

Report No.

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PARLIAMENT OF INDIA
RAJYA SABHA

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE
ON TRANSPORT, TOURISM AND CULTURE

TWO HUNDRED FOURTH REPORT
ON
“THE CIVIL AVIATION AUTHORITY OF INDIA BILL, 2013”

(Presented to the Hon'ble Chairman, Rajya Sabha on 24.01.2014)

(Presented to the the Hon'ble Speaker, Lok Sabha on 24.01.2014)

(Presented to the Rajya Sabha on _____)

(Laid on the Table of the Lok Sabha on _____)



Rajya Sabha Secretariat, New Delhi
January 2014/ Pausha 1935 (Saka)

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♦ To be appended at printing stage.

**COMPOSITION OF THE DEPARTMENT-RELATED PARLIAMENTARY
STANDING COMMITTEE ON TRANSPORT, TOURISM AND CULTURE**

(2013-2014)

1. Shri Sitaram Yechury - Chairman

Rajya Sabha

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3. Shri Kunal Kumar Ghosh
4. Shri Narendra Kumar Kashyap
5. Prof. Alka Balram Kshatriya
6. Shri Aayanur Manjunatha
7. Shri V. Hanumantha Rao
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9. Shrimati Bimla Kashyap Sood
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11. Yogi Adityanath
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29. Shri Shatrughan Sinha
30. Shri K. Sudhakaran
31. Shri Dinesh Trivedi

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Shri Swarabji B., Joint Director
Dr. (Smt) Subhashree Panigrahi, Joint Director
Shrimati A.S. Chakravani, Assistant Director
Shrimati Catherine John L., Assistant Director
Shri T. Kennedy Jesudossan, Committee Officer
Shri P.P. Raumon, Committee Officer

INTRODUCTION

I, the Chairman, Department-related Parliamentary Standing Committee on Transport, Tourism and Culture, having been authorized by the Committee, do hereby present on its behalf this Two Hundred and Fourth Report on “the Civil Aviation Authority of India Bill, 2013”.

2. The Committee, at its meeting held on the 24th September, 2013 considered the Bill and heard the representatives of Ministry of Civil Aviation. The Committee also heard the views of Organizations/experts/stakeholders on the provisions of the Bill, in its meetings held on 9th and 22nd October, 21st November, 2013 and 3rd January, 2014.

3. The Committee wishes to express its thanks to the officers of Ministry of Civil Aviation, Ministry of Law and Justice and experts/stakeholders/organizations for placing before the Committee the material and information desired in connection with the Bill and for clarifying the points raised by the Members.

4. The Committee considered and adopted the Report at its meeting held on the 13th January, 2014.

NEW DELHI;
January 13, 2014
Pausha 23, 1935 (Saka)

SITARAM YECHURY
Chairman,
Department-related Parliamentary Standing
Committee on Transport, Tourism and Culture.

* Published in Gazette of India Extraordinary Part-II, Section-2, dated 20.8.2013

**Rajya Sabha Parliamentary Bulletin Part-II No. 51264, dated 19.09.2013

Report

The Civil Aviation Authority of India Bill, 2013* was introduced in the Lok Sabha on the 20th August, 2013. The Chairman, Rajya Sabha in consultation with the Speaker, Lok Sabha had referred the Bill to the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture on the 18th September, 2013 for examination and report back to Parliament.

2. The Civil Aviation Authority of India Bill, 2013 seeks to constitute a Civil Aviation Authority as an autonomous regulator of civil aviation safety - for the better management of civil aviation safety oversight over air transport service operators, air service navigation operators and operators of other civil aviation facilities, matters relating to impact of financial stress on safety operations, consumer protection and environment regulations in civil aviation sector and for proper implementation of the provisions of the Aircraft Act, 1934 and the rules made there under and for matters connected therewith or incidental thereto.

3. The Committee discussed the provisions of the Bill with the Secretary and other officials of the Ministry of Civil Aviation and several important stakeholders on the Bill**.

4. Currently, the Directorate General of Civil Aviation (DGCA), an attached office of Ministry of Civil Aviation, is the safety regulator in the field of civil aviation in India. The DGCA is responsible for formulation, implementation, enforcement and monitoring of stipulated standards and regulations of air transport services to/from and within India, air safety, airworthiness and coordination of regulatory functions with the International Civil Aviation Organization (ICAO).

