

RAJYA SABHA

*SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Monday, July 24, 2017/ Shravana 2, 1939 (Saka)

QUESTION OF PRIVILEGE

Breach of Privilege arising out of the Twisting and Distortion of Statement of a Member of the House by a TV Channel

SHRI K.T.S. TULSI: More than 50 MPs from more than 12 parties have given a notice under Rule 188 regarding breach of privilege where the statement of Mr. Naresh Agrawal was twisted and distorted. Not only that - when they were presenting this programme, there was a banner on the screen of the television that read 'Not a shred of shame'. Now, this concerns every MP. Every Member is sought to be defamed in this manner. This is *per se* defamatory -- 'not a shred of shame'. I submit that since more than 50 Members here support it, this matter should be referred to the Privileges Committee. I move this motion.

(Several hon'ble Members supported.)

MATTERS RAISED WITH THE PERMISSION OF THE CHAIR

1. Delay in Developmental Work due to Steep Rise in Government Rates of River Sand and Red Sand in Uttar Pradesh

SHRI VISHAMBHAR PRASAD NISHAD: The Government rates of river sand and red sand in Uttar Pradesh have been enhanced ten times by the Bhartiya Janta Party led Government. Consequently, even a single house under Pradhan Mantri Aawaas Yojna is not being constructed there. It has become very difficult to get roads, toilets etc. constructed and many workers have lost their employment. Therefore, I request the Government to direct the Government of Uttar Pradesh to provide river sand and red sand to the poor at government rates so that they may get toilets constructed for themselves and construction of houses, bridges and roads may be started again.

(Several hon'ble Members associated.)

2. Custodial Death of an Inmate in the Byculla Prison, Mumbai

SHRIMATI VANDANA CHAVAN: I wish to draw the attention of the Government to the death of a woman inmate Manjula Shette in Byculla jail on 23rd last month. Her only fault was that she had complained about two eggs and four slices of bread missing from her morning ration. Consequently, she was beaten so brutally and inhumanly by the jail staff that she could not survive. Surprisingly, the actual picture behind her death was not revealed even in the post-mortem report. Even the lady DIG who was sent to the spot to take stock of the situation, tried to destroy the evidence and threatened the witnesses to keep shut. The FIR also was filed after two days. All this smells of suspicion whether the investigation is happening in the right direction. Not just this matter, but there have been several matters in the country in several jails where inmates have been tortured and let to death. I urge upon the Government that a committee must be constituted at the earliest and jail reforms should be brought about so as to see that the human rights of the inmates are preserved.

(Several hon'ble Members associated.)

3. Need to drop the Proposal to divide Thiruvananthapuram Railway Division

SHRI K. SOMAPRASAD: I would like to draw the attention of the Central Government to an important and serious issue in connection with Trivandrum Railway Division. Trivandrum Division is one of the six administrative divisions of the Southern Railway. It manages 625 km of route track and 108 railway stations in Kerala and Tamil Nadu. This division was formed in 1979 and it carries over 1.65 lakh passengers daily. This Division includes three category-A1 and ten category-A stations. Railway Board has taken a decision to divide this Division. There is a plan to transfer the Tirunelveli-Nagercoil and Kanyakumari-Nagercoil-Thiruvananthapuram sections to Madurai Division excluding Thiruvananthapuram Central Station. In lieu of the above stations, the Sengottai-Kollam route will be transferred to Thiruvananthapuram Division from Madurai Division. The Thiruvananthapuram Division would lose some railway stations in Kerala. As a result, Division will bear huge revenue loss. Apart from this, there is a proposal to extend the railway line to Vizhinjam seaport from Nemom station. This move will weaken the development of the Thiruvananthapuram Central Division and will lead to huge income loss to Thiruvananthapuram Division

(Shri C.P. Narayanan and Shri K.K. Ragesh associated.)

4. Concern over Unnecessary Caesarean Operations by Private Hospitals

SHRIMATI RAJANI PATIL: I want to raise a matter which pertains to health sector. Private hospitals tend to squeeze patients. Whenever a woman gets herself registered in any private hospital for delivery, the hospital charges two thousand rupees every week in the name of sonography. If she is above 30, she is forced to get down syndrome test done which costs 40 thousand rupees. Tests are advised by one or other reasons. Caesarean operations are being done instead of normal deliveries in private hospitals. Such cases are in high number in the states of West Bengal, Telangana and Tripura. Although there is no relation between IMR, MMR and

caesarean operations, still hospitals do the same. So, the caesarean operations may be banned in the private hospitals

(Smt. Chhaya Verma associated.)

