

ہیں۔ ایسی ہم دعا کرتے ہیں اور ہر اکشیتز میں ہر طبقے میں۔ ہر کام میں ہم انکی کامیابی کیلئے دعا کرتے ہیں۔ انہی لفظوں کے ساتھ انکی جدائی پر اور انکے رخصت ہونے پر اظہار افسوس کرتے ہیں۔ شکریہ۔

**श्री रामदेव भंडारी (बिहार) :** धन्यवाद, उपसभाध्यक्ष जी, श्री नारायणसामी जी एक अच्छे पार्लियामेंटेरियन ही नहीं, एक बड़े अच्छे इन्सान भी हैं, दोस्तों के दोस्त भी हैं। हमें दुख है कि आज यह हमसे जुदा हो रहे हैं, मगर आशा करते हैं कि शीघ्र ही हम इन्हे फिर अपने बीच पाएंगे। इन्ही शब्दों के साथ मैं उनको अपनी ओर से, अपनी पार्टी की ओर से शुभकामना देता हूँ कि जिस तरह वह संसद के माध्यम से और अन्य माध्यमों से देश की सेवा करते आए हैं उसी तरह वर्षों तक देश की सेवा करते रहेंगे। बहुत बहुत धन्यवाद।

**SHRI S.B. CHAVAN (Maharashtra):** Mr. Vice-Chairman, Sir, I have great pleasure in felicitating Mr. Narayanasamy for all the good work that he has been doing all through in this House. There are a few Members who are so attentive and so alert. If there is some issue to be raised in the House, he doesn't miss even the slightest opportunity of raising it. He is such an important Member. Since he is retiring, I cannot possibly say whether he is going to come back or not. It is very difficult for me to say this. But still my good wishes are always with him. We hope that he will be able to come back.

**SHRI V. NARAYANSAMY (Pondicherry):** I will take only two minutes.

**THE VICE-CHAIRMAN (SHRI\* TRILOKI NATH CHATURVEDI):** That is why I conveyed to the leader of the party the entire wishes of the House.

**SHRI V. NARAYANASAMY:** Honourable Mr. Vice-Chairman, Sir, honourable leader of my party, honourable Leader of the Opposition, and leaders of

various political parties including the non. Home Minister, I have been in this House for the last 12 years. I got advice from all senior leaders and hon. Members. I also got their opinions on every subject. I used to discuss every subject with them. In the beginning when I was new to this House and whenever I used to raise issues in the House, they used to guide me. When we had acrimonious scenes on several issues, we used to rush to the well of the House. Whenever the leader of my party gave a sign I sat down. The honourable Chairman, the honourable Deputy Chairman and honourable Vice-Chairmen have been very cooperative with me. I took a lot of liberty with the Chair. But when I was in the Chair, I did not give any liberty to hon. Members. This has been a memorable period in my life because everybody was kind to me. They showed me their love and affection which I will carry with me throughout my life. I would like to say, whether I come to this House or not, I will try to serve the people of this country, especially the people of my State, the poor and the downtrodden. I will devote my whole time for the well-being of the people of this country. I am thankful to the hon. leaders, to all the hon Members and also to the hon. Chair for the kind words that have been addressed to me. Thank you

#### **THE COAST-GUARD (AMENDMENT) BILL, 1996...Contd.**

**THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI):** Thank you and wish you all the best.

Hon. Minister, would you like to make a reply to the points raised by Members?

**THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (SHRI N.V.N. SOMU):** Sir, at the outset, I am thankful to all the hon. Members who participated in the discussion and offered their suggestions.

Mr. Ramachandran described this legislation as a draconic legislation. With all the humility at my command, I want to say that it is not a draconic legislation but a disciplining legislation. All the Acts should be in consonance with each other. That is the aim of this legislation. More particularly, amendment of section 25(2) is proposed to make it to be in tunc with section 14 of the Navy Act, 1957. The intention is to make the punishment strict in respect of deserters.

Likewise, the amendment to section 51(1) is in tunc with section 121(1) of the Army Act, 1950. The Army Act was amended to this effect in 1992. I think this enlightenment will clear the doubts of the hon. Member about the intentions of this Bill.

Mr. Narayansamy was referring to the coast guard strength and other things. The achievements of the coast guard have been both tangible and intangible. The tangible achievement of the coast are in anti-poaching and anti-smuggling roles. They include apprehension of 530 foreign trawlers and seizure of contraband worth about Rs. 257.90 crores till date. In addition, since its inception, the coast guard undertook 430 search and rescue missions and saved 673 lives till date. Another tangible achievement is in the field of pollution response wherein the coast guard undertook 30 oil spill response operations so far in the EEZ environment.

The initial Coast Guard Development Plan, that is, the Kamath Plan, was reviewed and replaced in 1987 with a 15-year Perspective Plan, 1985-2000, for the growth of the coast guard up to the turn of the Century. Under the current Five-Year Development Plan, CGDP, 1990-97, the coast guard is acquiring three fast patrol vessels, six hovercraft, two Dornier aircraft, two rescue helicopters and two medium surveillance aircraft. In the next CGDP, 1997-2002, it is planned to acquire capabilities hitherto not available in the coast guard lick the command and

control vessel, pollution control vessel and twin-engine rescue and surveillance helicopters.