5. India, being signatory to the Chicago Convention 1944, is responsible for compliance of the Standards and Recommended Practices (SAPRs) in the Annexure to the Chicago Convention, in aspects like training, licensing of personnel and airline operators. The primary responsibilities of DGCA are Safety oversight, regular audits and monitoring of operations of various entities 6. The most important tool in the hands of DGCA to perform its functions is the trained human resources supported by adequate modern equipments. But the effectiveness of DGCA has been up to the mark mainly due to shortage of trained technical manpower with expertise required to oversee fast growing aviation activities in the country. This has been mainly due to absence of administrative and financial powers with the DGCA to recruit and retain adequate technical manpower and redeploy them in a timely manner. The main reason for this has been the procedural and structural problems due to involvement of several authorities/agencies including Ministry of Civil Aviation in recruitment of personnel. It is, therefore, not able to carry out meaningful audits, surveillance of a large number of airlines, non-scheduled operators, training institutes for pilots, engineers, maintenance organizations and airport service providers without the required administrative flexibility and financial autonomy.

* Annexure-I

** Annexure-II

7. While the passenger traffic has grown from 7.3 crore in 2005-06 to 16.2 crore in 2011-12; aircraft movement handled at Indian Airports has increased from 8.38 lakh in 2005-06 to 15.44 lakh in 2011-12; and freight traffic from 1.4 million metric tonnes in 2005-06 to 2.3million metric tonnes in 2011-12, the manpower strength of DGCA has declined by over 40%. Certain steps were taken to provide additional manpower to the DGCA office in 2009. 427 additional Group 'A' technical posts were created in May, 2009. However, due to lengthy, cumbersome, complicated and unending recruitment procedures and processes, most of these posts are yet to be filled even after 3 years since their creation.

8. Apart from the personnel, the DGCA has limited financial powers as well. As such, DGCA cannot hire and employ even a casual employee in case of urgency without going through various stages of proposal, sanction, release, etc. causing avoidable delays. Even with the best of intentions and efforts, it has not been possible for the organization to develop its capacity in line with the requirements of safety oversight of the Civil Aviation Sector.

9. DGCA has also to discharge its responsibilities of compliance with ICAO standards, approve organizations, license personnel, etc. DGCA is presently over loaded with increasing work of safety-oversight, under staffed, under equipped and is lagging behind in its capacity and capabilities as a safety regulator and hence may compromise on safety of the traveling public, if not restructured and strengthened at the earliest. DGCA has also not undergone adequate structural changes to meet the demand of this dynamic sector.

10. In view of increasing responsibilities of DGCA and faster technical advancement in the sector, it is imperative to have a safety regulator which is adequately empowered to effectively carry out its functions in a seamless manner and with less reliance on Government for its funds and other administrative support.

11. The Audit of functioning of DGCA by ICAO in October, 2006 and the Federal Aviation Administration (FAA) of United States of America (USA) pointed out several deficiencies in the DGCA set up with India facing the risk of being downgraded from Category I level to Category II level resulting in limitation of operations of Indian Carriers to USA. The FAA-IASA Report also pointed out towards a need for an effective restructuring of DGCA with administrative and financial flexibility to carry out its safety oversight work. The Kaw Committee on Review and Restructuring of Directorate General of Civil Aviation also recommended for appropriate level of administrative and financial autonomy in the DGCA.

12. Some of the countries which have already set up such an Authority are UK, Singapore, New Zealand, Australia, Nigeria, Jamaica, Pakistan, Sri Lanka, etc. The Ministry of Civil Aviation had undertaken a study of the Civil Aviation Authorities set up by Sri Lanka, Singapore, New Zealand, Australia and Indonesia.

13. The Parliamentary Standing Committee on Transport, Tourism and Culture, in its 168th Report entitled **“Directorate General of Civil Aviation – Issues and Challenges”** had recommended setting up of a Civil Aviation Authority with required autonomy to take care of the problems that DGCA is currently faced with.