5. Reported Proposal of Government to privatise Air India

SHRI C.P. NARAYANAN: I want to raise a matter of disinvestment of the National Carrier, Air India. According to the Government, this is a loss making company. Air India and Indian Airlines were merged by earlier Government against the advice of the Board of Directors. Now Air India is making profit, the Government is contemplating to disinvest the same. Air India has overcome the deficit. Over and above these things, to make the matters worse, from Air India, AITSL, AIESL and Air India Express, which are profit-making ventures, are being separated.

SHRI ANAND SHARMA: The Government is selling not only Air India but also other PSUs.

(Several Hon'ble Members associated.)

6. Concern over 37 Lakh IT Professionals on the Verge of Losing Jobs

SHRI K.T.S. TULSI: According to some reports, big companies are retrenching their staff. One of its reason is stringent H1-B visa and second is cyber security issues. By the end of 2021 huge number of professionals will lose their jobs. H1-B visa issue was not discussed by the Prime Minister in his recent meeting with US President. Lakhs of indian software engineers will lose their jobs in coming years due to denial of H1-B visas.

(Shri Derek O'Brien, Shri C.P. Narayanan, Shri Manish Gupta, Shri D. Bandyopadhyay and Shri Rewati Raman Singh associated.)

7. Non- Acceptance of Coins Rs.1, 2, 5 and 10 Denominations by Banks in the Country

SHRI ALI ANWAR ANSARI: The coins in the denominations of rupees one, two, five and ten are legally in circulation, but people in different parts of the country are not accepting these coins. Even banks are not taking these coins. Small

vendors and poor people earn their income in these coins only. This affects the people at the lower level but rich people remain unaffected.

(Shri Satish Chandra Misra and Shri Vishambhar Prasad Nishad Associated)

8. Concern over Increasing Incidents of Rape of Young Girls in India

SHRIMATI JHARNA DAS BAIDYA: I want to draw the attention of the House towards increasing incidents of rape cases of young girls in India. A 16-year old national-level Kabaddi player was raped by a man. The minor filed a complaint in the police station. The girl is in trauma and cannot recollect the events. After Nirbhaya incident much was said and plenty of help-lines were set up for women's safety but what happened? Similarly, another 10-year-old girl was raped and she became pregnant. I demand to take strict action against these culprits and give the victims adequate compensation.

SHRI SATISH CHANDRA MISRA: It is a very serious matter. Gang rape is being committed in Uttar Pradesh daily after coming into power of Yogi Government.

(Several hon'ble Members associated.)

9. Concern over Reported Influx of Rohingyas into Jammu and Laddakh

SHRI SWAPAN DASGUPTA: We must be aware that an ethnic trouble is going on in Myanmar. There has been a steady influx of Rohingyas into this country. What are the reasons behind such influx of Rohingyas in Jammu and Ladakh? Bangladesh Government has informed that there are at least three terrorist organizations among the Rohingyas. We have seen Rohingyas' involvement in some militancy incidents. This issue is associated with national security as Rohingyas are getting Aadhaar and Voter Cards to prove themselves citizens.

10. Concern over Scarcity of Life Saving Drugs in Hospitals after Implementation of GST

SHRI RAM NATH THAKUR: A new tax system is launched in the country but after implementation of GST, medicine supply in various hospitals of the country has been stopped. Hospitals in eastern states specially Bihar, West Bengal, Uttar Pradesh, Odisha and Jharkhand are facing acute shortage of drugs. All eastern states are particularly facing shortage of life saving drugs. Hospital administrations are unable to purchase drugs. Necessary action may be taken as soon as possible to ensure availability of medicines in all hospitals of the country.

(Shri Ali Anwar Ansari, Dr. Anil Kumar Sahani, Shri Rewati Raman Singh and Shri Harivansh associated.)

11. Concern over Poor Quality of Food Served in Trains

SHRI REWATI RAMAN SINGH: Railway is the biggest public carrier of the country. Crores of people travel daily through trains. Complaints were being made regarding substandard food in trains and CAG also pointed out the same. Food, in trains is prepared in unhygienic conditions. This is a very serious matter. The fare has been increased too much. Food and safety must be taken care of.