Now, I come to the points made by Mr. Thalavai Sundaram and my good friend, Mr. V.P. Duraisamy, some of the hon. Members from Tamil Nadu, to which I also have the pride of belonging, and by Mr. Narayanasamy and Mr. Ra-jagopal. A mention was made about the incident of the Sri Lankan navy firing on Indian fishermen. In this connection, I would tell the hon. Members of the House that the Government is very concerned about this problem. The coast guard and navy, on their part, do all within their command to prevent our fishermen crossing the IBL. The problem has also been taken up diplomatically on many occasions, recently, the Chief Minister of Tamil Nadu, Dr. Karunanidhi, along with the Industry Minister, Mr. Murasoli Maran, met the hon. Prime Minister and represented about this matter. I was also present in the meeting. The Prime Minister has taken cognizance of this fact. I assure the House that the Government is highly concerned about this problem which requires necessary steps to be taken to stop the occurrence of such incidents.

Sir, the hon. Member, Shrimati Urmilaben, referred to the Bombay-Gujarat Coast Guard. In 1993, "Operation Swan" was launched. Consequent to the Mumbai serial bomb blasts, large scale smuggling of arms and explosives was reported from sea routes adjoining the Maharashtra and Gujarat coasts. To counter this, in April 1993, 'Operation Swan' was launched, in coordination with the Navy, to patrol and sensitive areas off the West coast. The said operation has contained the situation to a large extent. The Coast Guard have so far spent 1,064 shift days and 88 flying hours on this operation. For protection of Gujarat coast, there exists one coast guard district at Porbandar. In addition, there are two Coast guard stations at Okhla and Vadinar. The Coast

Guard ships regularly patrol the Exclusive Economic Zone. In addition, the SI surveillance is also undertaken. Now, I come to the Coast Guard weapons and equipments. The Coast Guard ships are equipped with 30 mm guns and light machine guns, the Coast Guard personnel have carbines and pistols as personal weapons, communication equipment, satellite communication etc. etc. The feasibility of having a Coast Guard station at Jakar is under consideration. As of now, the area is covered by the Coast Guard district headquarter at Porbunder and the Coast Guard stations, Okha. Sir, of the Members, and more particularly, Shri Ramachandran Pillai, moved an amendment. I do not want to go into details. I have given an elaborate and convincing reply to the amendments proposed in the Bill. But I want to refer to the opinion of the Department related Standing Committee on Defence. In the last paragraph of their report, it is stated: "The amendments proposed to be made in sections 56, 87 and 123 of the Coast Guard Act 1978 are only consequential amendments. The Committee note that the Coast Guard (Amendment) Bill, 1996 seeks to amend certain provisions of the Coast Guard Act, 1978. Some of the proposed amendments are with a view to remove anomalies and the others are to bring the provisions of the Coast Guard Act more in tune with the existing provisions of the Navy Act 1957 and the Army Act 1950. The Committee adopted the Cost Guard (Amendment) Bill, without any recommendation or amendment."

Sir, in the Department-related Standing Committee, the hon. Members of Rajya Sabha are also its Members. They participated in the debates in detail. The department related Standing Committee on Defence is a Joint Committee and its Members are nominated by the Speaker of Lok Sabha and the Chairman of Rajya Sabha. I want to state categorically that these amendments are neither draconian nor strict. Now, I would like to refer to

i" the Coast Guard Development Plan—1997-2002—with an outlay of Rs. j 3,200/- crores, which is under examina-l tion, in consultation with the Department of Revenue. However, a letter of intent for two trained engines and a helicopter has already been given to M/s HAL. There is also a proposal to buy six aircrafts, as already mentioned by me.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI):. Mr. Dave, are you listening to the Minister? You had raised the point about modernisation. He is giving the detail.

THE N.V.N. SOMU: The strength of the Force is being increased through a Five Year Coast Guard Development Plan. The Ninth Plan is under consideration. The letter of intent has already been placed with the HAL. With this, I think I have answered most of the points raised by the hon. Members. But in today's discussion, the hon. Members have made very valuable suggestions. In view of the importance of some of the suggestions hinging on the proposed amendments, I have no objection to referring the Bill to a Select Committee for a deeper scrutiny, as suggested by some hon. Members. I leave it to the sense of the House. Suppose the Bill is referred to a Select Committee — the Standing Committee on Defence has already discussed it threadbare — there should not be any waste of time and the Report of the Committee should be made available as soon as possible.

SHRI JOHN. F. FERNANDES (Goa): I don't think that there is any duplication of work. The Standing Committee is different from the Select Committee. There is no relevance between the two

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Yes, these two are distinct Committees. I think the Minister has rightly expressed the hope and requested that the Report should be expedited. So, this will be a Select Committee of the Rajya Sabha.

