

और उसके बाद उनका जल्दी से जल्दी भुगतान कर दिया जाएगा।

श्री कल्याण राय जी ने जमुना कोलियरी के बारे में कहा। यह सही बात है कि यह दुर्घटना हुई है और उसमें कुछ लोगों की हत्या हुई है। यह दो यूनियनों का आपसी झगड़ा है। इसके बारे में जांच हो रही है अभाम्यवश वहाँ पर जो मृत्यु हुई है उसमें उनका सिर काट दिया गया है। इसकी हम लोगों को चिन्ता है। उन्होंने जो यह कहा कि कोई आदमी नहीं पकड़ा गया है, यह सही नहीं है। पांच आदमी पकड़े गये हैं और पुलिस कार्रवाई हो रही है और इसमें और भी लोगों के पकड़े जाने की संभावना है। जैसे जैसे हम इस कांस्पिरेसी को मालूम करते जाएंगे, ढूँढ लेंगे, वैसे वैसे हमारी कार्यवाही सख्त होती जाएगी और वहाँ की स्टेट गवर्नमेंट काफी सक्रिय है और हमें आशा है कि कसूर जिन्होंने किया है, जो अभियुक्त हैं, उनको पकड़ लेंगे। अंत में मैं यह कहना चाहता हूँ यह बिल कोल माइन्स कंजर्वेशन एण्ड डेवलपमेंट बिल है और जो बहुत सी बातें कही गई हैं उत्पादन के संबंध में वह अपनी जगह पर हैं परन्तु इसका अभिप्राय यह था कि सन् 1952 के ऐक्ट को रद्द करके नया ऐक्ट बनाना और सारे पोर्ट्स सेन्ट्रल गवर्नमेंट को ले लेना, जो अब तक कोल बोर्ड की थीं।

MR. DEPUTY CHAIRMAN : The question is :

"That the Bill be passed." *The*

Motion was adopted.

THE MAJOR PORT TRUSTS (AMENDMENT; BILL, 1974)

THE DEPUTY MINISTER IN THE
MINISTRY OF TRANSPORT AND SHIP
PING (SHRI PRANAB MUKHERJEE) :
Sir,.....

SHRI KALYAN ROY (West Bengal) : Sir,
the senior Minister must speak.

AN HON. MEMBER : The senior Minister
must speak now.

THE MINISTER OF STEEL AND MINES
(SHRI K.D. MALAVIYA) : What is wrong
in that ? The next time I will ask my Deputy
Minister to speak.

THE MINISTER OF STATE IN THE
DEPARTMENT OF PARLIAMENTARY
AFFAIRS (SHRI OM METHA) : Sir, the
honourable Member should not have insulted
the Deputy Minister, Shri Pranab Mukherjee.

SHRI PRANAB MUKHERJEE : Sir. I beg
to move :

"That the Bill to amend the Major Port
Trusts Act, 1963. as passed by the Lok
Sabha, be taken into consideration."

Sir, the three major Ports of Bombay, Calcutta and Madras are governed by three separate Acts, namely, the Bombay Port Trust Act, 1879, the Calcutta Port Trust Act, 1890 and the Madras Port Trust Act, 1905 respectively, while the remaining ports of Marmugao, Cochin, Vishakhapatnam, Kandla and Paradip are governed by the Major Port Trusts Act, 1963. Excepting for an addition in 1958, the three Acts applicable to Bombay, Calcutta and Madras Ports were last revised in 1951. The question of having a comprehensive new enactments repealing the three Acts came up for a detailed consideration before the Major Port Trusts Act was enacted in 1963. However, as a comprehensive legislation covering the three Ports would have involved delay, the Act of 1963 was not applied to Bombay, Calcutta and Madras. Later on, a Major Ports Commission was constituted in 1968 by the Government to make a comprehensive study of the major Ports in the country. In its Report, the

[Shri Pranab Mukherjee] Commission went into the matter of legislation for the major Ports in the country and observed :

"There are wide differences in the provisions contained in the Acts of the three major ports themselves and those contained in the Major Port Trusts Act of 1963. The Commission considered that, as the three older Acts have become out of date in the present conditions in respect of several provisions, it is advisable to bring about a measure of uniformity for the governance of all the major ports. The Act of 1963 being recent contains several flexible provisions and gives liberal powers to the Port Trusts in respect of financial matters and powers to the Central Government to frame regulations. The Commission has reached the conclusion that the balance of advantage lies clearly in applying a uniform legislation to all the major ports for which the Act of 1963 can serve as a basis."

The recommendations of the Major Ports Commission have been considered carefully by the Government. The Port Chairman and the Port Trusts of Bombay and Madras and the Port Commissioners of Calcutta have agreed to the extension of the Major Port Trusts Act, 1963, suitably to these three Ports as well. Experience has also shown that the Major Port Trusts Act of 1963 had generally met the requirements of the administration and it is, therefore, proposed to extend the Major Port Trusts Act of 1963 to the three ports of Bombay, Calcutta and Madras. Suitable provisions have been made in the Bill. On the application of the Major Port Trusts Act, 1963, to the three old Ports, the following important results will ensue :

Section 111 of the Major Port Trusts Act, 1963 enables the Central Government to issue directions to the Port Trusts on questions of policy. No such power existed in the three older Acts. The Major Ports Commission, which considered this matter, recommended that the Government should have the power to issue directions on questions of policy. Though no occasion has arisen so far to exercise this power in respect of any of the Ports governed by the Act of 1963, it is felt that

the existence of such a provision in the statute is advisable. The Port Chairman of the three; Ports, the Port Trusts of Bombay and Madras and the Port Commissioners of Calcutta have accepted this suggestion.

Many provisions in the three Acts governing Bombay, Calcutta and Madras are rigid, such as statutory limits to financial powers to be exercised by Boards and Chairman. The Major Port Trusts Act, 1963 makes flexible provisions for fixing financial powers of Boards by orders of the Central Government.

The Act of 1963 also provides for delegation of powers and duties conferred or imposed upon the Board by or under the Act to the Chairman and of the powers and duties conferred or imposed on the Chairman by or under this Act, to the Deputy Chairman or any officer of the Board subject to such conditions and restrictions, as may be specified with the approval of the Central Government,

Suitable saving and transitional provisions are included in the amending Bill to provide for the following matters :

The Madras Port Trust Act will be repealed wholly on the application of the Act of 1963 to the Madras Port. It will not, however, be possible to repeal the whole of the Bombay Port Trust Act and the Calcutta Port Act, on the application of the Act of 1963 to the Bombay and Calcutta Ports, as they contain some provisions for the purposes of municipal assessment of the properties of the Port Trusts. As the subject matter of these provisions falls within the State field, Parliament is not competent to repeal them. It is proposed to repeal the provisions of these Acts except those relating to municipal assessment and provisions connected therewith.

The Act of 1963 should be applied to the three ports of Bombay, Calcutta and Madras without dislocating the functioning of these ports. The rules, regulations and by-laws made for various purposes under the Acts governing the three ports and in force on the date of application of the Act of 1963 to these ports shall be deemed to have been made under the corresponding provisions of the Act of 1963.

The Port Trust of Madras and the Calcutta Port Commissioners are due for reconstitution from 1st April, 1976 while the Port Trust of Bombay is due for reconstitution from 1st April, 1977 under the respective Acts. It is proposed that these bodies should continue to function till they are reconstituted. The intention is that as soon as possible after the Act of 1963 is extended to the three ports' Port Trust bodies should be reconstituted in accordance with the provisions of the 1963 Act as being amended.

The Major Ports Commission has observed that there should be uniformity in the statutory period for which the Ports assume responsibility for the safe custody of goods entrusted to them. At present this varies from Port to Port, 5 days, 7 days and 30 days respectively in Calcutta, Bombay and Madras and as may be prescribed by regulations under the Major Port Trusts Act for other Ports. It is proposed to accept this recommendation of the Major Ports Commission and specify seven days as the uniform statutory period of responsibility for safe custody by regulations under the Act of 1963.

Opportunity is being taken to propose amendments to some of the provisions of the Major Port Trusts Act, 1963, in view of the experience gained in the administration of the Act of 1963 during the last ten years. I may make a brief reference here to the more important amendments.

Clause 4 of the Bill—Constitution of the Board of Trustees

The Major Port Trusts Act provides for appointment of not more than 10 persons in the Board of Trustees representing labour and different Department of Government and not more than 12 persons to be elected by State or local bodies representing commercial shipping or local interests excluding the Chairman and Deputy Chairman.

The Bombay Port Trust Act provides for 10 nominee-Trustees specified in the Act and 14 elective-Trustees. That is in all 25 including the Chairman.

Similarly, the Calcutta Port Trust Act provides for 11 Commissioners specified in the 10—13 RSS/ND/74

Act including the Chairman and Deputy Chairman and 13 elected Commissioners, making a total of 24.

The Madras Port Trust Act provides for 10 Trustees representing Government including the Chairman and 11 elected trustees, making a total of 21.

The Major Ports Commission which went into this question in detail observed as follows :-

"A study of the composition of the Boards of the Port Trusts discloses that the Trust Boards are dominated by user interests. During the earlier period when the Port Trust Boards themselves found the finances for running the Ports and when the demands of development were also few, the predominance of user interests could perhaps have been justified. But with the massive investments by the Central Government for the Ports development during the Five Year Plans the emphasis has changed. The need for balanced representation of all interests in the Trust Boards to take care of the development programmes as well as the financial objective recommended in this report, has become urgent.

"Instances have been brought to the notice where the user interests have resisted effectively the adoption of economic rates against the advice of the Chairman of the Trust Boards. Under those changed circumstances, we consider that the strength of the user interests in the Port Trust Boards should be brought down. We suggest that in the case of the bigger ports, the Boards may comprise not more than 17 members including the Chairman of which eight will be official members and eight non-officials. For smaller ports, the total membership need not exceed 13, consisting of the Chairman, six officials and six non-officials."

This recommendation has been considered in detail and it is felt that balanced representation should be given to different interests such as ship-owners (including sailing vessels), shippers (including public sector undertakings) and such other interests as in the opinion of the Central Government ought to be on the

[Shri Pranab Mukherjee] Board. It is proposed that the total membership excluding the Chairman and Deputy Chairman should not be more than 19 for the bigger ports of Calcutta, Madras and Bombay and 17 for other Ports. Further, in order to give Government greater freedom and flexibility, the number of trustees representing different interests will be subject to variation within the aforementioned totals; the existing minimum representation for labour, namely, two is, however, being protected.

The Major Ports Commission has recommended that there should be no bar to an employee representing labour to be a trustee on the Port Trust Board, This has been accepted in principle. Section 19 of the Major Port Trusts Act provides that—

"No Trustee shall vote or take part in the discussion of any matter coming up for consideration at a meeting of the Board or any of its committees if the matter is one in which he has any direct or indirect pecuniary interest by himself or his partner, or in which he is interested professionally on behalf of a client or as agent for a person other than the Government or a local authority or a trade union registered under the Indian Trade Unions Act, 1926."

Accordingly, it is proposed to enlarge the above provision on the lines of section 14B of the Bombay Port Trust Act, 1879, which enables a trustee acting as an agent, officer or member of an Association formed for the purpose or promoting the interest or welfare of any class of employees of the Board, taking part in the discussion or voting on any matter at any meeting of the Board of a Committee thereof. A provision is also being made in section 6(c) of the Act of 1963 to prevent disqualification of such trustees on this ground.

It is also proposed to include the representatives of public undertakings in the categories exempted from the operation of the ban under section 19, as it is proposed to give greater representation to these undertakings on the Board.

At present, all powers of appointments of Chairman, Deputy Chairman and other heads

of departments vest with the Central Government and of others with the Port Trust Board. The Major Ports Commission has recommended that the appointments of Chairmen, Deputy Chairmen and General Managers of the Port Trusts should be done by the Central Government, and of heads of departments and incumbents of posts carrying a maximum salary of over Rs. 2000 by the Chairman with the prior approval of Government and of other persons by the Chairman. Government has accepted this recommendation excepting that the powers of appointment of heads of departments and incumbents of posts carrying a maximum salary of over Rs. 2000 should be with the Central Government after consultation with the Chairman. Suitable amendments are proposed. With these words, Sir, I commend the Bill to the House.

श्री राजनारायण (उत्तर प्रदेश) :
श्रीमन्, मैं इस विधेयक को . . .

MR. DEPUTY CHAIRMAN : You have sent some notice of the motion but it does not conform to any of the Rules.

श्री राजनारायण : श्रीमन्, हमें मुना
जाय।

MR. DEPUTY CHAIRMAN : In the first place, you have not taken consent of many of the Members.

श्री राजनारायण : कैसे मालूम ?

श्री उपसभापति : वे यहाँ है ही नहीं।

श्री राजनारायण : मैं आपसे निवेदन
करूँगा कि हमको कायदे से चलाइए।

MR. DEPUTY CHAIRMAN : And another thing. This does not appear to be in the form of an amendment.

श्री राजनारायण : नियम को देख
लिया जाय, नियम को पढ़ लिया जाय
और उसके बाद सारी व्याख्या होनी
चाहिए। एक बार नहीं अनेक बार इसी
सदन में मैंने इसी तरह से एमंडमेन्ट
दिया है तुरन्त।

MR. DEPUTY CHAIRMAN : I do not know what you might have done earlier. I can tell you this much that you cannot send a motion like this alter the Bill is moved. Now, it will have to come in the form of an amendment.

श्री राजनारायण : यह तो अमेंडमेंट के फार्म में है।

MR. DEPUTY CHAIRMAN : I have read it. It is not in the form of an amendment.

श्री राजनारायण : इस में त्रुटि क्या है ?

MR. DEPUTY CHAIRMAN : It is not in the form of an amendment.

श्री राजनारायण : यह वडिंग की वारफेयर में जाने से कोई फायदा नहीं होगा।

MR. DEPUTY CHAIRMAN : Mr. V.B. Raju, did you give your consent to be on the Select Committee. Will you give your consent to be cm the Select Committee? He does not know anything about it.

आप बोलना चाहते हैं तो बोलिए।

श्री राजनारायण : आप नियम देख लीजिए।

श्री उपसभापति : नियम हम ने देख लिया है।

श्री वी० बी० राजू (आन्ध्र प्रदेश) : हमारे इलम में कुछ नहीं है कि राजनारायण जी क्या करते हैं और क्या नहीं करते हैं।

MR. DEPUTY CHAIRMAN : It is very clear that when the mover shall propose he shall take the consent of the Member that he-is willing to serve on the Committee. You have not taken his consent.

श्री राजनारायण : जो विलिंग नहीं होगा उस का नाम काट कर हम दूसरे का नाम दे देंगे।

MR. DEPUTY CHAIRMAN : Not at this time.

श्री राजनारायण : आप इस को आउट आफ आर्डर न कीजिए, इस तरह की कोई प्रथा कायम न कीजिए।

MR. DEPUTY CHAIRMAN : The motion is completely out of order.

श्री राजनारायण : इस में आउट आफ आर्डर क्या है ?

MR. DEPUTY CHAIRMAN : It does not conform to the Rules.

श्री राजनारायण : लेकिन रूल्स की व्याख्या भी तो कुछ होगी। उस को देखा जाय।

MR. DEPUTY CHAIRMAN : I am going to be very strict according to the Rules.

श्री राजनारायण : मैं रूल्स का अतिक्रमण नहीं करना चाहता कतई।

श्री उपसभापति : आप बोलना चाहते हैं तो बोलिए, लेकिन इस पर नहीं। एकाडिंग टु रूल्स इट इज आउट आफ आर्डर।

श्री राजनारायण : मैं निवेदन करूंगा कि रूल्स की व्याख्या आप ऐसी करें कि जिस से कि मेम्बरों को अपने अधिकारों को व्यवहार में लाने का मौका मिल सके।

MR. DEPUTY CHAIRMAN : You cannot transgress the Rules. Mr. Rajnarain, you cannot transgress the Rules.

श्री राजनारायण : मैं श्रीमन्, यह कह रहा हूँ कि जो 70 का (ii) है कि जब इस तरह का प्रस्ताव किया जायेगा कि इस पर विचार किया जाय तो हम को अधिकार होगा कि हम प्रस्ताव पेश करें।

MR. DEPUTY CHAIRMAN : It is out of order. Do you want to speak on this Bill or what do you want to do? If you want to speak on the Bill, you can speak.

श्री राजनारायण : यह अमेंडमेंट का फार्म तो है।

[श्री राजनारायण]

मैं चाहूंगा कि आप इस पर अपनी रुलिंग न दें।

MR. DEPUTY CHAIRMAN : It has to be in the form of an amendment. इस पर रुलिंग तो जरूर दूंगा क्योंकि जो रूल के मुताबिक होंगे उन को ही मैं एक्सेप्ट करूंगा।

श्री राजनारायण : आप कृपा कर पार्लियामेंटरी सिस्टम को देखें।

MR. DEPUTY CHAIRMAN : Now, you proceed with your speech. यह रूल के अनुसार नहीं है।

श्री राजनारायण : अगर स्ट्रिकटली देखा जाय तो मैं चाहूंगा कि डिप्टी चैयरमैन साहब एक कमेटी बना दें एक्सपर्ट्स की, और वह इस को देख लें।

श्री उपसभापति : मैंने रूल भी देख लिये हैं और आप का अमेंडमेंट भी, वह रूल में नहीं आता।

श्री राजनारायण : मैं बहुत ही अफसोस के साथ कहना चाहता हूँ कि इस समय इतने दिनों बाद भी जब श्री कमलापति त्रिपाठी...