(Several hon'ble Members associated.)

12. Need to accord Official Recognition to the Paik Rebellion in Odisha in 1817

SHRI PRASANNA ACHARYA: We fought our first freedom war in 1857 with the Britishers. In the year 1817, there was an armed revolution against the British India Company in Odisha, and it is called the Paik vidroh. It lasted for more than two decades. Thousands of people were imprisoned; many were given life sentences; many freedom fighters were hanged. It was led by the great freedom fighter, Bakshi Jagbandhu. One of the Muslim leaders of that armed struggle was, Mir Hyder Ali. When Shri Modiji visited Odisha he honoured the progenies of the freedom fighters. Recently, the

Odisha Cabinet passed a unanimous resolution to recognise this revolution as the first struggle for freedom.

GOVERNMENT BILLS

The Architects (Amendment) Bill, 2010

The Bill was, by leave of the House, withdrawn.

The Footwear Design and Development Institute Bill, 2017

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE AND INDUSTRY (SHRIMATI NIRMALA SITHARAMAN): I move that the Bill to establish and declare the Footwear Design and Development Institute as an institution of national importance for the promotion and development of quality and excellence in education, research and training in all disciplines relating to footwear and leather products design and development and for matters connected therewith or incidental thereto, as passed by Lok Sabha, be taken into consideration.

SHRI P.L. PUNIA: Since, there is no disputed provision in the Bill, I am here to support it. Footwear Design and Development Institute is working very well. It specially provides degree related to Footwear Design and Leather Production and in a way provides employment to youth. I do not think that any student would be unemployed after getting education from that Institute. The Bill presented by the Hon'ble Minister now, has been brought forth to grant independent status to this Institute and especially to declare it as a Centre of Excellence and an Institute of National Importance so that it could achieve National and International Standard in education, research and teaching. I would also like to add that Footwear and Leather Production are two different subjects. The quantum of leather manufacturing is decreasing now. One of the reasons behind this is pollution control and the second reason is the creation of hurdles at places in the name of cow-protection. I think that the signal that

should have come from the Government is not coming. This must also be clear that this institute should not be confined to providing Post-Graduate Degrees only but it should provide certificates to labour force along with training. Besides, earlier the fees charged from the children of poor families for one semester was around 10,000 to 15,000. While now, this semester-fee has been increased from 80,000 to 90,000 from 2015. I think that the child from a normal family would not be able to pay this much fee. I would suggest that a separate provision should be made for the redressal of grievances for the students belonging to SC/ST communities. Chennai and Kanpur have been chief centres of leather production. You have opened an institute at Chennai which is welcome but had better an institute would also have been opened at Kanpur along with that.

DR. VINAY P. SAHASRABUDDHE: I welcome the Bill and support it. Before I proceed to say something about the Bill, I have to submit a basic question before this House. Since, it would also be like a university, whether such universities would be governed by different ministries or by the Ministry of Human Resource Development, we will have to think over it. The whole business of leather industry falls in unorganized sector. It has not been given that much thought from organized manner so far which it should have been given. The skilled labourers are too costly and they are not easily available also. Their number is also meagre. I believe that this subject which is confined to Footwear Design and Development only today, should gradually turn to a wide Leather Art University. I would also request the Hon'ble Minister that there is a much need of establishing its center in Maharashtra especially at Kolhapur. This industry does not belong to big groups like Bata only but, the small artisans also need to be given representation in it. A provision should be made to give recognition to the knowledge which they have acquired through informal way. If this proposal is accepted, the artisan running his shop along the wayside today, would be a very successful industrialist tomorrow. With these words, I support this proposal and the Bill.

SHRI VISHAMBHAR PRASAD NISHAD: The Footwear Design and Development Institute Bill, 2017 that has been presented today has come after a very long time. This was the demand of students also. In fact, the talents hidden in villages will get degrees and diplomas now. This bill has fulfilled a long pending demand of the students for providing a degree. Students will get sufficient employment opportunities after getting a degree in future, so I support this bill.

SHRIMATI VIJILA SATHYANANTH: This Bill proposes to confer the status of an institution of National Importance on Footwear Design and Development Institute along with having a campus at Kancheepuram, Tamil Nadu. Chennai contributes far more than 50 per cent of India's total leather exports. Ambur, a place near Chennai has major tanneries of the country and another city - Ranipeet houses nearly 400 small and medium leather units and also a large number of medium-scale leather industries which make both finished leather and leather articles for export. Now, this Institute must focus on employment generation in leather footwear, design, export, etc. This institute must do R&D so that its affect on environment can be minimised. I would like to know from the Government whether the reservation policy will be followed in the case of this institute also.

