liability of Shipowners and Part XIII relating to Sailing Vessels.

Part III—(Registration) replaces Part I of the British Act of 1894, which still applies in India and all sea-going mechanically propelled ships will henceforth be registered under our own Act.

I might mention that some doubts have been expressed about certain provisions in this part of the Bill. At this stage I need only say that the Joint Committee would undoubtedly go into this important question in detail and hear the different viewpoints before reaching any final conclusions. I have received some telegrams also in this regard and I would only say that they should not feel nervous in any way in so far as this particular matter is concerned. We are naturally guided by our Industrial Policy Resolution in this matter, but still this is a matter over which further thought is, from my point of view, absolutely necessary. We have to consider this matter carefully and I would request the Chairman of the Joint Committee to invite the shipping interests for giving evidence before this Committee and they can certainly express their views on this matter. Therefore I hope that there will be no uneasiness about this

and this matter will be carefully considered by the Joint Committee.

In Part IV (Certificates of officers) provision is being made for slight modification of the manning scale and for the issue of certificates to officers of mechanised fishing vessels. A clause has also been included for the recognition of certificates issued in other countries on a reciprocal basis.

Part VIII—(Collisions, accidents at sea and limitation of liability of ship-owners) is based on the provisions of the British Act on these subjects which are even now applicable to India. The limits of shipowners liabilities are the same as those now prescribed by the British Act, the only change made is that equivalent figures have been mentioned in rupees in the Bill.

13 hrs.

Sir, this Bill deals with two important subjects in Chapters V and XIII. I shall take up the latter first, Chapter XIII, as it deals with Indian sailing vessels. This industry, the Indian sailing vessels industry is a large one involving some 1,300 or 1,400 craft and several lakhs of persons engaged in the ancillary occupations. Sailing vessels in India not only carry on an extensive trade on the coast itself (on the West Coast alone the trade is of the order of one million tons per annum) but there are also several vessels which carry on regular trade with foreign countries like Saudi Arabia, East Africa, Persian Gulf countries, etc.

The sailing vessels trade is at present practically not subject to any control and the vessels are not also subject to any inspection or supervision by governmental authorities. Over the years there have been numerous complaints of malpractices of different types including fraudulent jettisoning of vessels and there have also been several losses of craft due to the poor condition of the craft at the time of going to sea or due to over-loading or improper loading. There has, therefore, been a demand from shipowners, underwriters and others concerned that Government should undertake some control of this industry with a view to making the sailing

vessel a reliable and safe form of transport. The Sailing Vessels Committee which was appointed by the Government of India in 1948, went into the subject very thoroughly and recommended various measures, including the undertaking of legislation to regulate the sailing vessels industry in its various aspects.

In this Chapter provision has been made for a uniform system of registration, measurement of tonnage, annual inspection and issue of certificates of inspection. Only sailing vessels registered in India will be entitled to operate in the coasting trade and other vessels will not be allowed to operate on the coast without the written permission of the Director-General of Shipping. Separate regulations will be framed regarding the safety equipment to be carried by sailing vessels and these will be on a much lower scale than those prescribed for the mechanically propelled ships. Sailing vessels fitted with auxiliary machinery will, for the purpose of technical regulations, be treated as sailing vessels and they will not be subject to the full rigour of the regulations applicable to mechanically propelled ships. Power has been taken to prescribe rules on various matters of detail.

In part V (Seamen and Apprentices) one of the main changes made is the abolition of the term 'Lascar or the native seamen' which was used to describe our seafarers. Another important change made is to provide for home trade ships of 200 tons gross or over to engage and discharge their crews before Shipping Masters. Provision has also been made for extra-territorial application of provisions relating to relief and re-patriation of seamen discharged or left behind or in distress outside India. Another very important change is the provision relating to the setting up of machinery for the settlement of industrial disputes between seamen and their employers. It is also proposed to levy a fee on the shipowners to provide amenities and welfare measures for seamen.

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As hon. Members may be aware, Government have recently taken certain steps to improve the conditions of travel on deck passenger ships. These measures have been taken mostly in exercise of executive powers. It is now proposed to take legislative power in regard to the implementation of those measures. Another provision pertains to the levy of a small passenger welfare cess for providing welfare measures for unberthed passengers in ports. The House is very well aware of the fact that the conditions prevailing today are extremely unsatisfactory, both on the minor ports and intermediate ports and the conditions inside the ships are also far from satisfactory. The steps we have taken to improve the berthing conditions of the ships have been largely welcomed by the deck passengers and I hope that this cess which we propose to levy will help in providing better welfare measures for the unberthed passengers in ports. There have been serious complaints from time to time of malpractices in connection with the booking of passengers on unberthed passenger ships. Power is, therefore, proposed to be taken to license and control the brokers handling unberthed passengers.