श्री उपसभापति : आप की पार्टी की तरफ से तो श्री रवी राय का नाम भेजा गया है। तो आप को इस पर बोलना है या श्री रवी राय को?

श्री राजनारायण : रवी राय बाद में बोलेंगे।

SHRI OM MEHTA : How can they?

श्री उपसभापति : दो आदमी कैसे बोलेंगे?

श्री राजनारायण : हाऊ हाऊ से उन का क्या मतलब है?

श्री ओम् मेहता : हाऊ हाऊ से कोई मतलब नहीं, लेकिन दो आदमी इस

पर कैसे बोल सकते हैं? — You can raise this when the question comes in the form of an amendment. Not now.

श्री राजनारायण : मैं पुनः निवेदन कर देना चाहता हूँ कि मैं आप की व्यवस्था से सहमत नहीं हूँ, मगर चूँकि हम को इस पर बोलना है इसलिए मैं इस को मान रहा हूँ। मैं डेके की चोट पर कहना चाहता हूँ कि इस समय जो हमारा इस को प्रवर समिति में भेजने का संशोधन है वह इनकॉफॉर्मिटी आफ रूल है, साधु परंपरा में है और इस बात को कोई संसदीय पद्धति का जानकार खंडित नहीं कर सकता है।

श्री उपसभापति : बिलकुल गलत है।

श्री राजनारायण : मेरी प्रार्थना है कि आप इस पर अपनी रुलिंग रिजर्व रखें।

MR. DEPUTY CHAIRMAN : I have already given the ruling.

श्री राजनारायण : रुलिंग जो आप ने दी है उस को मैं रुलिंग नहीं मानता, वह आप ने अपनी ओपिनियन एक्सप्रेस की है।

MR. DEPUTY CHAIRMAN : Mr. Rajnarain, you will have to accept the ruling of the Chair. आप को मानना पड़ेगा।

श्री राजनारायण : वह डिप्टी चैयरमैन साहब की राय है। मैं ने उस को मान लिया है।

MR. DEPUTY CHAIRMAN : I know what the rules are and you just cannot bully the House. You can be very sure of that. रुलिंग आप को माननी पड़ेगी।

श्री राजनारायण : श्रीमन्, मैं यह कह रहा था कि जब माननीय मंत्री

कमलापति त्रिपाठी जहाजरानी विभाग के इंचार्ज हो गए तो हमारे जो जहाजी अड्डे हैं, जो हमारे बंदरगाह हैं उन तमाम बंदरगाहों के बारे में एक समुचित व्यवस्था होगी और उसी के साथ साथ कुछ और भी ऐसी जगहें भी तलाश की जाएंगी जहां पर कि हमारे बंदरगाह नहीं बने हैं क्योंकि मैं देख रहा हूं कि हमारे बंदरगाह आज बहुत ही बुरी अवस्था में हैं और उनसे जितना हमारे देश को लाभ होना चाहिए वह नहीं हो रहा है। श्रीमन्, मैंने इसीलिए एक सुझाव दिया था कि हिन्द महासागर में भारत के अन्तर्गत कितने ऐसे टापू आते हैं जहां पर कि हम अपने बंदरगाह बना सकते हैं वह देखें। आज तक भारत सरकार की ओर से इस प्रकार का कोई प्रयत्न नहीं किया गया कि वह देखे कि इतनी जगहें हैं जहां जहां कि हमारा अधिकार है, जहां से हम अपने अधिकार क्षेत्र की सीमा को फैला सकते हैं और वहां पर पानी के जहाज के अड्डे बना सकते हैं और अपने देश की सीमाओं की सुरक्षा कर सकते हैं। अगर कोई दूसरा होता, ऐसा मंत्री होता जिसने स्वराज्य की लड़ाई में काम नहीं किया होता तो मेरी समझ में इस तरह की बात आ सकती थी कि देश की आजादी की चिन्ता से वे मुक्त हैं, इनको कोई परवाह नहीं है। कहीं खाना कमाना है, चाहे मंत्रिमंडल में आकर पेट भरें या कहीं और पेट भरें। मगर मैं कमलापति जी को उस श्रेणी में नहीं रखना चाहता हूं। इसलिए मैं उनसे निवेदन करना चाहता हूं कि वह अपने जहाजरानी की ठीक तरीके से नीति बना लें कि हिन्द महासागर के द्वीपों की ठीक जांच पड़ताल की जाएगी कि उस पर

कहां कहां हमारे अड्डे बन सकते हैं, हमारे बंदरगाह बन सकते हैं, कहां कहां रियायती दरों पर अपने लोगों को ले जाकर बसा सकते हैं। हमारा यह कहना है कि अंडमान द्वीप, पोर्ट ब्लेयर नामक स्थान पर माननीय मंत्री जी अपने जहाजी बेड़े को भेजें और वहां पर देखें कि एशिया और अमरिका के हिन्द महासागरीय क्षेत्र में कहां कहां के लोग - रूस अपना अड्डा बनाए हुए है, अमरिका अपना अड्डा कहां बनाए हुए है - क्या वहां अड्डा हमारा बन सकता है या नहीं।

श्री हर्षदेव मालवीय (उत्तर प्रदेश) : मान्यवर, व्यवस्था का प्रश्न है। व्यवस्था का प्रश्न यह है कि यह जहाजरानी यानि शिपिंग का मामला है। फौजी मामला नहीं है। यह डिफेंस मिनिस्ट्री नहीं है कि फौजी अड्डा बनाए। आपका अनुमान गलत है। यह जहाजरानी है, डिफेंस नहीं है, सुरक्षा नहीं है।

श्री ओम् मेहता : इतना कहां मालूम है इनको ?

श्री राजनारायण : श्रीमन्, मैं आपसे बहुत ही सफाई के साथ निवेदन करना चाहता हूं कि हमने इसीलिए अपना अमेंडमेंट दिया था कि इस विधेयक की परिधि को बढ़ाया जाए। हमारे अमेंडमेंट में यह भी है कि इस विधेयक की परिधि को बढ़ाया जाए। इसलिए मैं विधेयक की परिधि को बढ़ाकर जहाजरानी विभाग को वह अधिकार देना चाहता था कि हम तमाम हिन्द महासागर में जहाजी अड्डे बना सकें।... (Interruption)

श्री हर्षदेव मालवीय : वह सुरक्षा मंत्रालय का प्रश्न है। यह तो व्यापार सम्बन्धी मामला है।

श्री राजनारायण : व्यापार भी सुरक्षा सम्बन्धी है। रूस से व्यापार करेंगे तो सुरक्षा खतरे में पड़ जाएगी। (Inter-ruption) जयन्ती शिपिंग कम्पनी जिसके पास केवल 200 रुपए की पूंजी थी, श्री धर्मदत्त तेजा को 20 करोड़ रुपया केन्द्रीय सरकार ने कर्जा दिया और 20 करोड़ रुपया कर्जा देकर जयन्ती शिपिंग कम्पनी चलाई। सारा व्यापार और 20 करोड़ रुपया खत्म हो गया। बार बार हम लोगों ने कहा कि धर्म तेजा को बन्द करो, जब वह आया था उनको गिरफ्तार नहीं किया गया। जब सारा माल खा गया तो उनको तिहाड़ जेल में रखा गया। तो हम अपने संशोधन पर बोल रहे हैं। माननीय डिप्टी चेयरमैन कहते हैं हम इस संशोधन को नियम के अनुकूल नहीं मानते हैं इसलिए इस पर विचार नहीं होगा। मेरा निवेदन है कि अगर इस पर विचार नहीं होगा तो रबी राय जी को बुलवाएं।

श्री उपसभापति : आप बोल तो रहे हैं।

श्री राजनारायण : अभी तो हमने शुरू ही नहीं किया है। हम आपकी इस व्यवस्था के विरोध में हैं। जब तक इस पर विचार होता रहेगा तब तक हम सदन से त्याग पर रहेंगे।

श्री उपसभापति : आप बोल भी लिए और सदन त्याग भी करेंगे।

श्री राजनारायण : आप से मेरी हाथ जोड़ विनती है कि आप अपनी व्यवस्था पर पुनर्विचार करें। मैं समझता हूँ इससे बढ़कर अच्छा संशोधन और कोई नहीं हो सकता। इस संशोधन

व्यवस्था के विरोध में मैं सदन त्याग करता हूँ।

(At this stage the Hon. Member left the Chamber)

SHRI H.M. TRIVEDI (Gujarat) : Mr. Deputy Chairman, Sir, concerned as I am with efficiency at the major ports in India. I would have been glad to rise to welcome this Bill. But unfortunately the provisions of the Bill do not inspire that kind of confidence. I was also looking for a little further enlightenment from the statement made by the Minister as to what, in fact, are the real reasons for proposing this amendment. Sir, there are only 3 plausible excuses which have been advanced. Firstly) that the Major Ports Act of 1963 confers a certain flexibility. The word used was 'flexibility'. Proceeding further, it would appear from the same statement that in fact 'flexibility' means the ability to concentrate power with the Central Government and with the Chairman of the Board of Trustees. The second major plausible excuse was that user interests which were represented previously on the Boards of Trustees in so far as they exercised a legitimate control on the costs and expenditure at the ports and, therefore, the rates and charges, were found to be inconvenient and their decision irksome. It is, therefore, with the intention of removing that, that the amendment is being proposed. And thirdly, Sir, the major provision in relation to the liability of the port for goods which are landed from a ship and which are lying in the custody of the port. These are the only 3 major reasons that the hon. Minister has in fact himself -aid, that the amendment becomes necessary.

Now coming to the Bill itself, the Bill makes Major Port Trust Act 1963 applicable to Bombay, Calcutta and Madras and it simultaneously amends the Major Port Trust Act itself in so far as it applies to all major ports. In other words, Sir, any comment on this Bill would really require a thorough study of the 4 major existing Acts. The amendments are forty in number. They are not only procedural but substantive. Port administrations, their rights and duties affect

diverse interests, such as importers, exporters, ship-owners, etc. The Bill was not circulated for public information. No comments on the entire Bill as it is now presented, were invited from the affected interests. The Bill just now is not necessary to remedy any emergency situation but it is claimed that the Bill rests on the observations in the Report on the Commission of Major Ports. That Report itself is over 5 years old. There are provisions in this Bill on aspects which were not even touched upon by the Commission on Major Ports. However, now that the Bill is before the House, I would only offer a few brief comments.

Clause 4 of the Bill seeks to define the composition of the Board of Trustees. The effort to concentrate power with the Government to pick and choose who shall be on the Board, is almost pathetic. The number of persons to be appointed on the Board is not defined.

Only the ceiling of 19 for Bombay, Calcutta and Madras and 17 for other ports is stated. Only five officials are named in the Bill as Members. In the case of labour two representatives are to be appointed after consultation with labour unions. For the rest, below the ceiling of 19 or 17—whatever that magical figure is going to be—membership is to be determined by notification and that too from time to time and without consultation with representative organisations. The magnificent achievements of semi-autonomous Boards in Bombay and Calcutta for exactly over 100 years are to be relegated to history. Sir, the Boards are service organisations which must maintain commercial efficiency. A Board packed with officials and representatives of public sector undertakings will toe the line but autonomy which imparts efficiency will be destroyed. But I am more concerned with the consequences of this process. The control on costs and expenditure now held in check by the representatives on the Board of those who are directly affected will disappear. In order to balance the budget and produce that mythical return on capital employed, which has been talked of by the Commission on Major Ports, two consequences

will follow: (1) the wharfage charges of trade moving through the port will be raised without any consideration; (2) the charges for services rendered to shipping will be raised. The net effect of increasing wharfage charges is to increase the F.O.B. costs of Indian exports which are already non-competitive internationally in terms of fob costs. The increase in charges for services rendered to shipping will lead to further demands for raising freight rates and Indian exports will suffer further. A pliable Board packed with officials will bless the process and the Central Government will have little difficulty in granting approval. This is also clear from clause 13 of the Bill.

Sir, clauses 5 to 12 are partly procedural and partly intended again to concentrate powers of appointment of officers and employees with detailed provisions even with regard to salary scales, perquisites and what not with the Chairman of the Board. Reading these provisions it would appear that they are intended to (a) concentrate powers with the Central Government as far as possible—an effort to run live and buz/ing organisations like ports from Delhi; (b) concentrate such residual powers as are left with the Board in the hands of the Chairman who will normally be a chosen member of the All India Services with the approval of the State Government; and (c) have a composition of the Board which will not raise, as the hon. Minister admitted, any inconvenient questions relating to efficiency, rates, charges, budget and last but not the least, facilities and services to trade and shipping which is what the ports are intended for. A monolithic bureaucratic structure will govern the movement of millions of tonnes of cargo from day to day.

Sir, on clauses 14 to 18 I cannot offer any immediate comment because as I said it requires a study of the four major existing Acts. However, I will come to clause 19. This is interesting^ it relates to the liability of the port for goods which are landed from a ship and handed over to it. The present position is that the Port Trust maintains an account called a tally of the goods which are landed ashore from a ship. It then issues a receipt immediately for the goods which are

[Shri H. M. Trivedi] shown as lauded. In law the port is supposed to be a bailee of the goods until they are delivered. Stipulation by regulation of a certain number of days only for which the port accepts responsibility for the goods which are lying in its charge has been challenged and the continuation of its responsibility as a bailee has been upheld in judicial proceedings. The purpose of this clause is to provide statutory protection to evade responsibility for the goods lying in the Port Trust premises and custody even though they are not even offered for delivery or not ready for delivery for want of completion of customs formalities etc. Reading the clause it would seem as if it is now intended not even to issue a receipt for the goods shown to have been landed thus avoiding responsibility for goods which are landed but missing after landing

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This may well prove to be an open invitation to thefts from port premises. The intention is to pass on responsibility for the goods landed but missing to the ship. The claims which are payable by ship-owners may increase. I am not worried about it, but the increase in the cost of calling at Indian ports will lead to further freight increases. The second part of the clause leaves it open to prescribe the period after which the Board will not be responsible even where a receipt has been issued. The issuing of receipt only when a package, which has been landed, is traced and then prescribing only a short period of custody, is no more than providing statutory protection for gross inefficiency in taking care of the cargo. Who will be responsible for the cargo which is lying in the Port Trust premises and which cannot be cleared, however much the consignee may want to, after the brief interregnum has elapsed? This extremely shortsighted effort to avoid responsibility as a bailee for goods landed at the port may, in fact, even subsequently be challenged. No figures about what this responsibility has cost the Port Trusts have been given. Stray judgments of the High Court in two or three cases are sought to be overcome. I will come to the more grievous consequences of this process. Indian imports* are usually cif. Insurance is taken out by the shelter with

foreign underwriters. I have reason to believe that, after this Act comes into force, the insurance rate on Indian imports for warehouse-to-warehouse policy will be raised. We are thus getting ready to pay probably a vast amount in foreign exchange by way of increased insurance costs on Indian imports, so that the port authorities may not lose sleep in taking care of cargoes in their charge.

On clauses 19 to 24, again, I cannot offer any immediate comments.

In clause 25 it is said that the ship will not be allowed clearance from the port if there are any unpaid dues against the master or the owner of the ship. One cannot object to this provision, but the clause also says that the ship will be held up if there are any dues unpaid "against or in respect of any goods on board such vessel". A petty official in the Port Trust will forget to collect wharfage charges and you will hold up the ship. I cannot understand how you can hold up the ship if there are any unpaid dues on cargo already on board the ship.

Clause 36 probably is the only one which one can welcome. The present position is that encroachment, by State Governments or public authorities, where the ports are situated below the high watermark, are not permitted by statute. These statutory limitations have in fact, been violated by several State Governments and encroachments on the foreshore even below the low watermark have occurred. To the extent to which this clause will restore power to the Central Government to prevent encroachment on the foreshore by State Governments or public authorities, in or around the port, I welcome the provision.

All in all, as I stated at the outset, I hesitate to welcome this Bill. It destroys the autonomy of the ports and will, therefore, lead to inefficiency. I am sorry to find that instead of coming forward with amendments which would improve the turn round of ships which is vital in terms of the working of ports, the Bill is a pedantic effort at providing a rigid bureaucratic structure and a statutory cover for neglect and inefficiency.

I can say without any fear of contradiction that port costs for trade and shipping will.

within less than two years from now, go on increasing, inhibiting our effort at increase exports. All in all, I wish the Bill had not been moved.

SHRI N. G. GORAY (Maharashtra) : InView of what Mr. Trivedi has said—he knows all about shipping and port and all that—may I know from the Minister whether they are thinking of sending it to the Select Committee as proposed by Mr. Raj narain? As there are so many lacunae, I think it is much better that you send it on your own to the Select Committee and take some time, so that the Bill is improved a great deal.