SHRI MANISH GUPTA: I would like to point out that in reality the leather industry in the country is in crisis. The Central Government had taken various hasty decisions like, demonetisation, GST, etc. in the recent past which have snatched away the livelihood of many people, including those in the leather industry. Though we support the Bill yet, we would also like to urge that the entire thing should be looked at in the way that it affects the lakhs of people that are employed in this industry. I would also like to point out that Kolkata holds the second position in production and exporting of leather goods in India. We would urge upon the Minister to set up a similar institute in Kolkata. We need to encourage smaller units and tiny institutions to grow and make them financially strong, so that they could contribute effectively. We feel that number of trainees in this Institute needs to be enhanced greatly so that when this Institute

becomes an institution of national importance, it is able to serve the country in a more effective and comprehensive manner.

SHRI C.P. NARAYANAN: We have to start such institutes in large numbers. Central Leather Research Institute, Chennai have developed modern methods to avoid pollution and wastage. I think, those methods will be made use of in the footwear area also. In order to have our market in the West, we will have to do a lot of research in this area. When we bring in modern institutes like this we have to ensure that the traditional people, who have been engaged in the leather industry, are not pushed aside. We are the second largest exporter of leather in the world, but due to the recent happenings in our country the availability of leather has come down, and so many institutions had to be closed. Unless we address that issue, such an institute will not be fruitful. It is also a fact that if we want our leather industry to grow, we will have to ensure that dead cattle and other things have to be made use of. As a lot of people are engaged in this industry, we have to train them and modernize leather industry and we should have more such institutes in the country.

SHRI DILIP KUMAR TIRKEY: It is a great step that The Footwear Design and Development Institute is going to get the status of an institute of national importance through this Bill. Now, more and more young students would like to join this area. Our country is at the second position in the world after China in terms of footwear industry. Not only this industry will get a boost now, but students will also get more placements in India and abroad after getting a degree from this institute. I would say that reservation for SC, ST and OBC be taken care of in the institute. The Government must took notice of the impact of the recent incidents of cow vigilantism on the leather industry.

SHRI VEER SINGH: This is a constructive step of the Government. This Bill proposes to confer the status of an institution of National Importance on Footwear Design and Development Institute, but it is fact that such institutes are not in sufficient numbers in the country. More such institutes will generate more employment. The Government should establish treatment plants for small businessmen,

who are unable to afford such plants to control pollution. Modern technologies be adopted in this industry in place of traditional machines. Some more facilities be provided for this sector in various parts of the country, especially in Kanpur and Agra. People engaged in the leather business are facing numerous problems. This business has suffered badly due to the recent incidents in the name of cow happened in the country. I urge upon the Government to make provision for awarding a degree by private university also.

SHRI V. VIJAYASAI REDDY: I support this Bill as the apparel and footwear industry would generate a lot of direct jobs every year and it would also increase both production and exports. India is the second largest producer of footwear after China in the world. The footwear sector relates to the employees and workers. In India, the wages in the States are very low. I would like to know whether the students enrolled since 2012 will also be given degrees under this new Act by this Institute? The budget allocation for this sector has been heavily reduced. It should be ensured by the Government that the import duty in the importing countries is reduced to nil or to the minimal so that further increase in the exports could be visible. I also request the hon. Minister to set up one institute in Andhra Pradesh.

PROF. M.V. RAJEEV GOWDA: The Government is making the institute of Footwear Design as an institution of national importance which I support. So far these institutes have been funded by the Central Government. In the Bill, it appears that these institutes are going to have the ability to raise their own resources. But, at the same time, the worry is that these will charge an inordinate amount of money from students, and then this would also give the Ministry an opportunity to step back its funding from these institutes, and that would not be a good thing. So, I would urge the hon. Minister to clarify this point. The students were not sure whether they were going to get degrees or not, whether their exams would be valid or not. That is a matter of great concern. This is partly a result of our education bureaucracy. From the students across institutions, there has been a long-standing demand for getting degree status. It is important to

ensure that degrees are granted in the correct manner. The FDDI first went to some universities for some kind of approval for their degrees. These were struck down by the University Grants Commission. So, I urge upon the Minister to talk to the HRD Ministry, the UGC, etc., and find a solution to ensure that their diplomas and degrees does not continue to worsen and this issue does not continue to remain in the courts. There have been complaints that students had to pay for their own factory visits and sub-standard quality materials were used in the laboratories and in the workshops. So, there are all these concerns that have been raised. I do urge the Minister to ensure that the level of the education and training should be good and the best teachers are invested in so that they get world-class training and exposure. I would just urge the Minister that the students' suffering is brought to an end and the institutions legitimately and fully earn the status of Institutions of National Importance.

