

RAJYA SABHA

*SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Monday, December 09, 2019 / Agrahayana 18, 1941 (Saka)

Reference to Victims of Fire Accident in Anaj Mandi, Rani Jhansi Road, New Delhi

MR. CHAIRMAN: Hon. Members, it has been reported that 43 persons lost their lives and around 20 others were critically injured in a massive fire, which broke out in a five-storey building housing manufacturing units and warehouses in Anaj Mandi area on Rani Jhansi Road in New Delhi, in the early hours of 8th December, 2019. The loss of so many precious lives and injury to hapless persons in this tragic incident is, indeed, unfortunate and painful.

This House joins me in expressing our heartfelt condolences as well as deep sympathy and sorrow to the bereaved families and in praying for the speedy recovery of the injured. The House also expresses its concern over the lack of adequate safety measures in factories and industrial establishments and proper urban infrastructure planning and stresses upon the need for proper safeguards therein to prevent occurrence of such tragic incidents.

(One Minute's silence was observed as a mark of respect to the memory of those who lost their lives in this tragedy.)

***This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.**

WELCOME TO PARLIAMENTARY DELEGATION FROM MALDIVES

MR. CHAIRMAN: Hon. Members, I have an announcement to make. We have with us, seated in the Special Box, Members of a Parliamentary Delegation from Maldives, currently on a visit to our country under the distinguished leadership of His Excellency Mr. Mohamed Nasheed, Speaker of People's Majlis of Maldives.

On behalf of Members of the House and on my own behalf, I take pleasure in extending a hearty welcome to the leader and other members of the delegation and wish our distinguished guests an enjoyable and fruitful stay in our country.

We hope that during their stay here, they would be able to get to know more about our parliamentary system, our country and our people, and that their visit will further strengthen the friendly bonds that exist between India and Maldives. Through them, we convey our greetings and best wishes to the Parliament and the friendly people of Maldives.

MATTERS RAISED WITH THE PERMISSION OF THE CHAIR

1. Loss of Lives in Fire at Anaj Mandi, Delhi

SHRI VIJAY GOEL: Yesterday morning, a building located in Anaj Mandi on Rani Jhansi Road in Delhi caught fire. It is very sad to see the death of 43 people in this incident. Also, 20 people were injured in it. I applaud those 150 staff of the team of fire brigade and police who saved the lives of more than 60 people on the spot. Twenty years have passed since the occurrence of Uphar cinema fire incident, but we have not learnt anything from this. There are illegal buildings all over in Delhi where factories are running illegally. Today, more than half of the buildings in Chandni Chowk are

dangerous and debris of some buildings is lying there. Attention is required to be paid to prevent this type of incident again.

(Several hon'ble Members associated.)

SHRI SANJAY SINGH: This incident is a matter of great pain for all of us. 43 people died in this incident. They came here 1000-1200 kilometers away to work as labourers. They could not even run and kept screaming. We should make an effort together that such incident does not recur in future.

(Several hon'ble Members associated.)

SHRI BINOY VISWAM: There should not be a repetition of this type of incident. Places where the poor people are living should be a safe place to live.

(Ch. Sukhram Singh Yadav associated.)

2. Need to set up an Ahir Regiment in Indian Army

SHRI HARNATH SINGH YADAV: From ancient times till today, the Ahirs have always written golden stories with their bravery. The Indian Army has over thirty regiments in the name of caste and regions. But there is no regiment in the name of Ahirs. Two to four Ahir youth are in the army from almost every village in the country. 114 out of 120 jawans of 14 Kumaon Battalion were martyred in the Battle of Rejangla with China. They had killed 1,300 Chinese soldiers before they got martyred. The soldiers of this battalion were decorated with various medals for their extraordinary valor. Except a few of them, all the others belonged to the Ahir or Yadav community. Therefore, I demand from the government to set up a regiment called Ahir or Ahirwal.

(Several hon'ble Members associated.)

3. Deprivation of Medical Seats to O.B.C. Students Due to Reservation Policy

SHRI TIRUCHI SIVA: NEET PG examination for admission to MD, MS and other post-graduate medical courses is going to be held shortly. But, an announcement from the National

Board of Examination states that the 27 per cent reservation for the OBCs will be applicable only in the Central Government-owned colleges and not in the State-owned colleges. The total number of seats in the Central pool is 30,774. The State Governments give 50 per cent of their seats to the Central pool. Out of the total seats, the seats in the Central pool are about 15,387. Because of this announcement, they will be entitled to only 300 seats. The OBCs should get 879 seats. They are losing 450 seats. National Board of Examination states that the OBCs will be confined to the Central Government-owned colleges. If this 27 per cent is denied to the OBC community, it will be a very big blow to the reservation benefits. So, I urge upon the Government to take this issue very seriously, rectify this and render justice to the OBC students by giving them 27 per cent reservation.

(Several hon'ble Members associated.)

4. Need for Viability Gap Funding for Petrochemical Complex in Andhra Pradesh

DR. K.V.P. RAMACHANDRA RAO: This is regarding the viability gap funding for petrochemical complex at Andhra Pradesh. The Andhra Pradesh Reorganization Act proposes for establishment of petrochemical complex at Kakinada, Andhra Pradesh. Accordingly, Government of Andhra Pradesh, HPCL, GAIL India have signed a MoU and conducted a feasibility study and decided to establish the petrochemical complex with an estimated cost of Rs. 32,901 crores at Kakinada. The public sector undertakings have opined that a viability gap funding is necessary to make the project viable. The Ministry of Petroleum and Natural Gas conveyed to the State that Government of Andhra Pradesh shall bear this viability gap funding from its own resources. The State is facing severe fund crunch for developmental works. Now, it will be difficult for the State to provide this viability gap funding for proposed petrochemical complex. I, therefore, urge the Government to provide the viability gap funding required for establishment of Petrochemical complex at Kakinada as a grant or at least direct the oil PSUs to provide this fund as a loan to State which can be recovered from the state after an initial

moratorium of ten years of commissioning of the Petrochemical complex.