THE MINISTER OF SHIPPING AND TRANSPORT (SHRI KAMLAPATI TRIPATHI) : After very much mature consideration the Bill was brought forward. I have heard his speech today. I had a talk with him also. In spite of ail that, the Bill is there for your consideration.

SHRI L. MAHAPATRO (Orissa) : The Bill introduced by the hon. Minister has a very limited scope and that is not in any way satisfactory because I expected that after so many reports by so many commissions and committees, when he was coming forward with an amendment, he would come up with all the amendments pertaining to shipping, to ports and to docks. But he has come forward with a Bill in relation to major ports only. You know, we have two Acts— one is the Indian Ports Act, 1908 and the other is the Major Port Trusts Act of 1963. Now this Major Port Trusts Act of 1963 has been extended to all the three major ports, Calcutta, Bombay and Madras for which the governing law was different for each port. That is the main purpose of this because that formed the recommendation of the Venkataraman Commission. But the other things that the Commission has recommended have not been looked into, they have not been heeded at all. They pertain to major ports. And one of the important suggestions, by way of a recommendation, was to have a comprehensive law covering all these matters pertaining to ports. They wanted the charges to be enhanced. 'Charges', as you know, is a matter that is dealt with under the Indian Ports Act.

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It has nothing to do with the Major Port Trusts Act, though the Port Trusts have the power of levying the charges and realising them according to the Major Ports Act. That recommendation was there and that could have been included. When he came forward with an amending law, I thought that there would have been a comprehensive law covering the ports in relation to all the details of the functioning of the management, the labour that would be employed there and other things relating to the port and the shipping industry. That has not been done, and I do not know what stood in the way of the Minister not being able to come with such a comprehensive Bill.

Sir, the Indian shipping has been steadily making progress. That is gratifying no doubt. But who is adding to the fleet of Indian shipping? As you know, we had a very bad scandal, the Jayanti Shipping Corporation scandal, some years ago. You will not be surprised if there is another scandal about Birla Shipping.

The Birlas have come in in a great way in the shipping industry. They have put in enough of money, not of their own. It is the money that has come from the Government. I do not know why they are so much out to feed the Birlas. Are they not satisfied with the profits that the Birlas have been able to make at the cost of the whole population that they want them to make still more profits? The Shipping Corporation of India and the Cochin Port Trust are not able to get funds from the Port Development Fund and they are asked to go elsewhere for funds. But the Government of India are able to meet the demand for lavish assistance to the Birlas. How are they doing it I want to know.

Then the third think that I want to know from the Minister is this. There is no doubt that you have enough of traffic in the major ports every year. But what was your estimate? According to the Planning Commission estimate it was to be near-about 115 million tonnes during 1978-79, that is, by the end of the Fifth Plan. By 1968-69 it was of the order of 55 million tonnes. It ought to have been about 90 million tonnes by the

[Shri L. Mahapatro]

eiul of the Fourth Plan. Now from the reports made available to us by the Ministry of Shipping and Transport the major ports have been able to handle only 40.80 million tonnes in "1973-74. Where are we going, I aslr? Why is it that there is a fall in the traffic? In f;ct, there should have been steep rise. From 56 millio *i* tonnes it should have gone up to 90 million tonnes by the end of the fourth Plan or to 115 million tonnes by the end of the Fifth Plan. Are we going that way I think we are taking retrograde steps as far as traffic is concerned. Sir, I am sorry to say that we are not able to see the most important flaw in the achievement of the Plan target. This is inadequate attention that is being paid to the relationship of the port to the hinterland. When the port is intended to be expanded the hinterland is not developed adequately. I give you the case of Paradeep. Paradeep is the biggest port on the eastern coast of India. That port was sought to be developed as a port that would be able to remove a very great backlog because of the difficulties experienced by Visakhapatnam and Calcutta ports. As you know, Calcutta has the difficulty of water and Visakhapatnam has the difficulty of outer harbour and turning round. Therefore, you are interested to put up an outer harbour at Visakhapatnam to handle big ships, to handle cargo and to remove the backlog of these two important ports on the eastern coast Paradip was taken up. Paradeep is the deepest port, with sufficient dr;ft depth. And what did Mr. Raghuramaiah say at the time of the laying of the foundation stone of the cargo berth? He said that he was certain that the Paradip Port on the eastern coast would occupy a pride of place as Indiat' greatest foreign exchange earning port. But what has happened? Now that very Paradip port is languishing for the last six months. We are not able to make the three institutions, the M.M.T.C., the Railways and the Port Trust, work in co-ordination. You are not able to dredge the channel. You arc not able to work out the Central Dredging Organisation properly. The result is, Paradip is now having the difficulty which was anticipated, in spite of a. big expenditure of Rs. 16 crores on that.

It is still standing as loan against die Government. It was taken over after the Stite started *the* work and you have given Rs. 16 crores as loan. The interest thereon is crippling the development of the port. It is eating into the very Warrow of the port. Therefore, you have to do something about this port. Unless you do something, the substantial backlog of dredging, etc., will not be cleared.

Now, as far as the major ports in India are concerned, I wish to point out that the ports have the difficulties of berthing. The facilities already existing are fast deteriorating. We do not have enough berthing space. Many of the ports do not have sufficient cargo berths. Dredging is a problem in almost every port. And because of the long procedural delays by the port authorities, there is great hampering in the procurement of fork-lifts, barges, dredges, tugs and cranes, which are desperately required for speeding up work in the ports. You are not able to get over that. The Commission has recommended about modernisation of the ports, but these are the factors that stand in the way of modernisation of the ports. You shall have to do something about it.

The other important thing that has been lost sight of is, as far as I know, we did not have a hydrographic survey in the last so many years. I know during the British days there was one such survey and that book is not available in many libraries. During the present times, such a hydrographic survey is very essential. That is what the National Harbour Board said. What has been done about it. You said a committee would be set up for the purpose. Have you done anything on that? This is very essential. If you look irto the Indian Ports Act, you will see a big list of ports there is the east coast and in the west coast. We are very tardy as far as taking up of port projects is concerned. We say we do not have money. With the difficulty of availability of wagons and with the Railways supplying wagons in inadequate numbers, I think you will have to take to coastal transport also, and in that view of the matter, you will have to develop many a port. There is a long list of ports in the Indian Ports Act. (*Time bell rings*). Please give me some more time' I have some more to say.

MR. DEPUTY CHAIRMAN : But you must conform to time.

SHRI L. MAHAPATRO : Therefore, you should not be miserly in giving assistance to these ports. Indian ports play an important role in the fabric of our current economy and, therefore, it cannot be left to be a subject in the concurrent List. It should come as an exclusive subject in the Union List. Now, you cannot define a "major port" as a port which is so notified by the Central Government. That is the definition now. You can very well see what type of definition it is. There is no scientific basis for such a definition. Whichever port is declared or notified by the Central Government to be a major port shall be a major port. That is the definition of a "major port" in the Indian Ports Act and it has been incorporated in the Major Ports Act also. I can understand your saying that a major port is that port which is able to handle, say, one million DWT ships or something like that, or which has so many berths, or which has so many dredges or something like that. You do something like that. That is understandable. But to say that I can call it a major port if I so choose or I can call it a minor port if I so choose is not something very happy. Therefore, the definition of 'major port' has to be changed so as to give it a scientific bias. And I feel you will have to take the subject of ports into the Union List. What is happening in Gujarat? Ports are being dealt with by the PWD there. In my State, Orissa, ports are being dealt with by Commerce Department. And here it is the Shipping Ministry which has nothing to do with PWD or Commerce. Therefore, you will have to take it into the Union List and issue orders to the States to deal with it as a subject of transport as you do it here. It is the transport item under which ports come. *(Time bell rings)* I am only making two or three points more. You are aware, there are many minor ports in my State, and there is one minor port in my place, Gopalapur. It is a very important place. It had a port till very recent times, till after the Second World War. During the Second World War we lost that port and no ships ever came to that port thereafter. It is going to be developed as a minor port.

It was originally in the Fourth Plan as a Centrally-sponsored project, and some money was allotted. Then the Indian Rare Earths Ltd. came up with a very big project. After so many plans it came up and the estimate was that it will be having a traffic of about 5 million tons. Now the Indian Rare Earths Ltd. by themselves will be giving more than 5 million tons traffic and there are many in the hinterland up to Madhya Pradesh. What are you going to do about it? When we ask about it, you say, it is not yet decided whether it will be treated as a spill-over programme of the Fourth Plan or will be treated as a new programme. Therefore, I say these minor ports are in very great numbers and they will help you in clearing out the big congestion that is existing in other ports because these can handle specified commodities as far as our country is concerned, and for other countries also. *(Time bell rings)*.

Now I come to the workers. These workers have been doing a great national service. They have been adding to the earning of foreign exchange through our exports. Ports and docks occupy an important place in our country's economy since all exports and imports are carried on through ports. Therefore, a peaceful atmosphere is required in this sector for an uninterrupted flow of imports and exports. But there is serious discontent prevailing in the workers in ports and docks of India because the Government of India is adopting an attitude of callous indifference to the port and dock workers. There are two authorities, Port and Dock Labour Boards, they should be brought under the administrative control of one Ministry of the Government of India, namely, Ministry of Shipping and Transport. Then, stevedoring business should be nationalised because these people are just eating up the commission. They do nothing but eat more and more commission. You can put all the workers in charge of the Port Trust. *(Time bell rings)*. Then exports and imports trade should be nationalised.

MR. DEPUTY CHAIRMAN : You will have to conclude now.

SHRI L. MAHAPATRO : Just one point The dock workers should be given need-based

[Shri L. Mahapatro] minimum wage. Now, their number, as you put in the law, is only two. It will be not less than two, you said. You have to make it sufficiently bigger. It is no good giving more and more representation to the ship owners and others, because massive investment is done by the Government in a big way; other people are not there. The recommendation of the commission to the effect that the number should be small has not been heeded. It is quite big today. It should be made a small body. The commission has also recommended for a national port council. That has not been done. These are important things to which the Minister should reply without fail..... [Interruption].

MR. DEPUTY CHAIRMAN : Now you will have to sit down please.

SHRI U MAHAPATRO : Then I conclude by saying that the Chairman is a person in whom so much of sanctimony has been put by this law. You are now going to give him much more powers than were given earlier. I do not know why such a fancy is developing in the Ministry. I am sure he will be conducting himself in the same way as many of our bureaucrats are conducting themselves in the different public undertaking, after nationalisation.

You have neglected the Board by saying that you do not give them right of hearing of appeal. You appoint a person but you are not allowed the right of hearing of appeal. I do not know the logic behind it. The Board should have the power in the matter of punishment because they are the authority to appoint.

Now I come to the power of taking loans. ...

MR. DEPUTY CHAIRMAN : Now you will have to conclude.

SHRI L. MAHAPATRO : I am concluding.

I know you have given the powers to the Board to take loans. But the misuse of this power has to be guarded against.....

MR. DEPUTY CHAIRMAN : If you do not wind up your speech, you will have to sit clown abruptly.

SHRI L. MAHAPATRO : This is my last sentence. Some tankers purchased in 1959, but they could be used only after four years when the outer harbour got ready with the result lot of foreign exchange which could have otherwise been earned was lost.

श्री जगदीश प्रसाद मायुर (राजस्थान) : उपसभापति महोदय, अभी त्रिपाठी जी ने यह कहा कि श्री त्रिवेदी जी ने जो सुझाव दिए हैं उन पर वे गम्भीरता से विचार करेंगे और अगर उचित समझा तो उसको विधेयक के रूप में लाकर सदन से पारित कराएंगे। 1970 में एक कमीशन ने जो प्रतिवेदन दिया था उस पर आज सन 1974 में एक विधेयक लेकर आए हैं। इतना समय आपको कमीशन की रिपोर्ट पर विचार करने के लिए लगा है और जो आपने विधेयक पेश किया है वह भी बहुत छोटा। मुझे समझ नहीं आता इतना अधिक समय कमीशन की रिपोर्ट पर कैसे लगा। ऐसे कौन से डिजीजेंट आपको देने थे जिनके कारण से आपको इतना विलम्ब हुआ।

मेरे समझता हूँ त्रिवेदी जी इस विषय के एक्सपर्ट माने जाते हैं और आपने कहा है कि उनके सुझावों पर गम्भीरता से विचार करेंगे। इसका मतलब शायद यह होगा कि अब 74 चल रहा है और चार साल इनके सुझावों पर विचार करने में लग जाएंगे...

श्री कमलापति त्रिपाठी : यह मैंने नहीं कहा कि उस पर गम्भीरता से विचार करूंगा। मैंने कहा कि उनकी बात सुन चुका हूँ।

SHRI KALI MUKHERJEE (West Bengal) : Sir, I have been associated with this and I know they have never met for more than ten minutes, from three minutes to ten minutes

only. When he was talking about autonomy, I was listening to it and was wondering how autonomous they are. They have never exceeded ten minutes and this is what I have seen during my association with them.

SHRI BABUBHAI M. CHINAI (Maharashtra) : I was a Trustee in the Bombay Port Trust and I know they have met always for more than one hour.

श्री जगदीश प्रसाद माथुर : मैं समझता हूँ चिनाई साहब, बम्बई में जो पोर्ट की स्थिति है उस पर ज्यादा बता सकते हैं। वे शायद इस बारे में यह बता दें कि सरकार ने पूरा क्लया नहीं लगाया। चिनाई साहब ज्यादा अच्छी तरह बता सकेंगे कि पोर्ट की हालत इतनी खराब क्यों है। क्या कि आप इस बात को मानेंगे कि इसके उपरान्त भी जितना माल आना चाहिए था उतना नहीं आता है और उसके लिए हमें आज डेमरेज भी देना पड़ता है। इसलिए आवश्यकता इस बात की है कि पोर्ट ट्रस्ट को जो दिक्कतें आ रही हैं और जिनके कारण हमको जितना लाभ होना चाहिए वह नहीं हो सका और इसलिए मैं चाहता हूँ कि आप उन कारणों पर विचार करते। श्री राजनारायण जी ने जो सुझाव रखा है वह वास्तव में सामयिक नहीं था और वह उन्होंने क्लिम्ब से रखा है। लेकिन इसके उपरान्त भी मैं यह कहना चाहता हूँ कि श्री त्रिवेदी जी ने और चिनाई जी ने जो सुझाव रखे हैं, उनके बारे में मंत्री महोदय यह कहें कि वे इन पर विचार करने के लिए तैयार नहीं हैं, मैं समझता हूँ कि यह कोई अच्छी बात नहीं है। बन्दरगाहों को सुधारने के लिए जो सुझाव दिए गए हैं, अगर उनकी सत्परता से मान लिया जाय तो बहुत अच्छा होगा।

हमारे देश में जी पोर्ट्स हैं, उनमें सुधार की काफी गुंजायश है। मंत्री महोदय इस बात को स्वयं मानेंगे, क्योंकि श्री मुंबर्जी ने विधेयक रखते समय यह बताया था कि किस प्रकार की स्थिति हमारे बन्दरगाहों की है। लेकिन मैं यह कहना चाहता हूँ कि केवल मात्र विधेयक बना देने से इन बन्दरगाहों में बहुत सुधार होने की संभावना नहीं है। आपने यह विधेयक बनाया और एक बोर्डो भी बनाने की बात कही है। अगर आप इस बोर्डो को देखें तो ऐसा लगता है कि इसमें सरकारी अधिकारी ज्यादा हैं और भविष्य में इसमें किस प्रकार से आदमी होंगे, इसका भी पता इस बात से लग जाता है कि पिछले दिनों जब हमें गोआ जाना पड़ा था तो वहां हमें पता लगा कि वहां के पोर्ट ट्रस्ट में सरकार द्वारा एक नियुक्ति की गई है। पोर्ट ट्रस्ट में लेबर के प्रतिनिधि लेबर विभाग और लेबर मिनिस्ट्री के सुझाव पर एपाइन्ट किए जाते हैं। वहां पर जो मेजोरिटी यूनियन थी वह एच० एम० एन० थी। लेकिन आपने उसको नेगलेक्ट करके कांग्रेस यूनियन का आदमी नियुक्त कर दिया। अब इस प्रकार से किस को नियुक्त करेंगे और किस को नियुक्त नहीं करेंगे, यह इस प्रकार की प्रक्रिया है, जिस पर गम्भीरतापूर्वक विचार करने की आवश्यकता है। गोआ में हम से कहा गया कि केन्द्रीय सरकार ने नियुक्ति की है; क्योंकि वहां पर हिन्द मजदूर सभा की यूनियन थी। जिस व्यक्ति को नियुक्त किया गया उसका वहां पर कोई प्रभाव नहीं था। गोआ की सरकार भी कहती है कि आपने जो नियुक्ति की है वह ठीक नहीं की है। इसके बावजूद भी केन्द्रीय

[श्री जगदीश प्रसाद माथुर]