SHRI RAM NATH THAKUR: I support this Bill. When the pace of the employment- generation has gone down, the utility of such institutions has increased more and more. This institution will get the status of national importance through this Bill. We suggest that the Government should definitely open such institutions.

PROF. RAM GOPAL YADAV: This Bill has the importance only upto the time when the pass out people trained by this institute should get the jobs and they could only get the opportunity of jobs when leader would be available to the leather industry. The Government would continue to produce more unemployed people by imparting such type of training. Make the leather available in sufficient quantity. It is self-contradictory as the policies of the Government are such. Whatever is going wrong should be corrected.

SHRI A. NAVANEETHAKRISHNAN: Regarding the percentage of reservation, there are no guidelines in the Act but it says that the decision is to be taken by the concerned Senate of the Institute. The Central Government must issue an order to provide for 69 per cent reservation in the Chennai institute in Tamil Nadu. I very humbly request the hon. Minister to make a statement in this regard.

The hon'ble Minister, replying to the debate, said: Kolkata and Chennai are all fully functional units. Seven units are already fully functional. The FDDI has gone through quite a difficult phase between 2012 and 2014. We have talked to the UGC and the HRD. The Government which envisaged this wonderful institution, has brought the students to this state of affairs. In 2012, it went over from the Indira Gandhi National Open University to a State level university which was not authorised to deal with an institution such as the FDDI. It was recognised by November 2014 by the UGC that it should not have gone to Mewar. It's from then that the difficulties of the students became pronounced. And we have since then tried to keep the youngsters calm. We are running a responsible Government. There was an error committed in 2012 and it is in Modiji's Government that we have taken all the steps to ensure that the students get justice. I would want to address the importance of such an institute which was well conceived and very well thought-out in 1986. It is a particular sector which has intense labour potential, skilled labour is required. On-campus jobs are the main attraction even for children coming from middle and lower middle-class families. FDDI has curriculum strength; it has training strength and it has wonderful faculty. International universities and institutions are helping us prepare the curriculum content. I just want to assure the House and draw the attention of the House that in order to restore it to the position in which it was, seek the Members of the House to support us in making it an institution of national importance. It is one of the skilled labour-intensive sectors. It can bring in jobs. It certainly will benefit the socially weaker sections. Lakhs of unemployed youth particularly from weaker sections have been trained and most of them have been placed in various footwear companies for the first time and FDDI trained more than one lakh. Operator training centres are training these people and in the year 2017-18, we are sure to complete similar target. The Chief Minister of Jharkhand has been very keen that an FDDI come over to his State too. Kanpur does have an operator training centre. The skill is suitable for requirement of the entire leather industry. The Ministry of Commerce is trying to upscale the process and the 12 centres will be upgraded with state-of-the-art

equipment and facilities. We expect the industry cooperation also to be a part of this and traditional skills. These operator training centres will certify and they too at the moment, do certify the people who come from weaker sections with particular skills. We are being inclusive. It naturally covers that section of the students who are at the moment left in a limbo. All the extant policies of the Government regarding reservation, will be followed. Leather should not be supplied by improper, unrecognized and illegal centres. We are trying to regulate it. There are provisions in every State to maintain law and order. I will request the House to consider passing this Bill.

The motion for consideration of the Bill, was adopted.

Clauses etc. were adopted.

The Bill was passed.

The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS, THE MINISTER OF STATE IN THE MINISTRY OF SHIPPING AND THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI MANSUKH L. MANDAVIYA), moving the motion for consideration of the Bill, said: Today, an old law is in force with respect to Admiralty which is 142 to 177 years old, which came into force in the British era. The purpose of bringing in this bill is to bring a comparable bill in the country with the latest bills in force in other parts of the world and to repeal the five old bills which regulate our Admiralty and propose a new bill instead.