(Shri V. Vijayasai Reddy, Shri Binoy Viswam, Shri Prabhakar Reddy Vemireddy and Shri Kanakamedala Ravindra Kumar associated.)

5. Changing the Name of the State of West Bengal to 'Bengal'

DR. SANTANU SEN: My submission is regarding renaming of 'West Bengal' to 'Bengal' which is badly needed. Because the State of West Bengal, which has been progressing significantly for the last few years, is always at the bottom of the alphabetical list of the States. The Article 1 of the Indian Constitution states that India shall be a Union of States and not a federation. So, the States can be renamed, States can unite, States can divide and Article 3 of Indian Constitution has given the power to the Parliament to take the decision regarding changing the boundaries and changing the names of the States. Unfortunately, West Bengal has been facing step-motherly attitude of the Government in several issues. Three names were proposed by West Bengal Legislative Assembly but they were turned down and West Bengal was asked to come out with a single name. In 2018, single name - 'Bangla'- was proposed by West Bengal Legislative Assembly. In spite of repeated appeals, it has been ignored by the Government of India.

(Several hon'ble Members associated.)

6. Need to Protect Rocket/Satellite Launch Sites in the country from Rising Sea Levels

DR. SASMIT PATRA: I would like to talk about the rising sea levels and its impact on launch sites for missiles and satellites in India. There are three launch sites in India for missiles and satellites. One is the integrated test range at Balasore, Chandipur, The second is at Sriharikota and the third one is Thumba Equatorial Rocket Launching Station at Thiruvananthapuram. The site in Odisha is an island, the site in Andhra Pradesh is a barrier island and the Thumba is

on the sea coast. Every year, approximately 1.7 mm of sea level has increased over the last fifty years. It has resulted in an increase of 8.5 cm in the sea level. Considering this rapid rise and considering the topographical and geographical situation of three satellite launch sites, I would like to bring it to the knowledge of the Government so that they must take due notice of it and ensure that these sensitive installations are taken care of.

(Several hon'ble Members associated.)

7. Expeditious Construction of Ramayapatnam Port

SHRI V. VIJAYASAI REDDY: The State of Andhra Pradesh has requested the Central Government for construction and development of port at Ramayapatnam. Initially in the A.P. Reorganisation Act, the Government of India has originally proposed to construct a port in Dugarajapatnam. Due to non-feasibility of Dugarajapatnam port, later, a decision was taken to shift it from Dugarajapatnam to Ramayapatnam. The Ramayapatnam port has international relevance. The proposal is that the port shall be constructed by the State Government, but it is to be funded by the Central Government as per the A.P. Reorganisation Act. The present State Government has a different proposal -- the port shall be constructed by the State Government and to be funded by the Central Government, so that the State will hold the absolute power on the port. The State Government has already identified 3,000 acres of land at Ramayapatnam for setting up the project. I urge the Government to facilitate completion of project at Ramayapatnam.

(Shri Prabhakar Reddy Vemireddy and Shri G.V.L. Narasimha Rao associated.)

8. Cut in Subsidies by Sree Chitra Tirunal Institute for Medical Sciences and Technology at Thiruvananthapuram, Kerala

SHRI JOSE K. MANI: The Sree Chitra Tirunal Institute for Medical Sciences and Technology at Thiruvananthapuram is an institution of national importance. It has specialisation in cardiovascular and neurological disorders. Earlier this institute catered

to both the Below the Poverty Line patients and the Above the Poverty Line patients at subsidised rates. Last December, the management or the Government has taken a decision to cut almost all the subsidies to the BPL patients as well as the APL patients. A BPL patient has to pass the minimum of seven indicators out of nine. Then only will he get free assistance. Of that, the two are -- drinking water and toilet. Kerala has been declared Open Defection Free State. Most of the time the genuine BPL patients do not happen to get the assistance at all. My request to the Government is to restore the subsidies given by the Government of India.

9. Need to Restart Power Generation from Meja Thermal Power Station, Allahabad

SHRI REWATI RAMAN SINGH: I want to draw the Government's attention to the closed unit of Meja Energy Corporation. This unit is a joint venture of Government of Uttar Pradesh and NTPC for a long time. It is established in Koharaghat, Meja. Its 630 MW first unit has stopped functioning. The second unit will be able to run only when the first unit works properly. It is unfortunate that this unit was shut down due to some fault in the turbine on October 24, 2019, and it is not known when the unit will start functioning again. Allahabad (Prayagraj) is going to be a power hub. If this turbine starts functioning, the second turbine will also run within three months and the power generation in the country will improve.

10. Need to Release of Central Share in SDRF for the Year 2019-20

SHRI PRASHANTA NANDA: As per the recommendations of the Fourteenth Finance Commission, the States are required to contribute ten per cent to the State Disaster Response Fund during the award period and remaining ninety per cent is to be contributed by the Union Government. Since GST was implemented with effect from 1st July, 2017, the sharing pattern of SDRF ought to have been in the ratio of 90:10 from the year 2017-18 onwards. But the Government of India released the Central share of SDRF for the year 2017-18 in the ratio of 75:25 instead of 90:10. It has now been intimated by the

Government that since GST has not been stabilized, the competent authority has decided that during the Fourteenth Finance Commission award period, Centre's share or contribution to State Disaster Response Fund shall remain in the same ratio, that is, 75:25, as it was in the Thirteenth Finance Commission award period. I urge the Government to take steps to revert back to the sharing pattern of 90:10 in SDRF. Considering the gravity of extremely severe cyclonic storm 'Fani' which hit Odisha on 3.5.2019, I urge the Government to release the balance amount of Rs.266 crore .

(Shri Prasanna Acharya, Dr. Amar Patnaik, Dr. Sasmit Patra and Shrimati Shanta Chhetri associated.)