सरकार ने मेजोरिटी यूनियन को छोड़ कर कांग्रेस के लोग वहाँ पर नियुक्त कर दिए।

श्री कमलापति त्रिपाठी : लेबर विभाग की वेरिफिकेशन के आधार पर जिसकी मेजोरिटी होती है उनको रिप्रेजेंटेशन दिया जाता है। वहाँ पर कांग्रेस की कोई यूनियन नहीं है। आई० एन० टी० यू० की है, हिन्द मजदूर सभा की है, ए० आई० टी० यू० सी० की है। कांग्रेस की कोई यूनियन नहीं है। जो जगह दी गई वह वेरिफिकेशन के आधार पर दी गई।

श्री जगदीश प्रसाद माथुर : आई० एन० टी० यू० सी० से कांग्रेस का संबंध नहीं है, यह बात त्रिपाठी जी कह रहे हैं। यह बात प्रामाणिक होगी; क्योंकि वे पंडित हैं और पंडितों की बात प्रामाणिक होती है।

इस प्रकार आपने देखा कि किस प्रकार से नियुक्तियों की जाती हैं। आपने वेरिफिकेशन की बात कही। इस बारे में सिर्फ स्टेट गवर्नमेंट ने ही प्रोटेस्ट नहीं किया, बल्कि वहाँ के मजदूरों ने भी कहा। मैं यह पूछना चाहता हूँ कि इस ट्रस्ट में कितने सरकारी अधिकारी होंगे? इसमें चेयरमैन को जो पावर दी गई है वे बहुत ज्यादा हैं। मैं चाहता हूँ कि आप इन बातों पर भी गम्भीरतापूर्वक विचार करें।

अब मैं कुछ बातें जो हमारे देश के पोर्ट्स हैं, उनकी समस्याओं के बारे में कहना चाहता हूँ? बम्बई और कलकत्ता हमारे देश के बड़े पोर्ट्स हैं। वहाँ पर जो वास्तव में क्लीयरेंस होना चाहिए उसके बारे में पिछले दिनों

समाचार आया था कि जब देश में अनाज की कमी थी तो हमारे इन पोर्ट्स पर अनाज जहाजों पर 10-15 दिन तक पड़ा रहा और जहाज खड़े रहे; क्योंकि उस सामान को उतारने की व्यवस्था नहीं हो सकी। इस प्रकार से अगर कोई फारेन शिप माल लेकर आता है और उस पर से समय पर माल नहीं उतारा जाता है तो उसका डेमरेज देना पड़ता है। इसलिए मैं यह जानना चाहता हूँ कि 24 घंटे के अन्दर जहाजों से माल उतार लिया जाय, इसके लिए आप कौन-सी व्यवस्था करने वाले हैं? क्योंकि आपने कौन ऐसा बोर्ड बना दिया शायद देश को उससे ज्यादा चिंता नहीं, चिंता लोगों को ज्यादा यह है कि किस प्रकार की व्यवस्था पोर्ट ट्रस्ट के भीतर आपने की है, क्या सुधार किया है? इस साल जो 40 करोड़ रु० का घाटा फाइनेन्स डिपार्टमेंट ने आपके इम्प्रूवमेन्ट के प्रोग्राम में कर दी, उसका कारण जो आपकी यह कंपनी शिपिंग कारपोरेशन आफ इंडिया है उस शिपिंग कारपोरेशन ने बड़े टैंकर्स खरीदे हैं, वे टैंकर्स भी जिनका नाम आपको ज्यादा पता होगा—एक का नाम विवेकानन्द है, एक नाम नेता जी सुभाष है—आज वैसे भी हमारे बम्बई जैसे बंदरगाह के भीतर नहीं आ सकते; क्योंकि जैसी चाहिए वैसी कैपेसिटी वहाँ नहीं है तो खास कर जो 40 करोड़ रु० की कटौती कर दी और हमारे शिपिंग कारपोरेशन ने जो बड़े-बड़े जहाज, कैरियर्स लिए और उनको भी अपने पोर्ट्स में रखे हैं इस नाते से आपके इन पोर्ट्स में सुधार की गुंजायश होगी। तो इस बात की व्यवस्था करनी चाहिए।

अभी त्रिवेदी जी कह रहे थे जो सामान वहाँ उतारा जाता है तो पोर्ट वालों को रसीद देते थे हमने इतना सामान उतार।

इस बात के ऊपर हमारे सदन के अंदर बहुत बारा चर्चा हुई कि रेलवे के मुगलसराय यार्ड में बहुत चोरी होती है लेकिन दुर्भाग्य से कहना चाहिए कि मंत्री महोदय के विभाग सदन में कम चर्चा के लिए आता है और मुझे इस बात की जानकारी मिली—श्री प्रगव मुखर्जी भी उधर से आते हैं—कि कलकत्ता के समुद्र के अंदर रात के समय फ्लड लाइट्स की भी चोरी हो जाती है, इस कारण रात को जहाज नहीं आ सकते और वे लाइट्स भी फारेन की इम्पोर्टेड हैं और कलकत्ता के अंदर बहुत बड़ी मात्रा में पिल्फरेज होती है, चोरियां होती हैं . . .

श्री सरदार अमजद अली (पश्चिमी बंगाल) :
कलकत्ता में तो नहीं होती है।

श्री जगदीश प्रसाद साधु : कलकत्ता में चोर नहीं हैं वह आप अच्छी तरह से जानते होंगे या वे कहीं बाहर से आए होंगे, कलकत्ता के चोर यहाँ आ गए होंगे। उपसभापति जी, अभी जो चोरी होती है उसके कारण मुझे लगता है कि 19वीं धारा जिसका त्रिवेदी जी ने विरोध किया, आपने शायद इसलिए इसको रखा है कि बहुत बड़ी मात्रा में आपके माल की चोरी होती है, उससे बचने की दृष्टि से इसको इन्ट्रोड्यूस किया है। अगर ऐसा नहीं है तो आप सदन को बताएं कि पिछले दो-तीन साल के अंदर कितनी चोरी आपके यहां हुई है और आपने उस चोरी के सबब कितने लोगों को कम्पेन्सेशन दिया है अपने डिपार्टमेंट की ओर से। यह बहुत बड़ा अहम सवाल है; क्योंकि रेलवे की इन्फार्मेशन तो हमें आ जाती है, लेकिन हमें यह पता नहीं आपके यहां किस प्रकार की चोरियां होती हैं।

इसके साथ ही, हम माल को उतारने का जो ठेका देते हैं उसका जो कास्ट है विभिन्न डाकन में वह 5 से 20 रु० तक है। तो समान रूप से यह कास्ट क्यों नहीं है? कहीं 5 रु०, कहीं 10 रु०, कहीं 30 रु० क्यों है? जब कभी किसी प्रकार की प्रगति माल उतारने के अन्दर नहीं हुई है तो मोटी तौर से देखा जाय तो इस विधेयक को लाकर आपने केवल सदन में चर्चा का एक मौका दिया है, लेकिन जिस प्रकार की—बुरी अवस्था आज हमारे पोर्ट्स की है, उसको सुधारने की दृष्टि से कौन से कदम आपने उठाए? जरूर फाइनेंस डिपार्टमेंट ने आपके यहां कटौती की है, लेकिन उसको करने के उपरांत भी विदेशी जहाज तो आ नहीं सकते, अपने देश के जहाज भी अपने बंदरगाह पर नहीं आ सकते तो इससे बड़ी लज्जा की बात अपने देश के लिए और कोई नहीं हो सकती। चाखिर, हमने बड़े-बड़े जहाजों को ले लिया, लेकिन जब हम अपने देश में उनके ठहरने की व्यवस्था नहीं कर सकेंगे और जिस प्रकार कलकत्ता के बंदरगाह के प्रति श्री मुखर्जी बहुत ज्यादा उत्सुक रहेंगे उसमें सुधार लाने के लिए लेकिन कलकत्ता के बंदरगाह में भी जब तक फर्रुखा का पानी पूरा नहीं छोड़ा जाएगा, जब कि आज कलकत्ता के बंदरगाह की कैपेसिटी घटती जा रही है, तो उसका सुधार करने के लिए और कौन से कदम आपने उठाए और यदि कलकत्ता के बंदरगाह का इस्तेमाल पूरा नहीं हो सकता—मैं समझता हूँ यह विषय के अंतर्गत नहीं होगा—लेकिन गंगा नदी में जिस प्रकार से आप यातायात की व्यवस्था कर सकते हैं तो वास्तव में जो कलकत्ता और

[श्री जगदीश प्रसाद माथुर]

पटना की जितनी आवश्यकता है, जहां माल के लाने ले जाने की व्यवस्था नहीं है, अगर उसमें भी कोई सुधार लाने की गुंजाइश है तो आप ध्यान दे सकें तो मैं समझता हूँ इस बिल के द्वारा देश के लिए काफी धन भी कमाया जा सकता है और आपके पास शिपिंग का भी विभाग है, लेकिन दुर्भाग्य की बात है कि आज अपने देश में बहुत कुछ माल विदेशी जहाजों से लाया जाता है। एक तो विदेशियों के कंटेनर हैं दूसरे आपकी क्षमता नहीं है तो आप शिपिंग कारपोरेशन के माध्यम से उसका भी इस प्रकार से विकास करें कि जितना भी एक्सपोर्ट इम्पोर्ट का काम हम अपने जहाजों से कर सकें, अपने बंदरगाहों का विकास कर के कर सकें, इस तरह की व्यवस्था आप करें।

श्री हर्षदेव मालवीय : उपसभापति जी, हमारे देश को जो कोस्टल लाइन है वह कलकत्ता से कान्डला तक करीब 3,500 मील लम्बी है जो दुनिया में एक बहुत बड़ी कोस्टल लाइन मानी जाती है। हमारे देश में प्राचीन काल में जहाजरानी का काफी विकास था। डा० राधा कुमुद मुकुर्जी ने जो किताब 'शिपिंग इन एनसेन्ट इंडिया' लिखी है उससे पता लगता है कि पहिले हमारे यहां पर किस्म-किस्म के छोटे बड़े जहाज बनते थे, हमारे यहां बड़े अच्छे नाविक थे और हमारे यहां के बन्दरगाह भी बहुत अच्छे थे तथा हमारे जहाज संसार में जाते रहते थे। यह चीज खत्म हुए वर्ष हो गये हैं।

एक माननीय सदस्य : क्यों हुआ ?

श्री हर्षदेव मालवीय : यह तो एक पुराना इतिहास है और मैं उसमें जाना नहीं चाहता हूँ।

AN HON. MEMBER : At present you cannot expect that standard from the seamen because there is partiality in the recruitment of seamen.

श्री हर्षदेव मालवीय : श्रीमान, हमारे सामने मेजर पोर्ट ट्रस्ट बिल आया है। लोग कहते हैं कुछ भाइयों ने कहा है कि इस बिल को सिलेक्ट कमेटी में भेज दिया जाय, लेकिन मैं इस प्रस्ताव का समर्थन नहीं करता हूँ। देर आयद दुस्त आयद। हालांकि यह बिल देर में आया, लेकिन जो कुछ भी धया है उसको पहिले पास करें और फिर बात में सोचें। मैं सिलेक्ट कमेटी में भेजने के खिलाफ हूँ। मैं आदरणीय माननीय श्री कमलापति त्रिपाठी जी को धन्यवाद देता हूँ कि वे इस बिल को लाये हैं।

मामला यह है कि हमारे यहां मेजर पोर्ट कानून कब बना था। बम्बई पोर्ट के लिए 1889 में, कलकत्ते के लिए 1890 में और मद्रास के लिए 1905 में कानून बना था। ये पुराने और दकियानूसी बिल हो गये थे और बहुत पुराने समय से चले आ रहे थे। भारत सरकार ने 1963 में एक मेजर पोर्ट ट्रस्ट कमिशन बनाया था, जिसने अपनी रिपोर्ट 1968 में दी थी। 1963 में जो कानून बना था, उसमें विशाखापटनम्, मारमगोवा और कोचीन, ये सब ले लिये गये थे और अब जो यह बिल लाया गया है, उसमें सब बन्दरगाहों को सरकार के शासन में लाया गया है और मैं समझता हूँ कि यह एक अच्छी बात है।

[The Vice-Chairman (Shri Jagdish Prasad Mathur in the Chair)]

आजकल जिस प्रकार से हमारे बन्दरगाहों का प्रबन्ध है, उसके बारे में बहुत शिकायत है। शिकायतें कई किस्म की हैं। एक तो वहाँ के प्रबन्ध के बारे में शिकायत है। वहाँ के प्रबन्ध-कुप्रबन्ध के बारे में शिकायतें हैं, इन चीजों पर तो मैं जाना नहीं चाहता हूँ। दूसरी बात यह है कि जो आजकल वहाँ पर ट्रस्ट हैं, बोर्ड हैं, वे बड़े अनवैलेन्ड किस्म के हैं। स्टडी ग्रुप जो बनाया गया था और उसने जो रिपोर्ट दी, उसमें उसने कहा है कि बम्बई कलकत्ता जैसे मेजर पोर्टों में 19 आदमी प्रतिनिधि के रूप में होने चाहियें और उनका एक चेयरमैन होना चाहिये और विशाखापट्टनम पोर्ट के लिए 13 प्रतिनिधि होने चाहियें। मगर हमारे सामने जो बिल आया है उसमें मेजर पोर्टों के लिए मेम्बरों की संख्या 21 कर दी है और छोटे पोर्टों में 19 कर दी है। तो यह चीज ठीक है और हम इसको समझते हैं। अब इन बोर्डों में किन-किन के प्रतिनिधि होने चाहियें, इसके सम्बन्ध में हमारे माननीय मित्र श्री त्रिवेदी जी ने कुछ सुभाव दिये हैं। मैं समझता हूँ कि इन सुझावों पर माननीय मंत्री जी अवश्य ध्यान देंगे। ठीक है, जो गिप ओनर्स हैं, जहाज के मालिक हैं, उनके प्रतिनिधि हों और जो गिपर्स हैं उनके प्रतिनिधि हों। लेकिन इसके अलावा मैं यह बात बहुत जरूरी मानता हूँ कि जो लोकल जनता हैं, पब्लिक बोडीज हैं, म्युनिसिपल कारपोरेशन्स हैं, नगरपालिकाएं हैं, उनके भी प्रतिनिधि होने चाहियें। मैं इस बात पर भी ख़ास तौर पर जोर दूंगा कि इन पोर्ट ट्रस्टों में जो मजदूर काम

करते हैं, वहाँ पर किसी ज़माने से जो एम्पलाई तनख्वाह पाते हैं, उनको प्रतिनिधित्व नहीं देना चाहिये, यह धारणा गलत है।

यह कन्सेप्ट, यह धारणा मस्तिष्क से निकाल देनी चाहिए। जो पोर्ट में काम करते हैं, जो वेतन पाते हैं या और कुछ, उनका वहाँ रहना बहुत जरूरी है। जब तक उनको आप ममुचित रूप से ट्रस्ट में प्रतिनिधित्व नहीं देंगे तब तक वहाँ स्थिति अच्छी नहीं होने वाली है, प्रतिदिन समस्याएं खड़ी रहेंगी और हड़ताल का झगडा बना रहेगा। हमारे मित्रों ने सही कहा है कि जहाज आते हैं और 12, 20 दिन, महीने भर से भी ज्यादा पड़े रहते हैं, डेमेरेज लगता रहता है; क्योंकि हमारे पास डाकिंग फेसिलिटी नहीं है, बर्थस की कमी है, गहराई नहीं है, बालू आ जाती है, ड्रेजिंग होनी चाहिए। ये बड़ी कमियाँ हैं जिनके कारण हमारे देश का बड़ा नुकसान हो रहा है।

दूसरी बात मैं चेयरमैन के बारे में कहना चाहता हूँ। केन्द्र ने अपने हाथ में अधिकार लिया है और मैं उसको स्वीकार करता हूँ। मैं समझता हूँ कि इन पोर्ट ट्रस्ट्स पर केन्द्र का अधिकार होना जरूरी है, इनको प्राटो-नोमस नहीं छोड़ देना चाहिए। चेयरमैन के बारे में जो स्टडी टीम बनाई गई थी उसने जो कहा है उसको मैं कोट करता हूँ —

"We have previously presented our general impressions of the relationships which exist between first, second and third level officials at major ports. We add here that while there are many obvious weaknesses in the relationships between

[श्री हर्षदेव मालवीय]

majority of Chairmen at the individual ports who are members of the Indian Administrative Service (IAS) or, in a few cases, the Indian Civil Service (ICS), had had extensive administrative experience. As we have said, the basic fault we find is the very fact that these individuals are administrators rather than managers. This appears to be more a fault of the 'system' than of the individuals".

इसके बाद स्टडी टीम ने 147 पेज पर कहा है-

"The current Chairman of the Port Trust has served since May, 1967. He had no experience in port operation or management prior to becoming Chairman".