SHRI VIVEK K. TANKHA: This field of law in India had not been addressed for a long time and we need to develop this field of law in the country, which is even today dependent on English cases. We need to develop this expertise in India. The expansion of the jurisdiction to new High Courts is a welcome move. The fault of the Bill is that the Bill gives lesser priority to claims of loss of life and

higher priority to claims of wages. I feel that the claim of life is bigger than the claim of wages. Another point that is missing in the Bill is that there is no mechanism for pre-litigation settlement. Now, pre-litigation settlement is a very important facet of legal jurisprudence. There are many cases which can be settled at a pre-trial stage. The original jurisdiction in this Bill has been given to the High Courts. We should have tribunals and the appeal should lie with the High Courts. Tribunals are much more specialised. In future, the Government can bring an amendment for the establishment of Maritime Tribunals against which appeals would go to High Courts. With regard to the maritime cases, there is very little reference to the Indian law.

SHRI CHUNIBHAI KANJIBHAI GOHEL: This law is hundred and fifty years old. Due to this law, hitherto the relevant cases can only be filed in three courts located at Kolkata, Mumbai and Chennai. In the past, action could not be taken due to this archaic law in many cases. But with this new law, all courts located in the maritime States are given jurisdiction to entertain the cases. The Central Government can also transfer the cases to other court as well. The five old British era archaic laws have been repealed with this new law. Now the question related to ownership of the vessel, residence of the owner can be resolved with this new law. In case, if the concerned courts are overburdened with the cases, then the cases under this act can also be transferred to lower courts. Our Government intends to replace all the archaic laws with new laws.

SHRIMATI VIJILA SATHYANANTH: The Bill envisages that the maritime claims and maritime issues will be settled in the respective High Courts. New High Courts have been added, so that the claims and other judicial matters will be settled then and there. A clarification is needed in this regard. This Act shall not apply to a foreign vessel, which is used for any non-commercial purpose, and any foreign vessel which is used for the commercial purpose can be included in it. On October 12, 2013 a US based vessel entered into Indian maritime boundary on the ground of emergency but later on it was found that they were buying fuel clandestinely. They were

getting the fuel for some terrorist operation. The next day it was found that it was a threat to our internal security. So, if a foreign vessel is used for non-commercial purpose, it has to come in the ambit of this Bill. In one incidence, two vessels collided and there was oil spill all over Ennore Port. The aqua culture was completely devastated and there was a huge loss. The State Government had to put its machinery and the manpower to restore the ecology of the area. I hope that the claim of the Tamil Nadu Government related to rehabilitation work will be released soon and same will be paid to the affected persons.

SHRI D. BANDYOPADHYAY: India is a leading maritime nation and has a coastline stretching around 7,500 kilometres. Maritime transportation caters to 95 per cent of its merchandise trade in volume and 68 per cent in value. This Bill seeks to repeal four archaic colonial legislation which came into force during the colonial era. The Bill states that jurisdiction in respect of all maritime claims under this Act shall vest in the respective High Courts. There is also provision that the Central Government may extend the jurisdiction of the High Court. It is rather ambiguous and may lead to disputes between States. For this to be effective, jurisdiction of territorial waters need to be clearly demarcated through the use of modern technology. It is also a reality that in the High Courts across the country are overburdened as number of cases are pending before them. We need to ensure that in case of accidents resulting in release of harmful toxic pollutants, we have a system in place to take a speedy action. With this we support the bill.

SHRIMATI KAHKASHAN PERWEEN: The legal framework of this Bill is obsolete. It was required to be changed. This Bill will strengthen legal proceedings of maritime claims, confiscation of vessels and other related issues. There are three important factor of this Bill. First expansion of jurisdiction of courts, second right to the settlement of maritime claims and the third right to confiscate vessels related to maritime disputes. I support this Bill.

SHRI K. SOMAPRASAD: This Bill consolidates the existing four different colonial laws, related to the main subject, as a single comprehensive law. It would fulfil a long-standing demand of

the maritime legal fraternity. This Bill confers admiralty jurisdiction on the High Courts, located in all coastal States. I support this Bill. But, I would like to point out that the procedure of the Civil Code takes very much time. In order to avoid this unnecessary inordinate delay, the procedure should be simplified and time-bound.