11. Need for Issuing Instructions to Airlines to Provide Requisite Amenities like Wheel Chairs/Buggy Etc. to Needy Passengers

SHRI MOHD. ALI KHAN: The Government has privatized the airports for the convenience of the passengers. The Airports Authority works closely with private operators. But, at many airports, the needs of elderly people such as buggy and wheel chair are ignored. I appeal to the Government and the Airports Authority to pay attention to this. There is discrimination between first class passengers and general class passengers within airports with regard to facilities like bus etc. I request that the Government should eliminate this discrimination and allow all passengers to travel together in a bus.

12. Problems being Faced by Gold/Silver Traders and Workers Due to Misuse of IPC Section 411

SHRI KAILASH SONI: I want to make the Government aware of the sufferings of the gold/silver traders and workers engaged in gold and silver business. As a result of the implementation of Section 411 of the Indian Penal Code, the workers of the entire Swarnakar society are suffering. False lawsuits are filed against them. But after keeping records of the purchases made, they have to suffer at the hands of police. They are very sad and upset by the police action. Therefore, I would like to request the Government to add a 'proviso' to the section 411 of the Indian Penal Code that if the gold and silver

traders have bought goods at market prices and have kept a record thereof, then the police should not harass them.

(Shri Rajmani Patel associated.)

13. Problems of Tea Workers and Tea Garden Owners

SHRIMATI SHANTA CHHETRI: Sprawling tea gardens in the green foothills of West Bengal's Dooars region provides livelihood to majority of the area's tribal population. Unfortunately, the market rate of tea and the overall cost of producing it has forced many tea gardens to close down. Therefore, I urge upon the Government to implement the Minimum Wage Act in tea gardens, provide subsidy to the tea gardens for modernisation and re-plantation, urgently set up centrally-located hospitals for tea workers and dependents and provide scholarships for children of tea workers willing to pursue higher education. A serious look should be given into the grave issue of our world famous 'Darjeeling Tea' brand being wrongfully misrepresented by Nepal Tea, thereby, adversely affecting our tea industry.

(Several hon'ble Members associated.)

14. Problems Faced by Musicians Due to Damage to their Instruments in Air India Flight to the U.S.A.

DR. SONAL MANSINGH: Unfortunately, the community of artists, especially, performing artists, has no voice and no representation. The equipments of artists that they use are professionally very, very important to their lives, art and vocation. Sometimes, Air India breaks the professional instruments. A very eminent sitarist travelled to JFK, New York on 1st November. His performance was on 2nd November. His sitar, costing almost Rs. 4 lakh, was given to him at the JFK airport, broken vertically and horizontally. The Air India, instead of apologising to them, told them that they should buy another seat. This is ridiculous. So, my request is that the Ministry of Culture and the Ministry of Civil Aviation should come together to discuss this very important issue.

(Several hon'ble Members associated.)

15. Need to Fill Vacancies in Various Courts, Including High Courts

DR. T. SUBBARAMI REDDY: The Supreme Court has taken a serious note of the fact that hundred names of judges were recommended by it for the appointment of judges, but still, the proposal is lying pending with the Government. There are many posts of judges in the country which are lying vacant. Almost 30 per cent of the sanctioned posts of judges are lying vacant. The total sanctioned strength of High Court judges in India is 1018. But, 400 posts are still currently vacant. Vacancies of judges keep arising on account of several reasons, including retirement, resignation, and elevation of judges. Even subordinate courts have also shortage of 5,000 judicial officers against the approved strength of 22,074 judicial officers. Serious offences, like rapes, murders, violence against women take a lot of time for getting justice because one of the main reasons is that there are lots of vacancies of judges. I urge upon the Government, to take urgent measures to complete all formalities for filling up vacancies in various High Courts, and also issue directions to various State Governments to take urgent steps for filling up the vacancies in the subordinate courts.

(Shri Rajmani Patel, Dr. Sasmit Patra and Dr. Amar Patnaik associated.)

16. Huge Siltation on River-Bed of Keleghai-Kapaleswari Rivers

SHRI MANAS RANJAN BHUNIA: I want to draw the attention of the Government to a project for the accelerated irrigation, an FMP, Flood Management Project in West Bengal. It was introduced in the district of Paschim Midnapore and Purvi Midnapore, covering eleven blocks and near about twenty-five lakhs of people. It was meant to get rid of the devastating recurring flood each year. The Central Government during that period of 2010, sanctioned Rs. 650 crore with the mission of distribution of share. State Government-25 per cent, Central Government-75 per cent, but, later on, in the 12th Plan Period, it was reverted to 50:50 percentage of the State Government and the Central Government. Crops, houses,

vegetables and animal resources, valuing crores and crores of rupees, are destroyed every year by the devastating floods. It needs immediate dredging and desiltation of the river beds of Keleghai, Kapaliswari, Maghai and Chanda rivers. My earnest appeal to the Government is that you should speak to the Government of West Bengal and release the funds, by which dredging and desiltation process can be done so that the people are relieved from the recurring devastating floods.

(Ms. Dola Sen and Shri Md. Nadimul Haque associated.)

17. Need to Ensure Uniform Implementation of Maternity Benefit Act

DR. L. HANUMANTHAI AH: Under the National Food Security Act, 2013, all pregnant women are entitled to get maternity benefit of Rs.6,000 per child. On December 31st, 2016, Government announced that pregnant women would soon get Rs.6,000 into their account. The maternity benefit scheme was rolled out in 2017. The Prime Minister Matru Vandana Yojana violates the National Food Security Act as the benefits are restricted to Rs.5,000 per child. The schemes for the benefit of women and children are being neglected. I urge upon the Government to implement the scheme throughout the country so that the scheme will benefit the maximum number of pregnant women.

(Dr. Ameer Yajnik, Shrimati Wansuk Syiem and Shri Rajmani Patel associated.)