यहां जो आई० सी० एम० वालों का बहुत बड़ा गुट बैठा हुआ है केंद्र में जो हम सबों को चलाता है, हमारे नेताओं को चलाता है, ऐसा न हो कि वह अपनी बिगदरी वहां भर दे। मैं निवेदन करूंगा पंडित जी से कि किसी आई० ए० एम०, आई० सी० एम० को एपोइन्ट करने की आवश्यकता नहीं है। आप जिसको उचित समझें, जिसको कुछ जान हो और जो इन बातों की जानकारी रखता हो उसको वहां लगाए। वरना, आई० सी० एम० चेयरमैन के चक्कर में पड़ेंगे तो ज्यादा सुधार होने वाला नहीं है।

दूसरे बंदरगाहों के बारे में शिकायत मिलती है कि वहां पोर्ट ट्रस्ट वाले म्युनिसिपलिटोज को चुगी नहीं देते, लाखों का मामला पड़ा हुआ है। आप निर्देश दीजिए कि पोर्ट ट्रस्ट वाले स्थानीय नगरपालिकाओं और स्थानीय निकायों के साथ ज्यादाती न करें।

तीसरी बात जो मैं कहना चाहता हूं वह यह है कि हमारा पोर्ट ट्रैफिक घटता जा रहा है। हमारा एक्सपोर्ट बड़ा है, हमारा इम्पोर्ट बड़ा है, हम

बाहर से चीज ज्यादा मंगाते हैं, मगर हमारी हैडलिंग कैपेसिटी कलकत्ते पोर्ट की जो '72-73 में 66 लाख टन थी वह '73-74 में 62 लाख रह टन गई। तो चार लाख टन का घटना बहुत बड़ी बात है। इसके बारे में मैं चाहूंगा कि मंत्री जी इस तरफ ध्यान दें। हमारे मित्र सरदार अमजद अली साहब अभी बोलेंगे। उनके यहां हुगली नदी की बड़ी समस्या है। कलकत्ता बंदरगाह आज जिस तरह से चल रहा है वह बहुत बड़ी परेशानी की बात है। वह एक गहरी समस्या है। अगर हुगली नदी को आप गहरा नहीं करते, अगर वहां आप ड्रेजिंग नहीं करते तो बहुत ही नुकसान होने वाला है। हमारे देश का सब से महत्वपूर्ण बंदरगाह आज भी कलकत्ता बना हुआ है और इसकी तरफ मैं चाहूंगा कि हमारे माननीय त्रिपाठी जी प्रायरिटी से ध्यान दें। उसके बाद यह भी आवश्यक है—मैं कोई बात यहां सबूत के साथ नहीं कहना चाहता हूं, क्योंकि मेरे पास सबूत नहीं हैं—मुनी हुई बहुत सी बातें होती हैं और वह साबित नहीं की जा सकतीं, लेकिन मैं कहना चाहता हूं कि पोर्ट के आफिशियल्स का व्यवहार आज शूद्ध नहीं कहा जा सकता। बहुत काफी गंदगी आज वहां है। तरह-तरह का करप्शन जिसको आप कहते हैं वहां है। मैं उस की तफसील में नहीं जाता, लेकिन उस तरफ आप को ध्यान देना चाहिए।

दूसरी बात यह है कि हमारे बंदरगाह जो हैं, हमारे देश की व्यावसायिक उन्नति के लिए ही नहीं, बल्कि सुरक्षा के लिए बहुत जरूरी हैं। आपने अखबारों में पढ़ा होगा कि दो अमेरिकन फायरमैन वहां पकड़े गए थे। उन का नाम भी अखबारों

में आया था। अब आप जानते हैं कि फ्रागमैन समुद्र में घुस कर अपना काम करते हैं। तो जहां हालत इस हद तक पहुंच गयी हो कि वे फ्रागमैन यहां आर्यें और समुद्र के अंदर डूबे और उसके बाद जाने क्या-क्या उन्होंने किया होगा, उसके बाद हम उन को गिरफ्तार कर पाये, तो मैं समझता हूं कि हमारे उस एरिया में विजिलेन्स कुछ अधिक होना चाहिए। उसके लिए क्या कार्यक्रम होगा वह तो आप जानें, उसे आप गृह मंत्रालय द्वारा करायेंगे या स्वयं करेंगे यह आपके तय करने की बात है कि शासनिक व्यवस्था में क्या उचित होगा, परन्तु मैं अपने माननीय मंत्री जी का ध्यान विशेष तौर पर इस तरफ दिलाना चाहता हूं कि वहां घपले होते हैं, स्मग्लिंग भी वहां होती है। चीजों को वहां दबाया जाता है, चीजों को गायब किया जाता है, उन पर टैक्स नहीं मिलता। तो वहां घपला खूब होता है। मैं तो चाहूंगा कि आप इसके बारे में दो तीन आदमियों की एक कमेटी बनाइए कि आज क्या-क्या इविल प्रेक्टिसेज बंदरगाहों में हैं। उन इविल प्रेक्टिसेज के बारे में आप तफसील से जांच करावें और उन को रोकना बहुत ही आवश्यक है।

एक बात मैं और कहना चाहूंगा।

रो कुछ दक्षिण के मित्रों से बात हुई। हमारी बहुत बड़ी कोस्टल लाइन है और हमारे उड़ीसा के मित्र ने कहा भी, लेकिन उसमें एक बात बड़े महत्व की कही कि हमारे बंदरगाहों के पीछे बड़ा वास्ट हिटरलैंड है, हमारे बंदरगाहों के पीछे बड़ी भूमि है। अगर हमारा व्यापार ढेगा तो हमारे बंदरगाह भी बढ़ेंगे और उनको बढ़ाना चाहिए। मगर आज हमारे

बहुत से ऐसे बंदरगाह हैं कि जिन की तरफ हमारा ध्यान नहीं जा रहा है। हमारे मित्र कर्नाटक की बात कर रहे थे। वहां मंगलौर है, कारवार है। किसी समय भारत का बहुत बड़ा बंदरगाह हमारा मंगलौर था। उसके अलावा भटकल है, मालपे है, कई बंदरगाह उड़ीसा में भी हैं, आंध्र के कोस्ट पर भी हैं, तमिल नाडु के कोस्ट पर भी हैं। आप इन तमाम बंदरगाहों पर अभी ज्यादा व्यय नहीं कर सकते, परन्तु प्रारम्भिक ध्यान उन की तरफ आप को देना चाहिए। इस से प्रदेश को लाभ होगा, उसका विकास होगा और प्रदेश की जनता को भी संतोष होगा और अगर आप अभी से तैयारी करें तो दस साल के बाद जब हमारा व्यापार बहुत बढ़ेगा तो यह पोर्ट्स आप को वहां तैयार मिलेंगे।

एक आखिरी बात मैं और कहना चाहता हूं कि पोर्ट ट्रस्ट के चेयरमैन के हाथ में बड़ी ताकत है। 25 हजार रुपए तक की खरीद का तो वह आर्डर कर सकते हैं बिना किसी सेंक्शन के। ट्रस्ट की मीटिंग हो तो उसमें कह सकता है कि 25 हजार रुपए की खरीद की, आप इसको मंजूर करिए। तो श्रीमन्, जो फाइनेंशियल पावर्स हैं, विशेष रूप से जो लाखों करोड़ों रुपए की खरीद होती है, लाखों करोड़ों का माल खरीदा जाता है घपले यहीं होते हैं, बदनामी यहीं से होती है, तो मैं यह चाहूंगा कि इसकी तरफ ध्यान दिया जाय। क्या तरीका हो, मैं नहीं कह सकता। मगर मैं समझता हूं कि चेयरमैन की फाइनेंशियल पावर को कंट्रोल करना जरूरी है उसके लिए क्या कार्यक्रम निकालें, वाच-डाय कमेटी रखें, आप देखें क्या करें,

[श्री हर्ष देव मालवीय]

परन्तु पंडित जी इसको मैं बहुत आवश्यक समझता हूँ।

आखिरी बाल बंबई की बैंक वे रिक्लेमेशन की है। मैं कहना चाहूंगा कि यह एक बहुत ही चिन्ता की बात है। मैं कोई आक्षेप किसी पर नहीं लगाना चाहता, कोई सक्त नहीं है, मगर बंबई की सड़कों-सड़कों पर, गलियों-गलियों पर इस गंदगी की चर्चा फैली हुई है। जहाँ पर भूमि की सीमा समाप्त होती है और जल शुरू होता है वहाँ पर महाराष्ट्र राज्य की हद खत्म होती है और केन्द्र आ जाता है, पोर्ट ट्रस्ट का अधिकार आ जाता है। अभी दुनिया यह समझती है कि जितनी रिक्लेमंड लैंड्स हैं वह उन्हीं की होंगी, मगर वहाँ पर एक नया साबल खड़ा हो गया है कि जो भी भूमी पानी के नीचे है जो कभी 5 हजार रुपए में बिकती थी वह अब 15—20 हजार रुपए गज पर बेची जा रही है। वह जमीन पानी के नीचे है, अभी ऊपर निकली नहीं है।

श्री कमलापति त्रिपाठी : मैं आपको सूचना दे दूँ कि लो वाटर मार्क के नीचे की जो धरती होनी है वह सेंट्रल गवर्नमेंट की है। उसे रिक्लेम करने का अधिकार स्टेट को नहीं है, जब तक सेंट्रल गवर्नमेंट का एप्रूवल न हो जाए। बहुत लैंड रिक्लेम हुई है, लेकिन पोर्ट के एरिया में, पोर्ट एरिआ में जो लैंड आ रही है लो वाटर मार्क के अन्दर है उसको रिक्लेम नहीं किया है। बिल में उसका इंतजाम किया गया है कि भविष्य में भी ऐसा नहीं हो सकता।

श्री हर्ष देव मालवीय : आप बिलकुल सही कहते हैं। तमाम जमीन लिए हैं, कौन लिया मैं नहीं कह सकता। लेकिन

मैं यह बात जानता हूँ कि वह जमीन बिकी। उसके ऊपर मकान बनेगा। जो साहब पांचवी मंजिल पर रहना चाहते हैं वह कहते हैं कि मेरे डिजाइन का बनाना। उसका एडवांस पैसा भी दिया है। यह तो बड़ी अंधेरगर्दी है। चाहे आपके अधिकार में है, चाहे किसी के अधिकार में है . . .

श्री कमलापति त्रिपाठी : लोक सभा में यह सवाल उठा। इसका संबंध दूसरी मिनिस्ट्री से है, इस बिल से इसका ताल्लुक नहीं है।

श्री हर्ष देव मालवीय : बहुत सुन्दर काम किया आपने। कम से कम पोर्ट ट्रस्ट के दायरे की जमीन तो आपने बचा ही ली।

श्री काली मुखर्जी : कोई भी समुद्र के नीचे जगह हो आप ले लीजिए।

श्री हर्ष देव मालवीय : यही मेरा संशोधन है कि जमीन जो समुद्र के नीचे हो उस पर आपका अधिकार रहना चाहिए। इसमें काट पीट करना कि पोर्ट ट्रस्ट की है या बाहर की है ठीक नहीं। उसको आप अपने कब्जे में ले लीजिए वरना बड़ा अन्धेरखाता मचा हुआ है। बड़ी बदनामी हो रही है।

(Time bell rings.)

अन्त में मैं आपको धन्यवाद देता हूँ कि इस सुन्दर बिल को मंत्री जी लाए। इस में तरक्की की गुंजायश है। लेकिन बहरहाल देर आयद दुहरत आयद इसको पास करिए। इतना ही मुझे निवेदन करना है।

श्री रबी राय (उड़ीसा) : सभापति जी, मालवीय जी को इस मंत्रालय के बारे में स्तुति सुनने के बाद इस बिल के बारे में अपनी टिप्पणी देना चाहता हूँ। यह

जो बिल लाया गया इस बिल को पेश करने के समय मंत्री महोदय ने यह फर्माया था कि एक सीमित उद्देश्य से यह बिल लाया गया। 1970 में जो रिपोर्ट मेजर पोर्ट्स के कमीशन, जिसके चेयरमैन श्री बैकटारमन थे, ने की, उसकी कुछ सिफारिशों को लेकर यह बिल बनाया गया। सदर साहब आप जानते हैं जितने भी सवाल इस सत्र में पोर्ट के बारे में पूछे गए उनसे मालूम होता है कि हिन्दुस्तान में जितने मेजर पोर्ट्स हैं उन सब की आर्थिक स्थिति बहुत गम्भीर है, बहुत खराब है। उनके लिए मंत्री महोदय एक बहाना यह लगा सकते हैं; क्योंकि दुनिया में मुद्रास्फीति, आयल क्राइसिस और दुसरे क्राइसिस हैं और हमारे मंत्रालय के मातहत जो पोर्ट आते हैं, वे भी इस तरह की स्थिति में हैं।

बोर्ड आफ ट्रस्टीज जो होता है उस सिलसिले में मैं कहना चाहता हूँ कि उसमें मजदूरों का, राज्य सरकारों का, रेलवेज का, डिफेंस सर्विसेज का नुमाइन्दा होता है तो मेरा निवेदन है कि इस बोर्ड आफ ट्रस्टीज में महानगर पालिका का भी नुमाइन्दा होना चाहिए। मैं कमलापति जी से अनुरोध करूंगा कि इसको और ज्यादा लोकतंत्र की तरफ ले जाने के लिए इसमें महानगरपालिका का भी नुमाइन्दा रख लें।

दूसरे मैं यह कहना चाहता हूँ कि बोर्ड आफ ट्रस्टीज जो होता है वह बहुत हद तक आर्थिक सवालों के साथ संबंध रखता है। मैं इस सिलसिले में मंत्री महोदय को माफ नहीं कर सकता और इसलिए नहीं माफ कर सकता, क्योंकि हम जानते हैं कि जो बोर्ड आफ ट्रस्टीज

का जो चेयरमैन होता है वह किंग पिन होता है। और इस बोर्ड आफ ट्रस्टीज का चेयरमैन किस तरह का बने इस सिलसिले में मैं कहना चाहता हूँ कि जो सिफारिश रिपोर्ट आफ दि कमिशनर मेजर पोर्ट्स में की गई है, उसको मंत्री महोदय ने पूर्ण रूप से नजर अंदाज किया है। सिफारिश में जो कहा गया है उसे मैं कोट करता हूँ :

"We have previously presented our general impression of the relationships which exist between first, second and third level officials at major ports. We add here that, while there are many obvious weaknesses in the relationships between these officials, the majority of Chairmen at the individual ports, who are members of the Indian Administrative Service (IAS) or in a few cases the I.C.S. had had extensive administrative experience. As we have said, the basic fault we find is the very fact that the individuals are administrators rather than managers. This appears to be more a fault of the system than of the individuals."

सवाल यह है कि जो चेयरमैन होते हैं वे ज्यादातर इंडियन एडमिनिस्ट्रेटिव सर्विस से आते हैं और इसका नतीजा यह होता है जिस तरीके से सारी चीजों को लेना चाहिए वे नहीं ले पाती। मंत्री महोदय से अर्ज करूंगा कि वे इसके साथ यह रखें कि जो चेयरमैन बनेगा वह वही बनेगा जिसको पहले से मैनेजेरियल एक्स्पीरियन्स होगा। इस सिलसिले में बार-बार आर्थिक मसलों पर बनाई गई विशेषज्ञों की कमेटी की भी यह जानकारी है और पहले से इस तरह के अनुभव रहे हैं कि राज्य सरकारें जिन अफसरों को केन्द्र के पास भेजती हैं उन्हें केन्द्रीय सरकार अपने यहाँ रख लेती है। और उसका नतीजा यह होता है जिस तरीके से कोई काम होना चाहिए वह नहीं हो पाता है। उसमें

[श्री रबी राय]

पूरी तरह से इनएफीशिएंसी और इधर-उधर का भाई-भतीजावाद चलता है। दूसरा सवाल यह है कि आप जरा क्लाज 22 और 23 को देखिये। जो सामान छूट जाता है, जिसका कोई मालिक नहीं होता है उसके बारे में कहा गया है कि ओकशन, टेन्डर और प्राइवेट एग्जीमेन्ट करके उसके बचने और उसके डिसपोज आफ करने के लिए इंजताम किया जाय। इसके बारे में मेरा कहना यह है कि मंत्री महोदय इस पर विचार करें कि इसमें ओकशन और टेन्डर की प्रणाली तो ठीक है, लेकिन प्राइवेट एग्जीमेन्ट का मतलब क्या है? क्या प्राइवेट एग्जीमेन्ट का मतलब यह नहीं है कि वहां के जो चेयरमैन होंगे, सेक्रेटरी होंगे उनका प्राइवेट पार्टियों के साथ गठबन्धन होगा और इस प्रकार से वे धांधलियां करेंगे। इसलिए मैं चाहता हूं कि यह जो प्राइवेट एग्जीमेन्ट की बात रखी गई है इसको खत्म किया जाय। उसकी जगह पर टेन्डर को रखा जाय। प्राइवेट एग्जीमेन्ट को रखना उचित नहीं है; क्योंकि इससे फेवरिटीज्म को बढ़ावा मिलता है।

इसके साथ-साथ मेरा एक प्रमुख सवाल यह है कि जो पिछड़े राज्य हैं और जैसा अभी कुछ देर पहले श्री मालवीय जी ने हिन्दुस्तान के पुराने इतिहास के बारे में कहा और श्री कमलापति त्रिपाठी जी तो पंडित आदमी हैं, उन्हें तो हिन्दुस्तान के पुराने इतिहास के बारे में ज़रूर मालूम होगा और ज्ञान भी होगा, मैं उनसे केवल इतना ही कहना चाहता हूं कि पारादीप हमारे देश का गहनतम बन्दरगाह है। सब लोग इस बात को जानते हैं कि एक जमाना था जब मेरीटाइम जाति के