SHRI A.U. SINGH DEO: This Bill repeals the obsolete laws laid down earlier, that is, in the colonial times. We welcome this. It consolidates existing laws relating to admiralty jurisdiction of courts, admiralty proceedings on maritime claims and arrest of vessels. It applies to every vessel irrespective of place of residence or domicile of owner. It provides for prioritization of maritime claims in case of dispute. There are certain suggestions which I would like to put forth. There is a need to provide clarity on sub clause (2) of clause 17 as the Bill does not define how the existing proceedings will be transferred after the implementation of this Act even to other courts. The next suggestion is identification of territorial waters especially for States like West Bengal and Odisha to avoid overlapping of jurisdiction. Some more mechanism needs to be put in place in this particular Bill like pre-litigation settlements. Tribunals could also be put in later so that the litigation doesn't necessarily have to go to High Courts and Supreme Court. We are grateful and we support this wholeheartedly

SHRI V. VIJAYASAI REDDY: I on behalf of my Party and my Party President support this Bill. The Bill seeks to consolidate the existing laws on civil matters of admiralty jurisdiction of the courts and also admiralty proceedings on maritime claims. Further, the Bill seeks to empower the courts to arrest the ships also wherever the courts deem fit and necessary. This Bill, if it is passed as law by this august House I am very confident, will boost the maritime trade. The enactment of this Bill is long overdue. However we have one or two suggestions to make. First one is, priority of maritime claims. I think human life should be given top priority. Since by virtue of this Bill several courts are now conferred with admiralty jurisdiction, there has to be a centralized Registry so that duplication, extra effort and confusion are avoided and there is a smooth flow of information from

one High Court to another. Clause 3 of the Bill provides that jurisdiction would be exercisable over waters upto and including the territorial waters. The Law Commission, however, has recommended that admiralty jurisdiction should be extended over all waters including the Inland Waterways. I hope the Government would consider Law Commission's recommendations in this regard.

SHRI D. RAJA: India is emerging now as a maritime power and we need suitable laws. Hence, I support this bill. The Bill also talks about uniformity with prevalent international practices. But do India and Sri Lanka pursue and follow international practices? Recently, the Sri Lankan Parliament passed a law. In Tamil Nadu, all political parties have termed it as a draconian law because that law aims at Indian fishermen and their vessels. Between India and Sri Lanka Katchatheevu Agreement is a contentious issue. This bilateral agreement does not protect the interests of Indian fishermen. I strongly believe that the Katchatheevu Agreement needs to be re-negotiated. The Tamil Nadu Assembly also passed a Resolution. I don't know what the response of the Central Government is. That is why I ask the Government When Sri Lanka passes such a legislation what is India going to do in protection of our own fishermen, their vessels and their rights. Secondly are you in agreement with our demand that Katchatheevu Agreement needs reopening and renegotiation because these are all issues that you cannot avoid. Indian fishermen living in Rameswaram, Tamil Nadu coast and Puducherry coast are very much worried as to what will happen to their uncertain future' How is the Government going to deal with Sri Lanka when it comes to defining the maritime boundary between India and Sri Lanka.

The hon'ble Minister, replying to the debate, said: Today laws related to maritime are changing throughout the world. Even in England law has been changed. But in India everything is going on as per this old law only. Whatever facilities relating to Admiralties, claims regarding settlements we were supposed to get, we were not getting. And that is why this law had to be enacted. Earlier Kolkata, Chennai and Mumbai only these three ports were there. So these three

high courts only were given the power. Today in changing time many ports have been developed. Our maritime import-export has also increased, but law relating to this remain old only. We have brought this law to change this. There was no clarity in old laws. This law will address all the problems. We have developed inland waterways also. 5-6 inland waterways have started functioning. Development of major ports under "Sagarmala" yojna in states like Kerala, West Bengal, Maharashtra, Tamil Nadu, Odisha and Karnataka will lead to increase in cargo and entry of other vessels in the country. We have chalked out an action plan to invest 8 lakhs crore rupees in the ensuing 15 years for generation of employment opportunities. We have had extensive deliberations before introduction of this Bill in this House. We have to see that the protection of vessels and wages of workers are given due consideration. I would like to say that 'loss of life' has also been given equal importance in the Bill. Due care has been taken in provisions which go with the title of the Bill. There is no need to deliberate on tribunal issue. Jurisdiction of three High Courts has been extended through this Bill. We wish that this will play an important role in development of ports of the country. Hence, I appeal that the Bill be taken into consideration.