GOVERNMENT BILL

The Recycling of Ships Bill, 2019

THE MINISTER OF STATE OF THE MINISTRY OF SHIPPING AND THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI MANSUKH MANDAVIYA), moving the motion for consideration of the Bill, said: The ship recycling industry is an industry associated with shipbuilding. The ship has a lifespan of 20 to 30 years and is

subsequently recycled. The shipbuilding industry is in every country of the world. India has a natural opportunity of ship breaking. Another reason for the ship breaking industry to be developed is that we have Gulf of Cambay and Gulf of Kutch on our coastline and thus this is a natural opportunity provided to us. A natural opportunity in the Gulf of Cambay is that the greatest intensity of ocean waves in the world is in the Gulf of Cambay. All these opportunities are in India. Their benefit is that India has a total of 53,000 commercial ships in the world. 30 per cent of the world's ships are reconditioned in India. This recycling takes place in four places in India. Out of the total ship recycling industries in India, 99 per cent are located in Alang in Bhavnagar, Gujarat. Our country gets many things from this industry. Out of the total requirement of steel in the country, 10 per cent of the steel comes from this industry. This creates employment opportunities. The significance of this bill is that when the ship comes to be recycled in the recycling industry, two subjects are important, safety of workers and second is environment. The Supreme Court issued comprehensive guidelines in 2013. The yard should have a system of removal of hazardous waste. The ship industry is an international industry. These guidelines should be followed by all the recycling industries in the world, which will help in creating a strong environmental environment. It gave guidelines regarding how to ensure the health of workers. Recycling in India will create employment opportunities. The bill has been introduced to reform the Hong Kong Convention and to provide legal provisions to the Ship Breaking Code based on the Supreme Court guidelines.

DR. AMEE YAJNIK: The Bill is a welcome step as far as the ship recycling industry is concerned. The Hong Kong Convention is quite weak on the safety of workers, on labour standards and also the environment measures. The ship breaking industry is considered to be a labour intensive industry. The Bill here has come in a very detailed form. The industry came to lime light in 1983 and Gujarat has the largest ship building yard. There is too much of a kind of overlapping in the Bill. Three issues rule this industry. First is breaking of the ship; the arena has to be in conformity with the environmental norms. The Basel Convention should have found

mention by the Minister. The Hong Kong Convention has ignored many major issues. The Convention is very diluted. It does not take care of the safety of the workers. Today the workers are being given some kind of a training. Several matters have gone to the High Court of Gujarat and also travelled to the hon. Apex Court. A study says that one worker out of ten is afflicted with asbestosis. Recently, a documentary film was filmed on a ship that had a gas tanker, and the gas tanker had high mercury levels. Workers' safety becomes very important. Safety measures in a proper environment needs to be taken care of. The hon. Minister is requested to see to it that the Environment Ministry is also brought in here in order to see what kind of environment clearances are being given to the ship industry. The important things taken out of the ship like metal etc., are sold. The European Union has got very stringent environmental standards. Though we are a member of the International Labour Organisation, we have still not been able to give workers the safety that is required as per the Factories Act. The identity of the flag of the ship should be properly established. So, the flag of the ship needs to be somewhere put in the Bill so that the authorities are able to find out the correct place from where the ship has come. So, the onus also goes on to the ship breaking facility which is buying the ship. This aspect needs to be taken into account as it is not anywhere in the Bill. Ship is a kind of a small living town floating on the seas, It is mentioned very vaguely in the Bill who will be the surveying authority. It should have been practically defined. This loophole has to be plugged and the Bill has to be amended accordingly. One simple line has been mentioned under Clause 15 that 'adequate measures for safety of workers. These workers are doing specialized work in ship breaking. That is why these workers need to have all kinds of definitions to be incorporated in the Bill with regard to safety training, etc. This needs to be incorporated as far as workers are concerned. When it comes to environmental law, we talk of every Act, We are talking of flora and fauna. So, there should be a proper legislation or guidelines for ship breaking and ship recycling waste. Environmental damage is also not defined. Environmental damage has to be quantified, has also to be qualified in order to bring what kind of damage is there. There has to

be some kind of coordination in departments. Alang itself, has almost about 450 ships per year. So, this, I think, needs to be taken care of. There should be access to these places. There should be some transparency. There are almost 154 shipyards along our coasts. There is no facility that receives this waste. The hon. Minister is requested to take the provision of the safety of workers on priority. That is most important.

SHRI ASHWINI VAISHNAW: I support the Ship Recycling Bill, 2019. The presentation will be given in four parts. How this industry will be developed in Odisha will also be talked about. And how employment can be created there will also be considered upon. Through this bill, this industry will be organized and systematized. A ship is a floating city. There are only a handful of companies around the world that design the ship. The ship contains approximately 50 to 60 per cent steel, copper and galvanized iron. Today, a very good concept of a circular economy is going on in the industry. The world population has reached around 7.5 billion. In the concept of circular economy, we recycle the resources available with us. The ship recycling industry is a very old industry. Earlier the largest vessel weighed 40 thousand tonnes. Nowadays the ships weigh about three and a half lakh tons. If you talk about a common vessel of one lakh tons, then the equivalent of about 5000 trucks can be loaded into it. Due to the increasing size of the ships and the complexities of their construction, their recycling industry shifted to other ports than the ports near the coast. For this, new technology started to be used and a new industry of ship breaking came in being. There are many types of ports in India. Proper planning has to be made for the construction or recycling of any vessel, including labor force, equipments used in it and other types of infrastructure. The largest center for ship recycling in our country is located in Alang in the state of Gujarat. Globally, Turkey has emerged as a strong rival to India. The Turkish government has aggressively promoted this industry. The Minister has said that there are about 55,000 ships in the world and about 1000 of them are in a position to retire and there is a competition in market for their recycling continues. The Government of India has taken an important step towards developing this industry