नाम पर उड़ीसा के लोग प्रसिद्ध थे और उड़ीसा के नाविक सुदूरपूर्व देशों जैसे जावा, सुमात्रा और बाली द्विपों में व्यापार के लिए जाया करते थे। आपको याद होगा, प्रणाल इसी उद्देश्य से वहां गया था। श्री मिहिर सैन जो उड़ीसा के रहने वाले हैं और जिन्होंने इंगलिश चैनल पार किया है, वे पारादीप से इंडोनेशिया जा रहे हैं। इन बातों से पुराने जमाने की याद आती है। अब सवाल यह उठता है कि पारादीप को भारत सरकार ने नहीं बनाया है। छः सात साल तक पारादीप बन्दरगाह को उड़ीसा की सरकार ने बनाया। उसके बाद अभी भी भारत सरकार के ऊपर उड़ीसा सरकार के 16 करोड़ रुपये हैं। भारत सरकार ने यह राशि उड़ीसा सरकार को देनी है, लेकिन अभी तक यह राशि नहीं दी गई है। राज्य सरकार ने दान-स्वरूप यह बन्दरगाह भारत सरकार को दे दिया और मेरा यह भारत सरकार पर इल्जाम है कि जिस तरीके से यह बन्दरगाह बनना चाहिए था उस तरीके से यह बनाया नहीं गया है। पारादीप भारत का गहनतम बन्दरगाह है। आज आप जानते हैं कि मध्य प्रदेश और उड़ीसा में जितना भी क्षेत्र है वहां से नौ मिलियन टन सामान का निर्यात इस बन्दरगाह के जरिए ही सकता है और इसमें एम० एम० टी० सी०, पोर्ट ट्रस्ट और रेलवे, इन तीनों के माध्यम से होता है। लेकिन इन तीनों में कोई कोऑर्डिनेशन नहीं है। मैं यह भी कहना चाहता हूं कि जब श्री पुनाचा रेलवे मंत्री थीं तो उन्होंने अन्दाजा लगाया था कि दो मिलियन टन से चार मिलियन टन तक आई० एन० ओ०

द्वारा जो माल जापान को भेजा जाता है वह पारादीप के जरिए होना चाहिए। लेकिन वहां पर रेलवे लाइन नहीं थी। अभी वह कुछ कम्प्लीट हो चुकी है। लेकिन अभी सिर्फ 60 हजार टन ही माल भेजा जा रहा है।

दूसरी स्थिति यह है कि वहां पर सालाना तीन करोड़ का घाटा होता है। ऐसी स्थिति में श्री कमलापति त्रिपाठी जी अन्दाजा लगा सकते हैं कि वहां पर किस प्रकार की स्थिति चल रही होगी? मैं पूछना चाहता हूं कि पारादीप बन्दरागाह को बढ़ाने के लिए क्या भारत सरकार ने कोई कार्यक्रम अपनाया है? और मैं यह कहना चाहता हूं, जनरल कार्गो बर्थ के बारे में अब से चार-पांच साल पहले रधुर्मैया साहब वहां जाकर उद्घाटन कार्य भी कर आए थे, लेकिन अभी तक वह जनरल कार्गो बर्थ कब बनेगा इसका कुछ पता नहीं। जनरल कार्गो बर्थ जब तक बनता नहीं है तब तक दिक्कत रहेगी जहाजों को आने में। उसी तरह से शिप ट्रिपलर की बात है जिसके बारे में अभी कहा जाता है कि विशाखापटनम में बन रहा है। शिप ट्रिपलर का मतलब है कि जब यह लाया जाएगा तो एक घंटे में 25-30 वैगन्स का आइरन और भेजा जा सकता है। अभी तक वह शिप ट्रिपलर पारादीप में नहीं है। सवाल यह है कि किस तरीके से इस पोर्ट को आगे ले जाना है, इसकी उन्नति होनी है।

अब मैं दो-तीन मिनट में भाषण समाप्त कर दूंगा। सवाल यह है क्यों

काम नहीं हो पाता है? क्या यह कारण नहीं है कि चारों तरफ आर्थिक दिक्कतें हैं इसलिए पारादीप की प्रगति नहीं हो पा रही है। मेरा कहना है कि सरकार का शिपिंग विभाग को इस बारे में सोच विचार करके इसकी प्रगति करनी चाहिए थी, इसका डेवलपमेंट करना चाहिए था। लेकिन वह अभी तक नहीं हो पाया है। मैं फिर मंत्री महोदय से कहूंगा कि एक जमाना था जबकि यह सारे हिन्दुस्तान में सबसे श्रेष्ठ नौबहन का क्षेत्र था। आज जब कि यह प्रदेश पिछड़ा है और इसको हमें आगे बढ़ाना है आधुनिक युग में पोर्ट का बहुत प्रभाव रहता है और फिर उड़ीसा सरकार का और वहां के लोगों का कहना है कि इसको विकसित करना है। एक गोपालपुर पोर्ट है जिसको माइनर पोर्ट भारत सरकार मानती है, लेकिन कहा जाता है राज्य सरकार को उसके वास्ते पैसा खर्च करना चाहिए और राज्य सरकार के पास पैसा नहीं है। यह भी कहा जाता है कि जो नेशनल हावंबर बोर्ड है उसका फैसला है कि इसके बारे में भी केन्द्रीय सरकार को पैसे का इंतजाम करना चाहिए। इसमें करीब पांच-छः करोड़ ६० खर्चा होगा और नेशनल डेवलपमेंट काँसिल ने भी इसको मान लिया है कि नेशनल हावंबर बोर्ड की जो सिफारिश है कि माइनर पोर्ट को भी केन्द्रीय सरकार आर्थिक सहायना दे इसके बारे में मैं चाहूंगा कि श्री कमलापति त्रिपाठी जी इस बारे में सदन को बताएं कि इस मामले में सरकार ने अभी तक क्या किया है। गोपालपुर पोर्ट को आगे बढ़ाने के लिए, उसकी उन्नति के लिए, पंचवर्षीय योजना में भी व्यवस्था करनी चाहिए।

[श्री रबी राय]

अंत में मैं यह भी कहना चाहूंगा, जिस तरीके से यह पारादीप पोर्ट अभी है, पारादीप पोर्ट को भूखा रखा गया है, मैं मंत्री महोदय से अनुरोध करना चाहूंगा कि वे व्यक्तिगत तौर पर अपना खास ध्यान पारादीप पोर्ट की उन्नति के लिए देंगे।

यह भी मांग है उड़ीसा के लोगों कि पारादीप में एक शिप-बिल्डिंग यार्ड की स्थापना की जाए। कमलापति जी का कहना है कि एक कमेटी इसकी देखभाल कर रही है। मैं चाहूंगा कि पारादीप पोर्ट में शिप-बिल्डिंग पोर्ट की स्थापना करने के लिए (Interruption) महापात्र जी कह रहे हैं कि कमलापति त्रिपाठी जी के हाथ में रपट आ चुकी है। इस बिल के अंदर यह नहीं आता है, इसलिए मौका नहीं मिला कहने के लिए, लेकिन आखिर में मैं यह कहना चाहता हूँ कि शिप-बिल्डिंग के लिए जो वहां के लोगों की और राज्य सरकार की मांग है, वहां की आर्थिक स्थिति की जो रपट है, मैं चाहूंगा विशेषज्ञों की समिति की जो सिफारिश है वह सदन के सभा पटल पर इस महीने की अंतिम तिथि के अंदर कमलापति जी रख कर इस सदन को अवगत करें कि जो तीन-चार-पांच जगहों के बारे में वे फैसला करने वाले थे वह रपट क्या है, उनकी सिफारिश क्या है—यह सब सदन के सामने हो।

आखिर में एक बार मैं यह कहूंगा इस बिल पर जो मैंने सुझाव दिए, उनको सरकार मान ले।

SHRI SARDAR AMJAD ALI : Mr. Vice-Chairman, Sir, I take this opportunity to express my views with regard to this Bill. At the very outset, I must say that though

ate, it is a nice realisation on the part of the Government that all the major ports of the country should be brought under one centralised administration, under one uniform Act. Although the report was submitted in 1970, I do not think this realisation of the Government has come too late; more particularly in the Department of Shipping and Transport it is not too late because we find in certain other Departments (that reports had been received some eight, ten or twelve years back and still no action is taken. Though old in age, if I may say so, but very much young in mind and in spirit. Pandit Kamlatiji has very rightly realised the necessity of bringing forward this particular piece of legislation before this House. Sir, I was trying to understand the views which my colleague Mr. Trivedi wanted to project before this House, and I must say that I cannot be one with him; neither can I extend my support to him in referring this Bill to a Select Committee.

SHRI H. M. TRIVEDI : I did not suggest that.

SHRI SARDAR AMJAD ALI : All right, I ; 1111 sorry. Sir, my view about this Bill is that the Government wants that all the major ports of the country should be administered by a single piece of legislation and not by different sets of law. That is a welcome desire on the part of the Government. That is why I extend my support to this particular piece of legislation.

Sir, ports happen to be the most important key centres in the country as far as trade and commerce is concerned. Therefore, it will be very much appreciated if all the major ports, through which the trade and commerce of this country is channelised, are brought within a uniform administration. By this my realisation is that the Government very much wants that certain interests which have grown up in these three major ports of Calcutta, Bombay and Madras, should not be allowed to continue any further. So, if the interests that have grown up in these three ports are taken away by this piece of legislation, it is a welcome feature. But at the same time, I must say that after you adopt this piece of legislation and extend it to all the ports of the country,

you should kindly see that the interests which have grown up in these three major ports do not, side by side, continue and the maladies that have been created so far are not allowed to be continued. When the hon. Minister will kindly reply to this debate, I wish him to kindly give some assurance that these interests, if I do not call them vested interests, which are playing havoc in these three ports will not be allowed to continue. Some such assurance he should give when he replies.

Without making a lengthy speech, I would like to submit a few points about the modernisation of these ports and the need for a certain new approach to the development of the hinterlands of these ports. A port cannot function well, a port cannot cater to the needs of the trade and commerce of the country unless and until an integrated plan for the development of the hinterlands is evolved. Therefore, I would submit to the hon. Minister that apart from making an Act to govern all the ports of the country uniformly, in the Ministry itself you should formulate an integrated plan for the development of the hinterlands. Only by developing the hinterland can you develop the port itself which will cater to the needs of the country's trade and commerce.

Secondly, it is a well-known fact that administration in the port itself has many times played an important role in the matter of underinvoicing and overinvoicing. And many a time this has been brought to the notice of this House and the other House that administration in Calcutta, Bombay and Madras Ports should be brought under a comprehensive system in order to check underinvoicing and overinvoicing of the commodities that are imported. I would request the Minister to tell us what steps they have taken with regard to the comprehensive measure that can be adopted in the ports of the country through which import-export trade is channelled.

Thirdly, I would like to say a few words about trade and commerce catered through the Calcutta port. The problem of Calcutta port has many times been reflected in this House as well as the other House. I do not know whether after we have achieved independ

ence, Calcutta port has made any improvement with regard to trade and commerce; but if we go through the statistics of the import-export trade in comparison with other ports, in 1960-61 I find Calcutta was the first port in channelling trade and commerce. But now it has gone to the fourth position. Mor-mugoa is handling the highest quantity of cargo whereas Bombay the second and Calcutta the fourth. I do not blame the Ministry of Shipping and Transport alone for this. In planning handling of cargo there is no integrated approach in the various departments of the Government of India and things are not considered in such a fashion that bulk cargo can be distributed to all the major ports of the country. It is very surprising and shocking, that foodgrains are being handled in bulk by Bombay, Madras and Visakhapatnam Ports which can as well equitably be diverted to other parts also. But it is not done. The same is the case with oil. Nowadays there is a lobby in some of the Ministries. With a view to giving the supply of salt which is a bulk commodity to some of the eastern States there is a lobby working in different Ministries to see that it does not go by sea but is transmitted by rail. I believe if that particular move is accepted by the Shipping and Transport Ministry, it will be a great injustice done to the Calcutta port. So I request the Minister to see that this sort of a thing is not accepted by this Ministry. I express this apprehension because during the last few years Calcutta was the main port through which bulk commodities like tea were exported, but I do not know due to which lobbying here, tea in bulk were now being transported through Kandla Port up to Kandla Port by rail. The decision was taken here, in the Ministry of Shipping and Transport in consultation with the Ministries of Commerce and Finance. If things are diverted in this way, I do not think you can save Calcutta Port from extinction. That is about cargo handling.

Now there is another danger and that is about the draft of the Calcutta Port. Many a time it has been brought to the notice of the House that Calcutta Port is now going to be a dry port altogether. Heavy ships and bulk

[Shri Sardar Amjad AH] carriers are not in a position to enter there because of the low and inadequate draft.

The whole problem is with regard to the 40,000 cusecs of water to be despatched from Farraka Headworks. Although there was some decision taken and some announcement made during the time of Dr. K. L. Rao who was the then Power and Irrigation Minister, we do not know what is happening with regard to that. Nowadays it is said that the whole issue is entangled with international matters. But definitely the interest of our country should get the first priority and of course in order to maintain good relations with any friendly country we have to give certain concessions. But these will have to be done in such a way that the interests of both the countries are safeguarded and they are not prejudiced or jeopardised. We are very much apprehensive that the decision taken about flushing 40,000 cusecs of water from Farraka Headworks into Calcutta Port is shelved and kept in the cold room of the Irrigation and Power Ministry. We are thankful to the hon. Minister for calling a meeting of the M.Ps. from Calcutta to discuss the conditions of the Calcutta Port. It was probably in last June. There we have very reasonably projected this case and the Minister also realised the gravity of the problem, but a decision is yet to be announced. I will plead with the hon. Minister to give us some assurance that the interests of Calcutta port will be protected. I am not saying this with any parochial *notion*. I am saying this because of the importance this port has assumed for years together due to historical and geographical reasons. If anything has to be done to save this port, an announcement will have to be made to serve the trade interests of the people living in the eastern region because Calcutta is regarded as the headquarters of the Eastern States. If Calcutta port has to be saved from extinction, something will have to be done by the Shipping and Transport Ministry without delay.

I would like to make one small suggestion to the hon. Minister. Very often we clamour here on behalf of the working class working in the various sectors of the economy in this country. It is surprising that the hon. Ministers in charge of Shipping and

Transport inform the union leaders of various ports about their programme and these union leaders assemble at the airport and railway stations to receive them. This was at a time when salt in Calcutta market was being sold at Rs. 2.40 when two or three ships waiting in Calcutta port itself to be unloaded. But these labour leaders who go and receive Ministers did not allow their workers to unload these ships. I was very much shocked that these Ministers who get very much elated by the reception given to them by the labour leaders do not take it up with an iron hand and ask them why such labour agitation is resorted to. I am very much interested in the welfare of the working class and labourers, but if there is indiscipline among them and if they act against the interests of the community at large, then I would plead with the hon. Ministers that they should deal with these leaders much more sternly.

With these observations, I extend *my* support to this Bill looking forward with high expectation that the objective which this Bill wants to attain will be achieved.

SHRI VISWANATHA MENON (Kerala) : Sir, the Major Port Commission conducted an elaborate inquiry and made elaborate recommendation also. About 127 recommendations were made to the Government and we were expecting that a comprehensive Bill would be brought forward by the Minister. But the Minister has brought forward now a short Bill and this is what is known as piecemeal legislation. In the name of accepting those recommendations, he has brought forward this Bill. But, in actuality, the idea behind the Bill is to strengthen the hands of the bureaucracy. Actually, if you go through the Bill you will find that, in the first instance, all the major Ports are brought under one Bill which seems to be very good. But the existing Bill has been changed in such a way that the Chairman of the Port Trust has been made such a powerful man that he can make an appointment ignoring even the Board. The autonomy of the Board has been discarded and *more powers* have been given to the bureaucracy. In the name of implementing the recommendation of the Major Ports Commission, this thing has been put forward before this honourable

House to be accepted. My humble submission, Sir, is that the honourable Minister should have brought forward a comprehensive legislation. By such kind of piecemeal legislation, Sir, he is not going to do any good either for the port administration or for the workers. Sir, the learned speaker, who spoke before me, was very critical of the workers. But I have nothing to say by way of answering him except to say the workers are not ready to starve and die and,

so, we will fight.....

SHRI SARDAR AMJAD ALI : Sir, I was not critical of the working class.

I said that those leaders of the working class who instigate the workers not to do certain things and to do certain things which will cause a terrific wreck so far as the people are concerned are to be blamed. I criticised them only.

SHRI VISWANATHA MENON : When strikes take place, these things happen.

SHRI L. MAHAPATRO : He was only critical of the conduct of his Minister.

SHRI VISWANATHA MENON : If he was critical of the conduct of his Minister, then it is all right.

SHRI SARDAR AMJAD ALI : I know when the Members on the left side speak, they speak for the workers.