As I have already stated, Part XII of the Bill relating to the Control of Indian ships is a new Part and is in replacement of the existing Control of Indian Shipping Act, which will be repealed. The principal change made in this part is that power would be available to reduce the existing limit of 150 tons gross of vessels which are subject to control of Government. Another significant change made is that ships chartered by Indian nationals or companies will henceforth be subject to licensing control by Government. The existing definition of the coasting trade of India in the Control of Shipping Act is trade from any port or place in India to any other port or place on the continent of India and the intention is to continue the same definition for the present.

I do not wish to take the time of the House by going into greater details over the various other provisions which have been made in the Bill. But I might say that this Bill does not deal with promotional matters as its scope is limited only to regulation and control. The provisions of the Bill are substantially based on the pattern of the laws of other maritime countries and many of the matters are regulated by the provisions of international conventions. In view of the size of the Bill and the rather technical nature of its contents it is felt it would be convenient to refer it for detailed examination to a Joint Committee of both the Houses. It will be for the Joint Committee to consult the interests concerned before making its recommendations to Parliament.

Before I conclude I might mention that the payment of freight on imports and exports is of the order of Rs. 150 to 160 crores per annum. The rate of interest, as I said before, which was formerly 4½ per cent. has been reduced to 3 per cent. The rate of interest for the overseas shipping was 2½ per cent. before and for the coastal shipping it was 4½ per cent. There was a big difference between the two and there was a persistent demand from the coastal shipping companies that their rate of interest should also be reduced. So, we have raised the rate of interest of the overseas shipping companies by about half per cent. from 2½ per cent. to 3 per cent. and the same rate has been provided for the coastal ships also. This concession, I am sure, would render great help to the shipping companies for the development of shipping. Sir, I move.

Mr. Speaker: Motion, moved:

"That the Bill to amend and consolidate the law relating to merchant shipping, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely Shri Upendranath Barman, Shrimati Ila Palchoudhuri, Shri Lladhar Kotoki, Shri S. Osman Ali Khan, Shri Harish Chandra Mathur, Shri Antirudha Sinha, Shri Ram Dhani Das,

Shri Ghanshyamal Oza, Shri Raghu-nath Singh, Shri Nardeo Snatak, Shri Tekur Subramanyam, Shri K. P. Kuttikrishnan Nair, Shri K. Periaswami Gounder, Shri Dinesh Pratap Singh, Shri Mool Chand Jain, Dr. Y. S. Parmar, Shri N. M. Wadiwa, Shri Radha Raman, Shri Bakshi Abdul Rashid, Shri Shivram Rango Rane, Shri Raj Bahadur, Shri Hirendra Nath Mukerjee, Shri K. T. K. Tangamani, Shri Rajendra Singh, Shri Nath Pai, Shri Ram Sewak Yadav, Shri S. A. Matin, Shri Aurobindo Ghosal, Shri Badakumar Partap Ganga Deb Bamra and the Mover." and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

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."

Hon. Members who are on this Joint Committee generally do not take part at this stage.

Shri Raghu-nath Singh (Varanasi): I want a few minutes to thank the hon. Minister.

Mr. Speaker: I shall allow him afterwards.

Shri Muhammed Elias: Mr. Speaker sometime ago, this House passed the Navy Bill and for the first time after independence, we are having our own Navy Act for the Indian Navy. Now, the Transport Ministry has brought

another Bill, the Merchant Shipping Bill, in order to break through the dependence on the United Kingdom for this vital transport. So, we should welcome this Bill and we hope that this Bill will be the opening of a proud merchant shipping of our own.

At one time, till the 19th century, we had our own merchant shipping sailing in the oceans of the world, but due to the exploitation by imperialist powers, we have lost that position. Now, we occupy a very low position in the field of merchant shipping. Our share in the total tonnage of the world is not more than half a per cent. As the hon. Minister has just now said, we pay a large amount of money to the foreign ship-owners for importing many materials into our country. We have to spend about Rs. 70 crores to Rs. 80 crores for the import of materials. Moreover, we have to pay Rs. 50 crores to the foreign companies for importing food. Acquisition of ships means a large amount of foreign exchange drainage. Therefore, we shall have to try our best to remove this position. We shall have to build our own merchant shipping and we hope that by passing this Bill, we shall be able to secure that position.