and increasing employment. There is a population of about 14-15 lakhs in a district. By virtue of such an industry a lot of people get employment. Moreover, a number of allied industries come up to generate employment. As far as funding is concerned, the ship owners submit an undertaking towards recycling in a responsible manner. For this we need to outline a broader framework. With regard to Alang recycling plant it would be pertinent to mention that most of the provisions of Hong Kong Convention have been voluntarily implemented. There is an apprehension among hon'ble Members that India is turning into a dumping yard. However, as a matter of fact we are doing our business in a professional manner. Today, if there is a reluctance on our part, the countries like USA and Canada could neutralize our advantage in this field. We should not abandon our manufacturing or ship breaking industry on the basis of some unfounded concerns being expressed in the name of environmental issues. As a precautionary measure a proper inventory of hazardous materials must be prepared. With a change in technology and proper monitoring we can address the genuine concerns. Another important aspect relates to safety of the our workers. All workers should be trained on how to wear safety jackets and gloves. About 80 to 90% of accidents can be prevented if they are properly trained. My next concern is about the adverse effects on the environment, so whatever action should be done in this regard should be monitored and we should have an account of the entire process related to the breaking of the ship, that is, information related to its manufacturing and maintenance should be available. The fifth issue is about the survey and the help of internationally reputed agencies could be taken in this regard. As a sixth point, I would like to mention the history of Odisha that the ships of Kalinga kingdom used to go to countries like Indonesia and Malaysia, 1500 years ago. The Iron-items, salts, textiles and spices were exported by us. Odisha's maritime boundary is 450 kilometres, in length. Our history of sea voyages is very old, but we do not have a shipbuilding industry. Therefore, it is requested that our entire maritime boundary be surveyed and the shipbuilding and ship recycling industry should be developed there. In view of the history related to sea voyages of our state, traditional programs like 'Bali

Yatra' should be recognized as National Maritime Heritage. We have only three ports and at least 10 ports could be established there. Approximately 2 to 5 lakhs of people could be directly or indirectly employed with the proper development of this industry. In this direction, much progress could be achieved with the help of all industrialists and professionals. Government officials have their own importance. They have a lot of knowledge. But this subject happens to be quite technical and complicated. Therefore, I request that professional bodies should also be taken under this authority and as competent authorities. Secondly, proper marketing of the material that we receive from the recycling of the vessel should also be arranged as this will make the certification process transparent about its sources and its quality and increase the confidence of buyers. We can also use e-marketing in this industry on the lines of Amazon and Flipkart. The third thing is that common facilities, equipment and infrastructure should be made available for this purpose. The fourth important fact is that workers should be imparted good training and proper certification. I have seen the institute located in Alang. Its quality can be improved further. The granting of diploma status to the training course being conducted there would also prove to be a reasonable step.

SHRI SUKHENDU SEKHAR RAY: I support this Bill with certain reservations but as expressed by Dr. Ami Yagnik and Vaishnav ji. Many of us are talking about the Hong Kong International Convention. It has been 10 years since this convention came into existence. An international NGO, Greenpeace, has mentioned the purpose and reasons for the Hong Kong Convention. According to the Shipbuilding Code, 2013 prevailing in our country, there was no provision of monetary penalty in case of violation of rules. But in this Bill, a provision of financial penalty ranging from 5 to 10 lakh rupees has been made. Nevertheless, I think this penalty is very low and should be increased to an amount of Rupees 25 to 30 lakhs. The Bill also calls for creating a national authority. The entire responsibility of the said national authority will be shouldered by an officer of the level of Joint Secretary. I urge the government that an eminent environmentalist should also be included in this. My next

point is about the application to be submitted by the ship owner within a period of 5 years. I think the period of one year is reasonable enough. Another point is about suspension or cancellation of permit by competent authority without any notice. Such a move happens to be arbitrary and against the principle of natural justice. Also Supreme Court verdict and the directions contained therein must be strictly adhered to. In short, the sustainable development and generation of revenue, employment and public interest must be in a proper balance. The final point pertains to the hazardous impact on environment as well as manpower. For this, sufficient safeguards must be adopted. I hope that all the concerns would be adequately addressed in this regard.

SHRIMATI VIJILA SATHYANANTH: While supporting the Recycling of Ships Bill, 2019, I would like to highlight the facts that India accounts for 30% of recycling business at global level. As far as Hong Kong Convention is concerned it lays down three conditions. First, the Convention has to be ratified by 15 countries representing 40% world merchant shipping. The current Bill provides for a national authority and a competent authority. The Bill also restricts the use of hazardous materials. The existing ships shall have a period of 5 years of compliance. However, the warships and non commercial ships operated by government shall be exempted from this clause. The ships shall be recycled only in ship specific authorised recycling facility. The ships to be recycled in India are bound to obtain 'Ready for recycling certificate' in accordance with the Hong Kong Convention. All the hazardous materials are required to be removed and managed as per the given guidelines towards the safety of environment as well as manpower involved in this process. This industry provides direct employment to the 50,000 workers and indirect employment to lakhs of workers. The industry produces four million tonnes of steel. We have to welcome it. The entire industry is well regulated and monitored by different departments of State. In addition to this, the entrepreneurs are also consistently working for upgrading the working conditions to international standards. Let us all come together to improve the Alang ship-recycling industry. We have

to give more stress on its improvement, so that, it becomes the top-most industry in the world. With these words, I support this Bill.

PROF. RAM GOPAL YADAV: I support this Bill, but I want to draw the attention of Hon'ble Minister towards some things. The name of this bill is associated with 'Recycling'. It would have been better if it had been brought in the name of ship breaking bill. This is going to create confusion in the mind. It seems that you will recycle that ship and make it ship again. It is right that you get a lot of steel from it and it will also provide employment to people. But there is no mention about those people who get employment, how much salary they should get. It must be mentioned in it or else the no one can stop the labour exploitation . If you employ someone and every third person becomes a patient of lung cancer, then it will be a loss rather than a benefit. If metallic particles go into the body through the breath, then the health damage caused by these is more dangerous than other types of pollution. There should also be a health monitoring system to monitor the health of the workers. They should keep checking whether there is any kind of infection in their lungs or body. Two authorities - Competent Authority and National Authority have been created and it has one Joint Secretary each. When such a large scale work is done, a man cannot monitor it. The government will have to create the entire Board of Governors. A very good quality of steel is available in these ships. We should grow this industry by saving the environment and the health of the people so that people can get employment.