SHRI VISWANATHA MENON : Sir, with regard to the representation that has been envisaged in this Bill, I want to draw the attention of this House to one thing: When we go to the Port Trust, we see that the real representatives or the real people who should have been on the Board are not included. After all, the workers are given two representations and that also is done in consultation with the unions. It means that they have no choice and the final say is with the Port Trust Chairman or the Central Government. For example, a majority of the workers may not be the followers of a particular union. But the Chairman or the Central Government may be favouring that particular union and that person may be appointed on the Board. Sir, I come from Cochin and I know what happens there. For the last so many years, whenever the question of labour representation arises, a formal

letter we used to get and finally they decide. They take one from the INTUC and another from another union which is held by a Congress MLA. Therefore, I know how they do it. If you want proper representation for the workers, why not have an elected representative? Another point that I want to stress upon is.... AN HON. MEMBER : Secret ballot.

SHRI VISWANATHA MENON : ' Yes, by secret ballot. Why can't secret ballot system be adopted? My point is that the local bodies must be given proper representation. If a local body man is put, whether he is a councillor or corporator, that would be better. In Cochin, Sir, this system is there at present. But the position is that three months before the Opposition leader of the Cochin Corporation was elected to the Port Trust.

Even now, the Central Government and the Ministry here is not giving green signal for him to sit on the Board. That is how it is being treated. If the interests of the local bodies, if the interests of the workers and such matters have to be highlighted, it should be more autonomous, it should be more democratic. In the matter of appointments, why not the Chairman should at least put the matter before the Board and get their sanction? Some powers are taken by the Centre also. The rule of big bureaucrats, IAS people and so on, will continue.

How efficiency can be developed, that point actually the Minister has forgotten fully in this Bill. In this respect, I want to tell something about my port also. Cochin port was formally known as the "Queen of the Arabian Sea" Now the position is pitiable. It is a natural port, nobody has built it up. But now because of neglect by the Centre, it is in such a pitiable condition. We have asked for many things. Nothing has been given. We asked for an Oil Berth. They did not give us. They gave us Explosive Berth. An explosive berth in Cochin port is really a dangerous thing, because nearby the shipyard is being built, nearby there is an oil refinery. An explosive berth is really very dangerous even in the interior of the nation. The Minister is not at all taking an interest in that matter in shifting explosive berth from Cochin port.

[Shri Viswanatha Menon]

So far as the workers are concerned, about seventy per cent of the workers are temporary even now. Why not make them permanent? The Ministry is not at all taking any interest.

Coming to the port, just like Calcutta, our port also needs all this dredging work. They have got three dredgers. Another we have brought from Calcutta, an old one. But all these dredgers are old and we want to repair them. Now we have to take it to Calcutta, Bombay or somewhere else. Why not give us dry docks? All these things are connected with this port. Making it a more autocratic thing it is not going to solve the problem. Not only the Cochin port alone, but ports all over India have got their own problems. How to solve them? A long and lengthy report has been submitted by the Commission. A small matter—as how to give more powers to the Port Trust Chairman—has been brought here. I agree that the Bill has been brought for all the major ports. I support it. But actually what they have done is to strengthen the hands of the bureaucracy, and that is how it has been put forward. Leaving aside the workers, about the traders, businessmen and all such people who earn Foreign Exchange for the Central Government. Their representation has not been properly thought of.

When Shri Rajnarain was suggesting about the Select Committee, the hon. Minister was very adamant. He said : 'We have considered this and we have brought it.' What is the use of the Select Committee if after such a long time this Commission has given sui report and if such a Bill is being brought after such an enquiry and all that, discarding 126 recommendations of the Commission? Bureaucracy has been built up. Another Select Committee will be useless.

When Shri Trivedi was speaking, he put in certain very important points. I thought the Minister may volunteer. The Minister knew that such points are there. But I supposed to move this Bill and pass it because the bureaucracy wants it, and the Minister use the word, completely surrendered to the bureaucracy. Sir, this will not give any efficiency for any port. Take

it from me, Sir, efficiency does not mean that the bureaucracy must be given more power. Efficiency means, people who are interested in the port, whose interests are connected with the port—just like the workers, businessmen and such other local people—they must be given more power. You must have a democratic set-up in the Port Trust. An autonomous body must be there. In this respect, I stress once more that elected representatives of the workers, elected through a secret ballot, should be on the Board. Thank you, Sir.

SHRI BABUBHAI M. CHINAI (Maharashtra) : Mr. Vice-Chairman, Sir, I must frankly state that it was not my desire to speak on this Bill, but having heard many speakers, I thought I may also add my voice, being an experienced man and having worked on Bombay Port Trust for more than ten years.

Sir, development of major ports has come up before us today after renewed Acts of 1879, 1890 and 1905. A Commission was appointed and on the recommendation of that Commission in order to streamline the whole Major Ports Act, this has come up. To that extent, I welcome this Bill. But, according to me, there are some lacunae in the Bill which I would like to bring to the notice of the hon. Minister so that on a future occasion, when he gives a thought to it, he may take into consideration all these aspects. Sir, everybody would agree that the development of major ports is linked with our international trade. If the international trade has to increase, the development of the port must also increase, and it is *vice versa*. Now, we all know that our international trade has been increasing and, therefore, the major ports have to play a very important role. I think the Commission has recommended a number of recommendations but the Government has taken into consideration three or four major recommendations. One major recommendation which the Government has taken from the Commission's Report is that the Government will have a right to direct the major port trust on policy matters as and when they think fit. Sir, I have no quarrel with that. But at the same time I want to draw the attention of the Government to this.

Let that power be not used time and again, in season and out of season, by the officers in the Ministry to direct the major port officers like the Chairman and the Managers to do this and to do that. The statutory character of the Board should remain for the efficient working of the major port. Another recommendation of the Commission is that some of the powers of the Chairman, who is vested with all the powers of day-to-day administration, may be delegated to the General Managers. Sir, I am really sorry and surprised that the hon. Minister has not thought it proper to make mandatory thing the appointment of General Managers at every major port.

I am not talking of one port with which I am connected. I have nothing to say to that. But, this recommendation essentially is for other ports. I think, it would have been wise for the administrative purpose also if it would have been mentioned that the General Managers will be there and (their powers will be so and so and so and so).

The second point which I wanted to raise was in connection with the development of ports. This development can take place—provided there is discipline both in the shippers' labour and also trade. If this discipline is not maintained, I am afraid however you may change the Major Port Trusts Act, it will never be in the interests of the country. I have found, Sir, that so far as the Bombay Port is concerned, invariably during rainy seasons we had demanded strikes with the result that ships were waiting not for 7 days, not for 15 days, not for one month but for months together. And, what were these ships containing? They carried food, they contained fertilizer, very important day to day necessities of life. Therefore, a responsible labour is a must for the development of smooth working of the major ports.

[The Vice-Chairman (Shri Bipinpal Das

in the Chair] Sir, you have very rightly given representation to two labour representatives on the Port Trusts. We had already and you have increased the number by one more it is good. Participation by labour with the day to day management of the Port

Trusts would yield good results, according to me.

Then, Sir, I want to bring to your kind notice the representatives of the non-officials. According to the Bill which you have brought before us, most of the non-official people are going away. You have now filled it with officials and even where a non-official is going to be there you have also not stated whether it will be given to industry, trade, or anything of this sort, with the result that more and more power is given to the bureaucrats and I hope that it will not be misused.

Sir, another point to which I want to draw your kind attention is that so far as the Port Trusts are concerned, a big slice or most of their income is by way of demurrage, which is not at all good. But, the way in which powers are now given to others, more demurrage will be incurred, more thefts will take place with the result that even those Port Trusts which have functioning efficiently till today will now get a bad name.

Sir, another point on which I want to draw your kind attention is the Port of Calcutta. As we all know, it is a very important port, no doubt. But, the main difficulty with the Calcutta Port, as I have said, is the labour trouble and for this purpose the Government of India will have to pay greater attention so that this good port can be used better.

Then, Sir, coming to the representation of the State Governments, it is a good idea that State Governments are involving themselves in the working of major ports. But, Sir, you have not taken into consideration a port like the Kandla Port. Kandla does not only belong to Gujarat, Kandla belongs to Punjab, Kandla belongs to Haryana and Kandla belongs to Rajasthan also. These State representatives ought to have been given representation on Kandla Port because that is the area which constitutes hinterland for the Kandla Port.

And, Sir, the Kandla Port, even though it is the modernised port, it was designed to compete with Karachi when partition took place, has not been fully used even till today. To that extent, Sir, I would request the hon.

[Shri Babubhai M. Chinai] Minister to give a little thought to this suggestion so that the State Governments which I have mentioned get representation on the Kandla Port...

SHRI KAMLAPATI TRIPATHI: All the four states.

SHRI BABUBHAI M. CHINAI: Yes. why not? There is no other port like that and why I am suggesting is if you involve them by giving them representation on the Kandla Port Trust, they themselves will see that the Kandla Port is being taken advantage of by all the three States which are not taking at present. If you remember, we were even insisting on a broad gauge line. Why? We were insisting because we wanted to develop Kandla. Survey is completed, I am told, and perhaps in the Fifth Plan we may see that the broad gauge line is there. Under these circumstances, I would request you to kindly consider my suggestion.

The original Act provided that the unclaimed goods should be sold by auction. Now the new Bill says it may be sold by tender, private arrangement or otherwise. I have not understood this new arrangement. Formerly it was auctioned openly, open bidders were there and now you want to do it by 'private arrangement'. Do you want to decrease corruption or you want to increase corruption? I am sorry, on this point I do not agree at all with the Bill proviso. I assure the hon. Minister, not assure but warn that by taking this step corruption is bound to increase.

The other point relates to the chairman's power. Formerly, the chairman was required to consult the Board and take decisions. Now, in the new Bill the chairman has been given very wide powers.

He can even act without having consultations with the Board. Even in financial matters the same thing stands. It is all right that the Bill is only for trusts of all major ports. To that extent, I think it is all right. but as regards the organisation of port trusts the Chairman, as I said, occupies a very pivotal position. The study team has rightly said that a General Manager should be appointed

and I have also said in the beginning that this should be done.

A word more in connection with the Bombay Port. The Bombay Port Trust is finding that it is not in a position to cope with the traffic. They said that there will be a Nova Sheva Port. We were going ahead, everything was all right and one fine morning for reasons best known to the Government and the hon. Minister:—I am sure he will enlighten us on this—it was made known that this has shelved and it is not going to see the light of the day, at least in the Fifth Plan. I am sorry, Sir, the result would be two-fold. Congestion in the dock is bound to continue and the result will be that the shipping companies who are always on the look out to increase the freight will have an excuse to increase the freight. Both our export and import trade will suffer by that.

With the best, of intentions, the Government will be failing in their objective if they go ahead without having a clear idea as to whether the Bombay Port can be or is in a position to carry on without the Nova Sheva Port. I would request the hon. Minister to give topmost priority to find out some money because the Nevashiva Port was going to be financed partly by the Bombay Port Trust and partly by the State Government also. The Central Government, no doubt, had a major say so far as the financial aspects are concerned. They should have also known the advantages which this country would have derived from it.

I am, Sir, thankful to you for giving me this opportunity to make a few observations on the basis of the experience which I had and my views on this particular important Bill which has been brought after about 100 years. Thank you.

SHRI PRANAB MUKHERJEE: Sir, I am really very grateful to the hon. Members for making observations on this Bill and, in fact, Sir, so many subjects have been brought within the purview of this Bill that, you will appreciate, it is not possible for me to touch all the subjects which are essential! do not come within the ambit of this discussion under

present Bill. It has been criticised by some hon. Members that the major objective of the Bill is to concentrate power in the hands of the offices and to destroy the autonomy of the ports, particularly in Calcutta, Bombay and Madras. Sir, when these 3 Acts were enacted almost 100 years back, Bombay Act in 1879, Calcutta Act in 1890 and Madras Act in 1905—I have already mentioned in my introductory remarks — only two major changes took place during the last 25 years, one in 1951 and another in 1958 in these governing Acts. The conditions which prevailed when these Acts were enacted and even when these Acts were amended in 1951 or 1958, do not exist any longer. Even when we take the interests of the users, Sir, perhaps you will agree with me and the hon. Member will agree that the character of the interest of the users in these ports has changed considerably. In order to maintain the interests of the users, we should think who should get representation in the Board and whether the public sector undertakings which are using the port in a big way, should not be accommodated in the Port Trust and port authorities. This is the major objective of the Bill. In fact, Sir, there would have been no necessity for the Bill if this Act was extended to Calcutta, Bombay and Madras almost 10 years back when this Major Port Trust Act came to exist but because of certain reasons at that time, it was not possible to extend these Acts to those ports. Therefore, I do not find anything wrong in it.

It has been suggested, particularly by Mr. Trivedi why public opinion was not sought for. Perhaps, you will agree with me, as I have already mentioned, the whole concept of bringing this piece of legislation is as recommended by the Major Port Commission. The Major Port Commission went into the details of all these things. They took evidence from a large number of organisations and institutions and, Sir, if I remember correctly, as many as 153 organisations gave evidence before the Major Ports Commission and of these 153 organisations, almost all interests which are connected with ports this way or that way, gave their evidence. They placed their view points and the Major Ports Com-

mission went into the details and as a result of all this, they made this recommendation on the basis of which this piece of legislation has been brought. 00 P.M.

Sir, it has been pointed out by some hon. Members that the Government has not taken any action on the majority of the recommendations of the Major Ports Commission but in order to grab power under the influence of the bureaucracy—as pointed out by my learned friend, Mr. Menon—Government has hastened this piece of legislation ignoring the other recommendations of the Major Ports Commission. Sir, I can tell him that as many as 84 recommendations of the Major Ports Commission have already been considered and implemented. All the recommendations of the Major Ports Commission do not require legislation; only a very few of them require legislation and those which require legislation have been brought within the purview of this piece of legislation which is before the House for consideration. Fifty-six recommendations of the Major Ports Commission are not recommended as such; those are observations and they too have been duly considered by the Government. I can further tell him that only three recommendations of the Major Ports Commission have not been accepted by the Government: all the rest of them have either been accepted or are still under consideration.

SHRI BABUBHAI M. CHINAI: What are those three.¹

SHRI PRANAB MUKHERJEE: On this is about the setting up of a Major Ports Council and the other two are minor recommendations. Therefore it is not correct to say that the Government has not given due consideration to the recommendations of the Major Ports Commission. We have given full consideration and it is as a result of that this piece of legislation has been brought forward. At the same time we have taken the opportunity of amending certain provisions of the Major Port Trusts Act of 1933 in the light of the experience which we have gained during the last ten years.

[Shri Pranab Mukherjee]

Sir, it has been pointed out by Mr. Trivedi that certain provisions of the Bill will give an opportunity to the Port authorities to act high-handedly. He has even said that a petty port officer can detain a ship. Perhaps his apprehension is not correct. So far as the responsibility of Port authorities as bailee is concerned, it varies from port to port. In Calcutta it is 5 days, in Bombay it is 7 and in Madras it is 30 days as per the p:v Act. What we have done is that we have brought uniformity. In respect of Calcutta we have extended it by two days and in respect of Madras we have brought it down to 7 days from 30 days. I do not think this is such a major change which would improve the entire performance of the major ports.

Secondly, Mr. Trivedi has also suggested that perhaps we are making use of this piece of legislation as an instrument to give more powers to the Government. There I do not agree with him. Although there is a provision that the Government can give directives to the ports—this provision was there in the Major Port Trusts Act of 1953—ever since this provision came into existence till this day no directive has been issued to the ports which are being administered under the provisions of the Major Port Trusts Act. Therefore it is not correct to conclude or perhaps it would not be wise to say that very often the Government will utilise this power and issue directives to the Port authorities without reference to the functioning and the exigencies of the individual ports and their ports. I think, Sir, it is very much necessary to have this power because as I have already pointed out in my introductory speech that the Government spends huge amount of money on the development of these ports and it is not merely the concern of the users only. Today the development of the ports is very much the concern of the Government which spends huge sums of money from the public exchequer for the ports and it would not be proper to suggest that the Government should not have a decisive voice in the affairs of the ports.

At the same time, I categorically state that the hon.

Member that Government has no intention

of interfering in the day-to-day administration of the ports. As has been clearly manifested by the existing practice, no directive has been issued to the major Port Trusts which are still governed and guided by the Major Port Trusts Act, 1953. Therefore, I do not think his apprehension is correct.

Thirdly, it has been suggested, and Mr. Babubhai Chinai has also pointed it out, that there is no General Manager. Perhaps when the Bill is brought into the Bill, he will find that though the Bill has used the words "General Manager" the powers of the General Manager will be exercised by the Deputy Chairman. A provision for the appointment of the Deputy Chairman has been made in the Bill. In this connection, I can point out that though there is the post of General Manager in Bombay and Madras, they were not regular members of the Board. As far as the present ports are concerned, they have been made regular members of the Board.