Salient features of the CAA Bill, 2013

14. The proposed Civil Aviation Authority of India will have a Chairperson, a Director General (as CEO of CAA) and not more than five whole-time Members who shall not hold any other office. It may also have two to four part-time members. The

Authority shall work on not-for-profit principles. The existing DGCA will get subsumed in CAA, which shall, inter-alia, perform all functions of the DGCA as safety regulator as per the Aircraft Act, 1934. The consequential amendments required in the Aircraft Act, 1934 are also proposed to be made.

15. The Bill seeks to provide adequate autonomy to the proposed CAA particularly in administrative and financial matters. It may create and select persons for various posts including technical ones.

16. The proposed Civil Aviation Authority shall be a self-funding entity duly authorized by the Central Government to levy charges and fees to ensure that all or parts of its costs and expenditure are met from such charges and fees. For this purpose, a Civil Aviation Authority Fund is sought to be created.

17. It has been proposed that the CAA shall collect an oversight fee on Air Navigation Services (ANS) at 1% of ANS Revenue for providing safety oversight over Air Navigation Service provider, and also collect fee and charges on other services currently levied by the DGCA. This is expected to generate about Rs.18 crore per annum based on current ANS revenue level. Revenue from other services (for which charges are levied and collected by DGCA currently) upon suitable revision is expected to generate Rs.50 crore per annum.

18. The Government may give budgetary support to the CAA on tapering basis in initial years (2 years) till 'Safety Fee' rules are formulated and charges/ fee etc., are revised. The CAA shall prepare its own budget for each financial year showing the estimated receipts and expenditure of the Authority, determine level of fee/charges/safety fee required and forward the same to the Central Government for information and approval wherever required. However, the capital expenditure, if any, may be met from the grants-in-aid, as is the case with other autonomous bodies.

19. Such a self-funding mechanism shall give freedom to the CAA to allocate the necessary resources for its efficient functioning, thus ensuring greater administrative and financial flexibility and regulatory efficiency. This will also enable the CAA to attract and retain necessary operational staff required for safety oversight functions.

The Committee's observations/recommendations have been given in the succeeding paragraphs:-

20. This Committee during the scrutiny of the Demands for Grants of the Ministry of Civil Aviation every year and other related issues had itself realized that the existing DGCA needed to be restructured with a view to giving it adequate autonomy in administrative and financial spheres so that it can tackle the aviation safety related issues effectively in the emerging scenario. Accordingly, the Committee, in the year 2011, had comprehensively examined the working of the DGCA and had presented its 168th Report to Parliament containing its observations/recommendations for empowering the DGCA by creating a body like CAA. All the major constraints faced by DGCA as an air safety regulator were discussed in this Report by giving relevant data and examples. The Committee had strongly recommended to put such an authority in place at the earliest. The Committee is happy that the Government has ultimately come out with a Bill in this regard.

21. But after having studied the provisions of the Bill, the Committee feels that with the instant provisions, it will be difficult to achieve as well as protect the autonomy that is being sought to be given to the CAA, particularly those relating to

composition of the Selection Committee, qualifications of Chairperson and Members of the Authority, creation/selection of the posts and lack of clarity regarding the powers/functions of Chairperson/DG of the proposed authority.

22. The Committee feels that relevant provisions of the Bill require suitable amendment with a view to remove possible duplication, overlapping, ambiguities, etc. The Committee also notes that there are many provisions in the Bill which seek to lay down Rules/Regulations in future whereas these should have been incorporated as substantive part in the Bill itself.

23. The clause-wise observations/recommendations of the Committee to make amendments wherever necessary are given below:-

24. In Clause 4 (3), the words "experience in civil aviation engineering and management" be replaced with "experience in aviation engineering or aviation management". The Committee feels that the Chairperson essentially should have the special knowledge and professional experience in aviation related engineering or aviation Management. The existing criteria, in practice, will definitely open this post for the persons from any field of engineering and management which may not be related to aviation at all.

25. In addition to the special knowledge and professional experience required for the post of Chairperson, the Proviso to Clause 4(3) provides that only a Government servant who holds or has held the post of the Secretary to the Government of India or an equivalent post in the Central Government or the State Government, can be appointed as Chairperson, CAA. When asked about the necessity for inserting such proviso for the appointment of Chairperson, the Committee found that the reply offered by the representatives of Ministry of Civil Aviation was not convincing.