SHRI PRASANNA ACHARYA: This is a good Bill. So I support this Bill. The recommendations of the Hong Kong Convention are yet to be implemented because the required number of countries, those who have to ratify the Convention's decision, have not done it yet. It is a good thing that India leads the ship recycling industry in the world. We are leading in the world so far as the dismantling industry is concerned. But at the same time, we must be also concerned that so much of debris we are collecting in our own country. As far as environment, security and safety of our workers engaged in the industry, this is also a question of concern for the entire country. I

want a clarification from the hon. Minister that the government has made a provision that this new law will not be applicable to any warship. I understand that it will not be applicable to warships and Naval auxiliary and other ships owned and operated by the Government. I understand why the naval ships or warships are not included. But the other non-commercial ships of the Government must be come under the purview of this law. I would like to know from the hon. Minister whether by implementing this law we are going to squeeze the opportunity of labour employment or whether we are going to expand the opportunity of labour employment. Shipping-related activities are picking up in the State of Odisha. We have around 480 kms. of coast line, So, the State Government of Odisha has sent a proposal to the Central Government to have a ship- recycling unit in Odisha, and I request the government to consider this proposal. With this, I extend my support to this Bill.

SHRI RAM CHANDRA PRASAD SINGH: I support this bill. Currently recycling is based on ship breaking code. Through this bill we are going one step ahead, this will follow all standards related to safety, health and environment under Hong Kong International Convention. This bill is environment friendly. We are aligning ourselves with the Hong Kong Convention, but the European Union does not consider our recycling to be safe and they talk of dry dock. When rules are made in this, it is very important to have the facility of everything in it for labourers as well as they do not have any kind of health hazard. Even today, our labourers are not safe where they work. After this bill is passed, industries will grow here. Business activity will increase and our employment opportunities will also increase. Many foreign companies that work in this field will also want to invest here. Foreign direct investment will be environment friendly, so it will definitely benefit everyone. Through this bill, people in India will get employment opportunity, this will also bring foreign investment to us and especially those who are engaged in this industry will get a better opportunity. With these words, I conclude by supporting this bill.

DR. BANDA PRAKASH: We support the Bill. Earlier, our government said that India handled about 500 million tonnage, which is around 25 per cent share of the world ship recycling industry. The Government plans to nearly double this by 2024. In India, Gujarat Yard is handling around 400 ships every year. Most developed countries are sending their ships to the developing countries. To make maximum profits, here, pay, health and safety standards are minimal. According to the European Commission Report, the facilities in India, Pakistan and Bangladesh still have a long way to reach the international standards to fulfill the minimum criteria to be awarded an 'A' label. The overview of the industry in this country shows that the process of ship dismantling remains manual. There is a lack of management system to handle hazardous waste. Pollution prevention is not yet present and there is little or no consideration of safety and fair condition towards the workforce. In India, the ships are broken into unprotected marine environment. This method is unsafe to workers. If we think of constructing dry docks in particular areas, that would facilitate for more safer environmental free atmosphere in the country. The ship-breaking code also provides for elaborate provisions for safety compliance such as space for safe passage, fire-fighting equipment, appointing qualified safety officers for supervision. All facilities have been given. So, many incidents have occurred in Gujarat port. Since 1983, over 400 fires have broken out and since 2001, 141 fatal accidents and 301 non-fatal ones have taken place. It might be having advantages like giving employment and making profits in this sector, but ship breaking is conducted haphazardly with very little scientific and technical knowledge and with inadequate environmental health, safety safeguards. The impact of this industry on environment-related issues and workers' safety and occupational health conditions seem to be underestimated or conservative in the Bill. Studies revealed that in ship recycling, India will become dumping yard in case no specific provisions are made. In the present proposed Bill, the workers safety measures are not adequately addressed. In case of flouting of the provisions of the proposed law, the penalties proposed are disproportionate to the benefits on recycling. The constitution of the National Authority requires

incorporation of the stakeholders, workers representatives and other related persons for effective implementation of safety ship recycling and transparency.

SHRI K. SOMAPRASAD: I support the Bill. India is ahead in the global ship recycling. But, the standard set by the Hong Kong Convention is weak and ignore crucial issues, such as labour rights and waste management. Environmental damage and safety of labourers are the crucial issues in ship breaking industry. We know, the ship breaking industry in India is located mainly in Gujarat and Maharashtra. The coastal environment is severely contaminated by various processes relating to ship breaking. Concentration of toxic chemicals in the air is also a problem. Handling of hazardous material should be taken care of very seriously. It should be considered at the time of framing of rules. Clause 31 says that use of prohibited hazardous material in a ship is punishable with an imprisonment of three months or fine of Rs. lakhs 5 lakhs or both. Three months is not sufficient and it has to be enhanced. The Bill is silent about the ships anchored or washed ashore unexpectedly anywhere in the coastal region other than the recognized ship recycling yards. The damage to the local people and the environment due to dismantling the ship was unpredictable. Many houses of the fishermen community were fully damaged. Certain provisions should be incorporated in this Bill to handle these types of unforeseen incidents. Employees working in the yards are getting the lowest wages. The Government should look into this matter.