By passing this Bill we must have our own ship-building yards. In this respect, I want to say one or two words about the Hindustan Ship-building Yard. The scandalous position regarding the making of the s.s. *Andaman* is known to the House as also the other working of the Hindustan Ship-building Yard. It is true that the French consultant firm has been wasteful and millions of rupees had been drained in the faulty construction work of the Hindustan Ship-building Yard. I hope at the end of the second Five Year Plan, we will start the working of second and third ship-building yards. We hope that at the end of the second Five Year Plan, Gaonkhali near Calcutta should see a new ship-building yard and at the same time a subsidiary port, which will help to ease the situation of congestion at the Calcutta port.

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In this respect, I want to mention something about the foreign ship-owners like the Mackinnon Mackenzie and Company. It is known to everybody that by running the B.I. and other lines in our country, they have exploited our country. They have made enormous profits by exploiting our seamen, but now they are showing their teeth. They want to wind up their business in our country and they are going to transfer their headquarters from Calcutta to Hong Kong. They have already given notice to about 170 clerks for retrenchment. I think these foreign ship-owners have not been liking the idea that India should take the path of socialism and, therefore, they are going to wind up their business. I think we should warn these foreign magnates that if they behave like this, like in Indonesia, all their assets will be taken up here in our country also.

Sir, the Bill is a very massive one containing over 400 clauses. It is not possible for us just now to make comments on all the points. Therefore, I want to confine myself to those clauses which generally deal with the seamen and their welfare. In Part V, from clause 79 to clause 204, have been provided for the benefit and welfare of the Indian seamen. I think that what is provided in this Bill is better than what exists now, but I think there are still many loopholes in these clauses. So, I want to say something about the living and working conditions of the Indian seamen.

By their hard work and sacrifices, our Indian seamen have proved to the world that India is a great maritime nation, but their working and living conditions are known only to a few persons in our country. They have to work very hard. Their work is hazardous, but they do not get sufficient wages and other amenities to a sufficient extent. Leaving their hearth and home, leaving their near and dear ones, they join this merchant shipping in order to maintain themselves and their families in a decent way; but, the treatment which they get from the

owners of the ships is very terrible. Their wages are very low and the companies are also flouting the recommendation of the I.L.O. Preparatory Committee. In 1956 that committee recommended a minimum wage of £.25, but still the Indian seamen are getting only Rs. 150 as their monthly wages. About 80 per cent. of the seamen do not get a total of even Rs. 150, because 80 per cent. of the seamen do not get full work in a year. They have to remain unemployed for three to four months in a year. Therefore, if we calculate at the rate of Rs. 150 for 12 months, their wages come to only Rs. 80 or Rs. 90. About 200 highly skilled seamen get Rs. 220 as wages and a few persons get Rs. 150.

Sukhanis and Tandils do not get adequate wages. According to the I.L.O. Preparatory Committee's recommendation, British seamen have got an increment of about £.5 and altogether they and other seamen get about £.30 as minimum wage, but our seamen do not get such wages.

As regards other amenities, only two holidays are being given to our seamen. Other Indian workers enjoy about 30 holidays in our country, but our seamen do not get any holidays except two.

With regard to food, the picture we see is a horrible one. The seamen who have to work in hot and cold climates in the high seas have to live on spoonfuls of dhas and rice. Even when the ship touches port, they are not being provided with fresh meat and fish. Therefore, the food arrangements remain the same as it was before independence.

In the field of Social Security measures also, their condition is very bad. There is no Social Security at all. When after working 30 or 40 years, they are forced to leave their job, they do not get anything for their old age. There is no Provident Fund scheme, there is no Gratuity and there is no Pension. Even if a seaman meets with any accident, he does not get any com-

pension. We see that lakhs of rupees are kept in the name of Seamen's Amenities fund or War Memorial fund, but the monies are not being spent for the welfare of seamen in our country

With regard to hours of work, the Seafarers Conference of ILO in 1946 very strongly recommended that the working hours of seamen must be 44 and not over that. This is implemented in the case of other seamen of other countries, but it is not implemented in the case of the seamen of our country. Our seamen have to work over 56 hours a week when ships are in the seas, and the Sukhanis and Tandils have to put in up to 84 hours a week. They do not get any overtime allowance for this over-work every week. Here also, the ILO Conference recommended that for over-time work, 1½ per cent allowance must be given per hour. But our seamen are not being given that allowance.

Concerning trainees we should be proud that the youths of our country are joining merchant shipping, but I must say with regret that they do not get proper promotion. I have seen many trainees who are graduates, intermediates very highly qualified boys who due to the unemployment problem in the country are taking up these jobs, but when they are fit for promotion they are denied proper promotion to the Sukhanis' or to Tandils' jobs. Therefore, it must be borne in mind that Indian youths who are joining now as trainees must be treated properly and must be given proper promotion after the training period. Other allowances and amenities must also be provided.