THE LEADER OF THE OPPOSITION (SHRI SIKANDER BAKHT): Mr. Vice-Chairman, I have no objection if the proposal for a Select Committee is accepted. This Bill may be referred to a Select Committee.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): So, the House agrees to it.

SHRI S. RAMACHANDRAN PILLAI (Kerala): I congratulate the hon. Minister, Sir.

DR. BIPLAB DASGUPTA (West Bengal): Sir, we are happy that the Minister has accepted our suggestion.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): The hon. Minister has tried to the best of his ability to clarify the points. He has also been gracious enough to take the feelings of the Members into account. That is why he has also expressed the view that he has no objection to its being referred to Select Committee.

Now I have to inform the hon. Members that the Short Duration Discussion on Bihar situation and the clarifications on the Home Minister's statement made earlier will be taken up together tomorrow immediately after the Question Hour. This is just for the information of the House.

SHRI SIKANDER BAKHT: This mix is a very strange mix. I don't mind it. I have no objection to it. But I cannot understand the mix at all. They cannot be taken up together. They are entirely two different things. They may relate to the same subject. But they cannot be taken up together. I cannot understand it.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): They will be taken up sequentially.

SHRI SIKANDER BAKHT: They have to be taken up one by one. That is my point. They cannot be taken up together,

THE VICE-CHAIRMAN (SHRI } TRILOKI NATH CHATURVEDI): } Quite true. They will be taken up sequentially, one will follow the other. They will not be taken up together.

DR. BIPLAB DASGUPTA: Sir, there is some relevance between the two. If you permit me, I will disagree with Sikander Bakhtji because we are going to discuss issues which are substantially the same.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Now, Dr. Biplab Dasgupta, we can thrash out these points.

DR. BIPLAB DASGUPTA: What I am saying is that they cannot be sequentially done. What I am saying is this. Substantially the same issues will come up. Even during the clarification the same sort of issues are going to come up. There is no harm in discussing them together.

SHRI SIKANDER BAKHT: These two things are totally different.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Now the Business Advisory Committee has taken a particular decision and that is why we should adhere to that. As the hon. Leader of the Opposition has mentioned, I will try to clarify that they will be taken up one after the other.

DR. BIPLAB DASGUPTA: That is not our worry. We have some discussion with the Deputy Chairman.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): Dr. Biplab Dasgupta, now we have to move to the other business.

DR. BIPLAB DASGUPTA: What I am saying is that it cannot be sequentially done. The whole purpose will be defeated. What I am saying is this. What is the objection in lumping the together?

SHRI SIKANDER BAKHT: How can they be lumped together?

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): We will adhere to the decision that is taken.

SHRI SIKANDER BAKHT: The short Duration Discussion is in an entirely different format. Clarifications are just questions and answers. They cannot be taken up together.

THE VICE-CHAIRMAN (SHRI TRILOKI NATH CHATURVEDI): The statement of the hon. Home Minister relates to a particular part of the situation or a segment of what has happened, that is, regarding the CBI's request to the

Army authorities, while the other may cover a wider gamut or something like that. I am not aware of it. But that is the point to be discussed.

Now we will move to the other business. The Home Minister to move the motion regarding the Private Security Guards and Agencies (Regulation) Bill, 1994, for consideration.

#### **THE PRIVE-SECURITY GUARDS AND AGENCIES (REGULATION) BILL, 1994**

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): Mr. Vice-Chairman, Sir, I beg to move —

"That the Bill to provide for the regulation of private security guards and agencies, be taken into consideration."

The Private Security Guards and Agencies (Regulation) Bill, 1994, was introduced in Rajya Sabha on 14.12.1994. The Rajya Sabha referred this bill for examination by the Parliamentary Committee on Home Affairs. The Committee submitted its report on 28.2.1996 and suggested certain changes/ amendments in the provisions made in the Bill. These changes have been accepted by the Government and have been incorporated in the revised Bill submitted for consideration.

As members are aware that in recent years, there has been a proliferation of private security agencies in India. This is due to the expansion in the number of business establishments, growth in crime and increasing demands for surveillance. The resources of the police are limited and they cannot meet the demand for security services on the scale required. While private agencies have helped meet the need of business establishments for security of their personnel and property, there has been growing concern about their functioning; many of these agencies conduct their operations without consideration for standards or ethics and if left unchecked can have adverse security implications. There is also the danger of private security firm employees encroaching upon the danger of private security firm employees encroaching upon the duties of the police by wearing uniforms which resemble those of the police and using weapons in an illegal manner.

Though a number of Associations for the promotion of security agencies have been formed, including the Security Association of India and the Association and Security Organisation (India), these Associations have also not been able to set proper norms of functioning and ensuring that security agencies of dubious reputation do not proliferate. As would be noticed, the main objectives of the Bill are to set proper norms for functioning of the Private Security Guards and Agencies in the country and also to bring uniformity as far as possible, in regulation of private security agencies. The salient features of the Bill include, *inter-alia*;

- (i) appointing a Controlling Authority of private security agencies in each State/UT,
- (ii) making holding of licenses mandatory for agencies,
- (iii) stipulating criteria for obtaining licenses,