Now, the question is whether we have any specific provision for various representatives. As I have already pointed out, there will be not less than two labour representatives on the Board. Another provision has already been made that there should be representation of ship-owners, shippers, owners of sailing vessels and other interests. The Government wants to make the provision flexible

(since conditions may vary from port to port, I have reason to believe that this is a wise provision because the Government is, after all, accountable to Parliament. There is too much confidence in the State Government. They themselves will have representation. It has been pointed out that the local authorities should not have representation. Government has no intention that it should not be represented...

SHRI RAM RAY: Then, why do you not include it in the Bill?

SHRI PRANAB MUKHERJEE: I am coming to that. Government has no intention that the local authorities should not have representation. Representation of municipalities or municipal corporations may be included.

SHRI RABI RAY: As you have made provision for labour, make it clear.

SHRI PRANAB MUKHERJEE: Now, please wait. For example, in Calcutta, for the last twenty years it was represented by the Port Trust. It may not be the case in Bombay. In the case of Paradip there is no municipality as such. You will have to build it up. We should therefore not make a general provision like that, but there is scope whereby we can accommodate the representative of the municipal authorities. In this connection, I may point out to Mr. Menon that a representative of the Cochin Municipality has already been accommodated on the Port Trust. It is not a fact that the Government of India is sitting tight over it. The Government has given the green signal.

SHRI VISWANATHA MENON: The present person is elected. But he is not allowed to sit on the Board.

SHRI PRANAB MUKHERJEE: The matter has already been passed.

SHRI VISWANATHA MENON: How many local body's representatives are there?

SHRI PRANAB MUKHERJEE: There is one. I think under the present Act they have one representative. He has also made out a case that it is the Ministry which selects the labour representative. This is far from the truth. It is not a fact. I cannot help if his own CITU representative is not on the Port Trust. He should know how the labour representative has been selected. It is for the Labour Ministry to conduct verification. As a result of the verification, the labour unions are asked to suggest names in the order of preference, first and second. Usually we appoint those persons whose names are given in first preference. It is not a fact that the Ministry of Shipping and Transport is interfering in the appointment of labour representatives on the Port Trusts....

SHRI L. MAHAPATRO: Is there any kind of magic in the verification?

SHRI PRANAB MUKHERJEE: My friend, my friend is coming from Orissa. I can tell him that more opposition parties are repre-

seated on the Dock Labour Board and the

Port Trust Board than the INTUC union. If there had been some magi'—perhaps the picture would have been otherwise. Therefore he need not be worried over it.

SHRI VISWANATHA MENON: With respect to your objection to election of an idiot?

SHRI PRANAB MUKHERJEE: I have no objection. There too, though it is not correct, I can tell him that perhaps they should consult their senior trade union leaders and see whether they come to a consensus in the National Labour Convention.

As far as the representation of the labour representatives in the various bodies is concerned, if all the central trade unions can arrive at an agreement, perhaps it would be easier for the purpose. Please go through the proceedings of the National Labour Convention and see which decision you took therein. Therefore, this is not the position.

Another point which I would like to bring to the notice of the hon. Member; in this, it has been suggested that perhaps all tin-ports are not sufficiently developed and that port facilities have not been created. It is not a fact. Almost every port has been lined during the Fourth Five Year Plan. Development schemes have already been taken up. Spill-over schemes will continue in the Fifth Five Year Plan. I can give some figures about the handling of traffic. Except

Calcutta or at one or two other ports, everywhere the quantum of traffic handled has considerably increased. For Calcutta, including Haldia, from 7.9 million tonnes in 1968-69, it has come down to 6.28 million tonnes in 1973-74. In Bombay it has increased from 16.29 million tonnes in 1968-69 to 18.71 million tonnes in 1973-74. In Madras it has increased from 5.45 million tonnes in 1968-69 to 7.77 million tonnes in 1973-74. In Cochin, it has decreased from 5.17 million tonnes in 1968-69 to 3.71 million tonnes in 1973-74. In Visakhapatnam, it has decreased from 3.29 million tonnes in 1968-69 to 8.05 million tonnes in 1973-74. In Kandla it has increased from 2.00 million tonnes in 1968-69 to 3.11 million tonnes in 1973-74. In Mormugao it has

[Shri Pranab Mukherjee] increased from 8.80 million tonnes in 1968-69 to 14.34 million tonnes in 1973-74. In Paradip it has increased from 1.24 million tonnes in 1968-69 to 2.29 million tonnes in 1973-74.

SHRI RABR RAY : What is the target for Paradip?

I

SHRI PRANAB MUKHERJEE: The target is 2.5 million tonnes. The reason for the decrease is not the handicap of the port to accommodate but because of the shortfall in the iron ore exported as a result of which the traffic was not up to the expectation and up to the target. It is not correct to say that the development of the ports has not taken place. I entirely agree with hon. Members when they suggest that the level of development to which we should have reached, we have not been able to reach, so many constraints are there, and at the same time

श्री रबी राय : उपसमाध्यक्ष जी, मैं इंट्रस्ट नहीं करना चाहता। मैं मंत्री महोदय को याद दिलाना चाहता हूँ कि यह सही है कि पैरादीप का डेवलपमेंट नहीं हो रहा है। जब नंदनी सत्यथी जी यहां आई थी तो कमलापति जी मिले थे। उनसे इस बारे में बात हुई।

SHRI PRANAB MUKHERJEE : I am coming to it. It is a fact that the Chief Minister of Orissa met my senior colleague and we had a discussion, and it is under the consideration of the Government to have a steering committee to look after the problem of Paradip Port so that we could fulfil the targets. There are three problems about Paradip. One is the problem of coordination among the three agencies, the MMTC, the railways and the port authorities. The second is the development of the infrastructure of the Paradip Port itself. And the third is how to finance the Paradip Port. And one of the old demands which the State Government is pressing is, as is known to the hon. Members from that State, as already pointed out, the reimbursement of Rs. 16 crores. That comes under

this. And all those problems have been considered and discussed by the Chief Minister of Orissa with my senior colleague. And fortunately, I was there. I myself have gone to Paradip and I have seen things there. And it is our sincere effort to see that the handicap from which Paradip Port is suffering is done away with.

SHRI KAMLAPATI TRIPATHI : Paradip will be developed with patience.

SHRI PRANAB MUKHERJEE : I would not like to deal with the ship-building or the Farakka water and any of these things because we have answered these questions many a time either on the floor of this House or the other House. The Bill has nothing to do with it.

SHRI RABI RAY : What is the report of the Expert Committee on the location of the ship-building yard?

SHRI PRANAB MUKHERJEE : It is not possible to lay it on the Table of the House.

SHRI RABI RAY : But have you received it?

SHRI PRANAB MUKHERJEE : We have not only received it, we have taken it also on it. Some foreign consultants been appointed as a result of the recommendations of this report.

SHRI BABUBHAI M. CHINAI ; What about the position of Nhova She* a near Bombay ?

SHRI KAMLAPATI TRIPATHI : That matter is still under the consideration of the Planning Commission. So far as the Shipping and Transport Ministry is concerned, we are out to get the support of the Planning Commission and the Finance Department also. The Finance Department, perhaps, is experiencing some financial stringency nowadays. But it is not going to be postponed. I hope it is bound to be taken up by the Government. Recently I visited Bombay. There the Government and the Port authorities also have insisted on this point because the Nhova Sheva port is developed and taken up no further development of the Bombay port is possible. That we know. If we de a

it is going to be definitely a loss to us. The more the delay the more the loss so far as this port is concerned.

SHRI PRANAB MUKHERJEE : I think I have covered all the points.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS) : The question is:—

"That the Bill to amend the Major Port Trust Act, 1963, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS) : We shall now take up clause by-clause consideration of the Bill.

Clauses 2 to 40 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI PRANAB MUKHERJEE : Sir, 1 move :

"That the Bill be passed."

The question was proposed.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS) : Not more than five minute each.

SHRI L. MAHAPATRO : Sir, I just want to make one observation.

THE VICE CHAIRMAN (SHRI BHINPAL DAS) : No, I am sorry. You have already spoken in the First Reading. Dr. R tmkripal Sinha.

SHRI L. MAHAPATRO : I will Blush in just five lines. It is as a result of observations made by the Minister. He said that Paradip port is going to face financial difficulty. That is exactly what I wanted to point out. It is said that there is going to be slashing of the Annual Budget by Rs. 40 crores. That is, the budget would be reduced from Rs. 150 crores to Rs. 110 crores as far as shipping and transport is concerned. That means shipping would be very badly affected. That is what I want to know.

डा० राम कृपाल सिंह : श्रीमन, यह विधेयक हमारे देश के जो पोर्ट्स

है, बन्दरगाह है उनसे संबंध रखता है और वहां की व्यवस्था के लिए जो ट्रस्ट बनाया गया है उससे संबंध रखता है। क्या मंत्री महोदय, इस सदन को यह बतलाएंगे कि पूर्वी प्रदेश में जो प्रमुख बन्दरगाह कलकत्ता का है, उस पर पिछले वर्षों में माल के आने-जाने और टर्नओवर में जो गिरावट आई है, उसका प्रमुख कारण क्या है? इसका प्रमुख कारण यह है कि इस पूर्वी क्षेत्र में सामान का यातायात रेलवे से होता है और उसमें वेगन्स की कमी है। मुझे स्मरण आता है, पूर्वी उत्तर प्रदेश बिहार और उतर बंगाल के आस-पास जो क्षेत्र हैं वहां से जो माल कलकत्ता बन्दरगाह के लिए जाता है उस माल की दुलाई अगर रेलवे के बदल में गंगा से नौकावहन द्वारा करने की व्यवस्था की जाय, अभी जो व्यवस्था है उसको समुन्नत किया जाए। फिर, उत्तरी बिहार और पूर्वी उत्तर प्रदेश में जो नदियों का जाल है उन जालों में नौकायान की व्यवस्था की जाएगी तो देश के भीतर सभी बंदरगाहों पर ऐसे माल के जाने और बंदरगाह पर जो बाहर से माल आता है उसको देश के भीतरी हिस्सों में सस्ती दर पर दुलाई होना ज्यादा संभव होगा। कलकत्ता बंदरगाह का जो टर्नओवर है वह भी बढ़ेगा इसलिए मैं मंत्री महोदय से यह जानना चाहूंगा कि कलकत्ता बंदरगाह का जो आपने बताया कि हैडलिंग टनेज घटा है, तो उसको समृद्ध करने के लिए, पुष्ट करने के लिए, इसके बारे में आप क्या सोच रहे हैं?

श्री महादेव प्रसाद वर्मा (उत्तर प्रदेश): माननीय मंत्री महोदय ने जिस तरह का उत्तर दिया उसके बारे में अब

[श्री महादेव प्रसाद बर्मा]

मुझे विशेष बात नहीं कहनी है और डा० सिंह साहब ने जो प्रश्न उठाया उसी को मैं भी कहना चाहता था कि पटना, वाराणसी और इलाहबाद - क्या यह संभव नहीं है कि वहां की नदियों के बंदरगाहों को विकसित किया जाए? इससे न केवल उत्तर भारत के सारे प्रदेशों को बल्कि कलकत्ता को भी बहुत बड़ा बल मिलेगा, उसको डेवलप करने के लिए। सरकार से मैं जानना चाहता हूं कि क्या यह भी स्कीम उसके अंदर है कि नहीं कि इन नदियों के बंदरगाहों को विकसित किया जाए जैसे जहाजों का आम व दरफत उन नदियों में लाया जा सके जहां तक यह संभव हो।

मेरा तीसरा प्रश्न यह है—संयोग से, यह हमारा सौभाग्य है कि हजारों मील का समुद्र तट हमको मिला है और पिछले 25 वर्ष के अंदर जैसा मुल्कों की मिसालें हैं, उनकी तरह का काम तो नहीं हुआ लेकिन इस बात की आवश्यकता जरूर है कि हमारे हर क्षेत्र पर, हर तट पर, पूर्व भी पश्चिम में भी, कम से कम एक दर्जन ऐसे बंदरगाह हों जो दुनिया के बड़े से बड़े बंदरगाहों का मुकाबला रख सके, इस तरह का विकास अब तक नहीं हुआ, यह हमारा दुर्भाग्य है—क्या हम सरकार से उम्मीद कर सकते हैं कि कितने दिनों के अंदर इस तरह के कम से कम 2 दर्जन बड़े बड़े बंदरगाह हमारे पूर्वी और पश्चिमी क्षेत्रों में विकसित हो सकेंगे? ये 2 प्रश्नों का उत्तर मैं जानना चाहता हूं कि क्या नदियों के बंदरगाह विकसित करने की कोई योजना है, और दूसरे यह कि इन बंदरगाहों को बढ़ाने के लिए कितने समय की आवश्यकता होगी, कि जब मैं बड़े बंदरगाह

संसार के बड़े बंदरगाह से मुकाबला कर सकेंगे?

SHRI SALIL KUMAR GANGULI (West Bengal) : Sir, I will take only one minute. I regret that local bodies like the Improvement Trust or the Calcutta Municipal Corporation have no representation on the proposed Port Trust authority. That is one aspect.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS) : He has already answered that point.

SHRI SALIL KUMAR GANGULI : All right. Then, in 1947 when we achieved our independence, about 60,000 seamen used to be recruited from the Calcutta Port. Now number has come down to only 7,000. Something must be done about this. Even in respect of foreign-going vessels, I think Calcutta Port.....

SHRI L. MAHAPATRO : From the eastern coast, there is no proper recruitment.

SHRI SALIL KUMAR GANGULI : Recruitment from the eastern coast is not quite fair, is not proportionate to the recruitment of other ports. I would request the hon. Minister to look into the matter and do something about it.

Finally, I would like to say that there is no point in having a major port at all if there is no water in it. The Assam valleys are being flooded every year by the Brahmaputra river. A canal joining the river Ganga with the Brahmaputra will achieve two purposes: it will save the Calcutta port and it will control the floods in Assam.

This matter may be taken up by the Ministry with the appropriate Ministry of the Government and with the Cabinet so that Calcutta Port might ultimately be saved, if we want to save the major port in eastern India. That is all.

SHRI PRANAB MUKHERJEE : Only two or three points have been made out. I have already replied to the other points. The point about connecting Banaras or Allah to Calcutta through the Ganges does not fall within the scope of this Bill. For that we

have already established a he Central Inland Watersion. They are looking into it as to how far the water-way can be utilised between the vari ous parts of the country. Then regarding the development of Calcutta Port, I may fell the ho ami-able Member whole concept of Haldia Pott is to the deficiencies of Calcutta Port; it if only for that Haldia is ruining up and is expected to be commissioned before the middle of 1975. Regarding the third thing which Mr. Ganguli pointed out, perhaps it is not within the purview of the

discussion, but anyway, tie o ment is very much alive to the problem of getting adequate Fresh water for the survival of Calcutta Port. Tue.se points are being discussed at various levels.

THE VICE-CHAIRMAN (SHRI BIPINPAL DAS) : Tin- question is :

"That the Bill be passed".

The motion was adopted.

THE UNIVERSITY OF HYDERABAD BILL, 1974

THE MINISTER OF EDUCATION
SOCIAL WELFARE AND CULTURE
(PROF. S. NURUL HASAN! : Sir, I beg to move- -

"That the Bill to establish ami inc. , | a teaching University in the Stan of Andhra Pradesh and to provide for matters connec ted therewith or incidental thereto, as passed by the Lok Sabha, be taken into consideration."

Sir, this Bill has arisen out of a decision that was taken as a part of the Six-Point Formula regarding the State of Andhra Pradesh, and it was in this connection that the honourable House will recall that the Constitution was amended and Article 37IE was added to the Constitution and ratified duly by the requisite number of States which has come into force, which gives to the Parliament the authority to establish a Central Univi in the State of Andhra Pradesh. In connec with this particular Amendment I would

h is come into effect only recently from July 1, 1974—this Amendment utio md therefore the Govern ment has taken the earliest possibly opportunity

of coining before Parliament with this parti cular Bill. There is a strong feeling in the State oJ desh that the University should be established without arrj delay what soever. There is a further desite that the University should start functioning as soon as possible. When this decision was first taken, I had appointed a committee under tin- chaii-

ihipofDi. George Jacob, Chairman "of the Uni\ (its Commission, winch went into ta cts of the problem about of the University, about its jtti isdictio ad s.. on. l In co amittee

made a number of recommendations not only with regard to the nature of the Uni- itself but « hat type of academic activities mid undertake, etc. and it has also pre pared the draft, of the legislation, the main points of the legislatifefa, I would like to express my api ecia ol mi efforts of Dr.

Jacob and his colleagues in doing this work for us it ry, veiy, short time. This Bill has a number of interesting features whit a rather diffeient from some of the othei L'ni-t would briefly mention some'of The Bill is already before lc Members and I am sure it must have been studied.

The first major point i, that it is going to be a unitary university and that it would uol affili te any institutions. However, there is in i in h I would like to clarify that we have put in a new idea in this Bill which v, is not recommended by the Jacob Committee and that was the university should be authorised to set up other campuses, if it so a Hyderabad, but within the Stan oi Vndhra Pradesh, This we did because the whole concept is that the Univesity will take up interdisciplinary studies, which I sh I! refer to in a few minutes, and may therefore hud it desirable to set up one or two other campuses. lint these campuses will be ol' the v.111 be the integral parts of the Uni.

ler.