In this connection, I want to say something concerning our national prestige. We are now a free nation, but the ship-owners treat our seamen as if they are galley slaves in the ship. Many in our country know about the incident in the Italian ship *Mascala* and in the British ship *City of Castles* where Indian trainees were beaten by the British and other foreign officers in the ship, and the seamen had to go on strike.

There were many movements inside India also. Ultimately, they were forced to appoint an inquiry committee. They have also commented adversely on the inquiry conducted by the Government of India. They have said that the inquiry is not proper at all. In the Council's Report to the General Meeting of the Merchant Navy and Airline Officers' Association in June 1957, they have commented that the Government of India are not properly conducting the inquiry—they are encouraging the seamen to acts of indiscipline. In this way, they even criticise the Government of India which wants to see a betterment in the conditions of Indian seamen.

We are now a free country and our citizens are free citizens. Our seamen are also from a free country and they should not be treated like slaves by foreign officers. In the Bill, I see no provision to ensure that Indian seamen get proper treatment from foreign officers and owners.

According to clause 142, a tribunal may be constituted to settle disputes arising between employers and employees. But it is categorically specified that the Industrial Disputes Act will not apply to seamen. I think this will not be helpful to ease the situation if any dispute arises between seamen and the shipowners. Therefore, my request to the Joint Committee would be to see that the Industrial Disputes Act which is in force in our country must also be made applicable to seamen, and then disputes can be settled properly.

Now, I want to say a word about Unions. It has been stated that a Union may represent their case in a tribunal and if a dispute arises between any Union and the shipowners, it will be sent to the tribunal. But nothing has been said about the recognition of unions. I want to say that the Union must be recognised. Now we are seeing many rival Unions among the seamen of our country. We shall have to do one or two things either we shall have to recognise the Union which commands the confidence of the

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majority of seamen, or if it is not so, then all the registered Unions must be recognised by Government. Otherwise, no dispute can be settled amicably. Everywhere, we are seeing rival Unions. We have already written to the Ministry of Transport in this regard. In the shipping offices of Calcutta, everyday in the name of Unions, hooliganism is indulged in. As soon as the seamen register their name and get wages inside the office, they are being attacked by *goondas* and money is taken away from them in the name of subscription or donation for Union.

13.30 hrs.

[MR. DEPUTY-SPEAKER in the chair]

Therefore, my suggestion is that all registered Unions must be recognised or it must be decided by ballot that which Union will be recognised by Government. I find that in the Indian maritime Board and in the Labour Board of Indian Seamen, there is no representation given to members. The seamen are largely members of the Indian Seamen's Federation; but there is no representatives in the Maritime Board or the Labour Board. The majority of Indian seamen, about 80 per cent. of them are members of the Indian Seamen's Federation; but, that Union has not been given any opportunity to send its representative to the Indian Maritime Board or in the Labour Board. Provision must be made in this Bill with regard to the recognition of unions of seamen.

There are elaborate clauses with regard to the National Welfare Board for seafarers. I welcome those clauses. But, still, I want to say that the representatives of seamen must be taken on the Welfare Board also.

I do not want to mention many things. The Bill is a massive one with an enormous number of clauses which require careful thought. I hope this Bill will be the opening of a new era for the building of our shipping indus-

try in this country. Let the Bill be also a guarantee to the Indian seamen of their living and working conditions for they play a very important part in our shipping industry.

BUSINESS OF THE HOUSE

Mr. Deputy-Speaker: I may announce to the House that there were certain adjournment motions about the ammunition packages that were being unloaded at Pathankot, that there were certain explosions and there have been deaths as well. The Defence Minister will make a statement in that connection at 5 o'clock.

MERCHANT SHIPPING BILL—contd.

Shri Raghunath Singh: Shastriji was able to give a shape to Indian shipping and now he is giving shape to Merchant shipping.....

Shri Mohiuddin (Secunderabad): Is a Member of the Joint Committee allowed to speak?

Mr. Deputy-Speaker: I have permitted him.

Shri Raghunath Singh: I asked for permission.

I call this a historical day because nearly 2,400 years ago, Chanakya, realising the importance of shipping activity, framed some basic principles of law which will remain a guide to all framers of shipping law of the future. On this day, no one will forget to acknowledge the patriotic efforts of Walchand Hirachand, the father of Indian shipping. I also thank another gentleman, Shri S. N. Haji, a member of this House and Round Table Conference, who fought on the very floor of this House and saved Indian shipping when Lord Inchcape wanted to strangle the infant Indian shipping. In the true sense, he was the pioneer of coastal shipping in India.