The motion for consideration of the Bill was adopted.

Clauses etc., were adopted.

The Bill, was passed.

SPECIAL MENTIONS

1. Demand for Including Sambalpuri-Koshli Language Spoken in Odisha in Eighth Schedule of Constitution

SHRI PRASANNA ACHARYA: The Sambalpuri-Koshi is the mother tongue of all section of people of Western Odisha as it is spoken by more than 1.5 crore people of the state. The language has its own literature and special grammar. Many scholars have made in-depth research on this language. A separate dictionary is widely used

by the Sambalpuri-koshi speaking people of western Odisha. I urge upon the Government to accord recognition to this language and place it in the Eighth Schedule of the Constitution of India.

2. Demand to Take Immediate Steps to Repair the Shenbagavalli Dam in Kerala

SHRIMATI VIJILA SATHYANANTH: The livelihood of thousands of farmers in Sivagiri, Sankarankoil in Tirunelveli district and Rajapalayam in Virudhunagar district has been put to stake due to non-availability of water from Shenbagavalli dam. This dam was constructed on Shenbagavalli river that flows through western Ghats facilitating drinking water and irrigation facilities to an extent of 35,000 acres of land. Our founder leader of AIADMK Dr. Puratchi Thalaivar MGR had taken steps to revive this dam which developed a seepage in 1965 due to heavy rains. Since then this dam has not been put to use. Despite Tamil Nadu Government's efforts, the Government of Kerala decided not to carry out repair works based on an amendment to the Kerala Irrigation and Water Conservation Act, 2003 which was struck down by the Supreme Court in the Mullaperiyar issue. I urge upon the government to take immediate steps in this regard.

3. Demand to Make Public the Draft Rules under Compensatory Afforestation Bill, 2016 for Public Debate before they are finalized

SHRI JAIRAM RAMESH: No consultations have taken place and no rules have been promulgated despite passage of the compensatory afforestation fund Bill, 2016, popularly known as 'CAMPA' Bill by the Rajya Sabha on 28th July, 2016. The rights and livelihood of lakhs of families are under severe threat because of its enforcement without putting proper rules in place. I urge upon the Government to take urgent steps to ensure that the draft rules of the 'CAMPA' law are made available for public debate before actual finalization.

4. Ambulances, Equipped with All Facilities and Give Cashless Treatment to Victims of Road Accidents on National Highways in Country

SHRI P.L. PUNIA: All member countries of United Nations including India have targeted to reduce road accidents by 50 per cent by the year 2020. But India still lags far behind as per the current scenario. Every year around 146000 people die in 5 lakhs road accidents. It takes one hour for ambulance to reach hospital. Only 49 per cent injured people reach hospitals in time. Cashless facility is being provided on national highway 8 and 33 only. This reflects lackadaisical approach of the Government. Only one ambulance facility is available to one lakh population of the country in place of one ambulance for 80,000 people. A time-bound action plan should be chalked out by the Government for providing ambulances equipped with all facilities and cashless treatment facility to the people injured in road accidents on national highways.

(Shrimati Kahkashan Perween, Shri Neeraj Shekhar, Shri Harivansh and Shri Ananda Bhaskar Rapolu associated.)

5. Demand for Withholding Disinvestment of Hindustan Paper Corporation Ltd. and Bridge and Roof Company (India) Ltd.

SHRI VIVEK GUPTA: Hindustan Paper Corporation Limited and Bridge and Roof company (India) Ltd. are the two PSUs which provide direct and indirect employment to thousands of people in the country. It is unfortunate that the employees of Hindustan paper Corporation Limited have not received their salaries and other related payments from past six to eight months. Even the retired employees are also not paid their dues for the past one and a half years. Efforts should be made to ensure commencement of production in both the mills at the earliest instead of shutting down this PSU. It is equally unfortunate to shut down another profit making PSU- Bridge and Roof Company Ltd. which had registered a turnover of Rs. 1746 crore with a profit of Rs. 25.64 crore and which has always funded its entire

expenditure through internal generation of funds without any government support.

(Several hon'ble Members associated.)

SHUMSHER K. SHERIFF,
Secretary-General.

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**ERRATA TO THE SUPPLEMENT TO SYNOPSIS OF DEBATE
DATED 20th JULY, 2017**

| Page No. | Line No. | Correction |
|---------------------|-----------------|-------------------|
| 49 | 8 | Delete 'here'. |