SHRI M. SHANMUGAM: The deconstruction of the ships is an overlooked, but essential part of the economy of the world, and also of India. Between 2008 and 2017, about 12 million tonnes of ship volume was recycled in India, mostly in Alang, Gujarat. Since up to 95 per cent of materials are recycled, the industry forms an important part of the economy. The Gujarat Maritime Board, the Ship Recycling Industries Association of India, and the Alang-Sosiya Ship Recycling General Workers' Union have introduced good practices to improve the occupational safety and health and well being of workers as well as the environmental footprint. Thousands of people are working

directly or indirectly in this industry. The ILO had conducted a workshop and had given certain recommendations too. The Government should improve infrastructure and facilities for a safer and sustainable industry to grow. It should strengthen occupational safety. The government should engage ESIC and EPF for social securities; should maintain the rules of the Factories Act, 1948 and should take care of the recycled wastes. As regards the employers, they should make further investments in occupational safety and health management systems. There should be sharing of information about developments and issues affecting the industry with all workers. As regards the ILO, it should support the Government of India by conducting training sessions on key issues. In the Bill, in Chapter-I, Sub-clause 1(3)(a) says, “..the existing ship which is registered in India.” Sub-clause 1(3)(b) says, “the new ship which is required to be registered in India.” The third one is making India a dumping yard of chemical waste. Clause 17 is about ship recycling plan. When a ship owner applies for permission for recycling and if permission is not given within 15 days, then, it should be deemed to have been permitted. Then, sub clause 39(1) seems to be contradictory. Therefore, workers’ safety and everything should be taken care of.

SHRI BINOY VISWAM: Nowadays, not only in India, but also all over the world, people are more and more concerned about the environment and their safety. Our Prime Minister and our Minister of Forests, Environment, and Climate Change always talk about a healthy atmosphere and a safe environment. The Bill should be probed with all seriousness. This Bill is against the basic concepts of a Clean India. The ASSOCHAM is not in favour of trade in hazardous wastes. The government is associating this Bill with the employment opportunities. This Bill is talking about the Hong Kong Convention. The recycling of ships will have its own impact on environment and its safety. The Bhopal gas tragedy took place in 1985. But its impact is still there. The people are still dying there. This is a Bill which is going to harm us. India will not become a dumping yard of the rich countries. We are following that wrong path. That wrong path would affect India's sovereignty, India's environment and the Indian workers'

rights. All these are very serious matters. The government should reconsider this Bill and, if possible, try to withdraw it.

MAHANT SHAMBHUPRASADJI TUNDIYA: It is not just a matter of ship recycling. This is a concrete step taken by the government in the interest of the poor. Alang Ship Breaking Yard of Bhavnagar has provided employment to all there. Earlier there was no provision for breaking the ships and there were no penal provisions. Previously no one was concerned for the environment and the workers. The ship recycling industry is a very large industry. The Bill has been introduced keeping both the environment and employment aspects in mind. Appointment of officers, regulation of government and non-government ships, hazardous materials in the ships, etc. are all mentioned in the Statement of Objects and Reasons of the Bill. The Bill also provides for punishment. The Government has taken several decisions to make poor people economically independent and has taken this initiative for their employment in the port sector. Alang Ship Breaking Yard holds great potential. Therefore, I thank the Hon'ble Minister for providing massive employment opportunities in Bhavnagar district as this initiative will provide employment to seven and a half to eight lakh people there. Also, through this Bill, millions of people will get employment opportunities in Mumbai Port, Kolkata Port and Azhikkal Port. And, a provision should be made in this Bill to help the dependents of a small worker, in case of his death. Ship breaking yards will be designed along the lines of the HKC. To set up these yards, while selling of plots there, the reservation should be provided to the Scheduled Castes and the Scheduled Tribes. 99 per cent of this business is in the State of Gujarat. So, the office of the National Authority should be set up in Gujarat. This will facilitate people on a large scale. The coastline of the state of Gujarat is 1,600 km long. Therefore, Hon'ble Minister should give us this opportunity.

DR. T. SUBBARAMI REDDY: The Bill defines ship recycling as the dismantling of a ship at a facility to recover the components and materials for reuse, and taking care of hazardous materials so produced. It includes storage and treatment of materials and components on site. The Bill says that the Government shall

designate an officer not below the rank of Joint Secretary to administer, supervise and monitor all activities relating to ship recycling. I want to know how this single officer will carry out all these activities. Therefore, I would suggest that the National Authority should comprise of five members, with representatives of BARC, Environment and Forests, and Shipping industry. You have made a provision for competent authority for performance of such duties within the geographical areas of expertise. So, Competent Authority also should be constituted like a committee with the representatives of all stakeholders so that with best of professionalism and expertise, they will take a decision. This is a welcome measure. The owner of every new ship must make an application to the National Authority to obtain a certificate on inventory of hazardous materials. This is a very good suggestion. Existing ship owners must apply for a certificate within five years of the commencement of the Act; the certificate must be renewed every five years; it must be maintained and updated through the life of the ship to reflect any changes in the ship's structure and equipment. The certificate may be suspended for various reasons, such as the ship not complying with the particulars of certificate, or not maintaining inventory of hazardous materials properly. The ships will be recycled only in authorised recycling facilities. It is a very good idea. An application to authorise such a facility must be submitted to the Competent Authority along with a ship recycling facility management plan and prescribed fee. The existing facilities must apply for authorisation within 60 days of the commencement of the Act. A facility will be authorised when the Competent Authority is satisfied that it follows the specified standards. And, the certificate of authorisation will be valid for a period as specified but not exceeding five years. Contravening these provisions will be punishable with imprisonment or fines or both. But, what is the mechanism by which the Authority will monitor that the companies are strictly following specified standards. Each ship recycler must maintain adequate measures for emergency preparedness and response, safety, health, training, insurance coverage and welfare of workers. On the recycling process, a ship owner must apply to the National Authority for recycling certificate before

recycling his ship. The ship recycler must prepare a ship recycling plan which should be approved by the Competent Authority. So, I would like to know how actually this system is being monitored and controlled. Every ship must ensure that no environmental damage is caused due to recycling. On contravening these provisions, the ship recycler will be liable to pay environmental damages. In case of an oil spill, a ship recycler will be punishable with a fine and imprisonment. When dismantling the vessel, on-board hazardous materials can incur severe negative implications on the environment and human health. This is very dangerous. So, more attention should be paid to the disposal of hazardous materials. Therefore, I support the Bill.

SHRI VEER SINGH: Today there are about 53 thousand commercial ships in the world, from which cargo trade takes place all over the world. The average life of a ship is 20 to 40 years, after which the ship is recycled. The proposed Bill adopts the Hong Kong international convention. This will protect the workers and private shipping companies working in this industry and thus environment will also be protected. Ship breaking work adversely affect the environment and health. I would like to know from the Hon'ble Minister, how will the waste collected in recycling be disposed of? Since this waste is hazardous to the environment and it is expected to adversely affect health. The Bill provides for the appointment of Competent Authority, but it should also include environmental experts, health experts and should also be represented by the Labour Commission. This will be beneficial. Rules should be formulated to fix the salary of an employee in the ship recycling industry. After the death of the employee, there should be a provision to give his dependent a job in this industry. It should also have a provision of reservation for employees, so that the poor sections of society could be benefitted. With these suggestions, I support this Bill.

SHRI KANAKAMEDALA RAVINDRA KUMAR: This Bill is a long-pending Bill. It is considering the Hong Kong International Convention. One important issue is environmental impact since it is a labour-intensive industry. In shipping industry, there are three parts; one is, ship-building industry, another is ship-

repairing industry and the third is ship-breaking industry. The developed countries, after using ships, are sending them to our country for recycling. But, there is no monitoring system to supervise the entire process of ship breaking. Most of the ships that are coming to our shores for recycling are creating environmental problems and, despite this, it creates employment opportunities and we get foreign investment. The Bill did not speak about labour force and its management. It has to be explained in detail and relevant provisions have to be included in this. Likewise, environmental safety is as important as labour. It is better, to have an independent authority to supervise all these things, instead of having an authority with Joint Secretary. The Bill has taken care of everything, but the Government has to take steps with regard to labour, its safety, environmental aspects and the other thing. With these words, I support the Bill.

SHRI R. K. SINHA: All different aspects of this Bill have been considered, but I want to consider only the labour aspect of it. The ship dismantling industry employs poor people from Bihar, Jharkhand, eastern Uttar Pradesh and Odisha. Therefore, the government has worked for the benefit of the poor by bringing this Bill. You have worked for the benefit of the poor. Two to three lakh people work in this industry every day. Workers from Bhojpur district, Ballia district and the whole of North Bihar go there for doing such difficult work. Ship breaking is a dangerous task. I welcome this Bill because this will greatly benefit the workers and it will provide employment to millions of workers. The output of the Ship breaking industry stands at around 70 lakh tonnes. Ship breaking gives us iron, wood, furniture, engines and motors, etc. We can sell such things at very good prices. India is a suitable place for ship breaking industry because we have hardworking people available here. This work is not happening in the European Union, because the younger generation is decreasing there and people doing such hard work are not available there. Whatever we get from ship dismantling, we can use it in India and sell it at a good price. I would urge the government to set up a breaking yard in Bihar. Wherever there is matter of providing employment for millions of people, space for setting up establishments would definitely be available. This will increase

foreign investment, employment, income and GST. At the same time, there will be no threat to the environment. This will create a large number of employment opportunities. Our workers will also be able to live life in a respectful manner. The spending capacity of the people will increase. The economy, education, health, transport, lifestyle of the surrounding villages will be improved. Therefore, I think it is baseless to raise the issue of environment. This is a hot job. Therefore, the pay scales of the workers here should be handsome one. Regarding the inspection mechanism, I would like to say that the authority should make provision for third party inspection and certification agency. Similarly, there is a need to involve third party agencies for safety, awareness and training. We have to insist on proper training, certification and inspection only then we will be able to protect the life and property of our workers and to create a right environment. The economy of those states will also change where we will set up such ship-breaking industry yards. I would like to request the Government to set up one or two ship-breaking industries in Bihar as unemployment is very high there and people are also very hardworking. I support this magnificent Bill and want it to be passed unanimously.

SHRI MADHUSUDAN MISTRY: The ship breaking industry has been prevailing in Gujarat for many years. There is also a maritime board which is very rich. Alang is the most exploiting industry. Many incidents of death have occurred here. This is a prohibited area. Here all workers are migrant one. The people working in the ship are not covered under the law because it is in the sea. The law does not apply to those also who are inside the plot. This Bill does not provide that the minimum wage will be applicable on all of them. I want every state in this country to be so developed that there is no inter-state migration. I want to know from the Government of Gujarat the reasons for not implementing a single law and the Department of Labour being completely nullified. Alang's industry is the most hazardous industry. The condition of the workers there is very bad. The labour movement regarding both inter-state and intra-state is absolutely silent. Today no one knows the status of the children of the labourers who died in Alang. There is industrial peace

in Gujarat. Our capital is safe. Because of this people come to Gujarat for investment. Recycling of ship is the most environment damaging in the seashore of our Gujarat. The work of 20,000 fishermen will end with the construction work being done in a 7 km long area alongside the Salaya port, today. It also poses question of human rights. I expect the Government to get the labour law, industrial law, environmental law, etc. implemented.

SHRI JUGALSINH MATHURJI LOKHANDWALA: I congratulate the Government for bringing this Bill. The structure of the ship is made of iron. It contains 65-60% iron. It also contains wood, steel and other materials. The steel of the vessel is not cut manually. The vessel's life is 25 to 30 years. Then, the scrap that comes out of it is reused. Half of the coastal area of our country is connected to the sea. Ship recycling is a very big business, with a lot of employment potential. 3,500 kilometers radius of our country include sea area. By bringing this Bill, our business will grow inside India and it will provide new opportunities to people and will people will get jobs. Moreover, people will also get pleasure and comfort. Setting up ship breaking business whether in Alang or anywhere in India, will spread waste a little. But it also has many advantages. I congratulate the Government for this Bill.

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Desh Deepak Verma,
Secretary-General.

rssynop@sansad.nic.in

****Supplement covering rest of the proceedings is being issued separately.