26. The Committee finds that qualifications prescribed for the post of Chairperson of the Authority will effectively tilt the balance towards the serving or retired Secretaries to the Government of India. As such, the proposed Authority would become shelter for retiring/retired Secretaries of Government of India especially, those from the Ministry of Civil Aviation. The Committee disapproves such a Scheme.

27. Further, a careful reading of Proviso to Clause 4(3) leaves possibility for the serving Secretary, Civil Aviation also to become the Chairperson of the Authority. In other words, the Secretary, Civil Aviation can also hold the post of Chairperson of the CAA simultaneously. The Committee feels that such convergence of powers will certainly go against the autonomy of the Authority which is the basic aim for creating the CAA. Therefore, the Committee strongly recommends to delete the words "who is or" from the said Proviso.

28. The Committee feels that Clause 4(3) - (4) should be suitably amended to allow entry of professionals and heads of PSUs such as AAI, who have the relevant experience and knowledge also to be eligible for the post of Chairperson, although they may not be equivalent to Secretary, Government of India.

29. Clause 4(4) prescribes six major fields from which the DG and whole-time Members will be selected. These fields include HR and finance also. It leaves possibility for persons from these two fields to be appointed as DG, which the Committee feels, will not be in accordance with the requirements of the proposed Authority. DG and at least four of whole time Members of the Authority, the Committee feels, should be strictly from technical background in aviation field.

Therefore, while prescribing the qualifications/experience under the Rules/Regulations, adequate care should be taken to avoid person from HR & Finance being appointed as DG. It should also be ensured that not more than one whole time Member is from these two fields.

30. It would be still better to prescribe the qualifications of DG of the proposed authority in Clause 4(4) of the Bill, instead of leaving it to be framed under the delegated legislation by the Ministry as has been proposed.

31. Clause 4(6) introduces concept of two distinct functions - that of Director General as also the CEO of the CAA. This aspect, the Committee feels needs to be made clearer so that the CAA is able to function appropriately.

32. Clause 5 proposes a 'Selection Committee' for the appointment of Chairperson, DG and Whole-time Members. It is heavily dominated by Secretaries to Government of India, with just one expert to be appointed by the Ministry of Civil Aviation. In view of the nature of mandate of the proposed authority, the Committee feels that having Secretaries of Ministry of DOPT and Law and Justice in the Select Committee will hardly serve any purpose. The Committee, therefore, strongly recommends that at least three experts from the areas mentioned in Clause 4(4)(a) - (e) should be included in the Selection Committee in view of the technical nature of the working of the proposed Authority.

33. The Committee notes that the Clause 5(5) of the Bill provides that while appointing Chairperson or DG or a Member, the Selection Committee shall satisfy itself that such person does not have financial or other interest. Now, as per Proviso to Clause 4(3), the Committee finds that Secretary, Civil Aviation himself may become Chairman of the CAA and as per Clause 5(1) (b), he also will be a member of the Selection Committee. If the serving Secretary of MoCA is also eligible to hold the post of Chairman, and is also a Member of the Selection Committee, it would not only impinge upon the autonomy of the CAA, but it will also lead to serious conflict of interests.

34. The Clause 7(1) (a) prescribes the term of office of the Chairperson, D.G. and Members of the CAA to be five years. The Committee feels that five years in one go would be a long time particularly for the Members in view of Clause 9 providing for their reappointment. The Committee, therefore, is of the view that term of office of the Members be restricted to three years instead of five years. In view of the fast growing and changing aviation sector, appointing persons for as long as ten to fifteen years would block the fresh entrants as Members with latest training/knowledge. Therefore, the Committee recommends to restrict the term of Members to three years subject to a maximum of six years. The Committee recommends to add "for one more term" after the word "reappointment" in Clause 9.

35. The Committee also finds that terms of office and conditions of service of part-time member has been provided only in Clause 7(1)(b) of the Bill. The Committee feels that the selection procedure, powers and functions of part-time members should also find a place in the Bill. The Committee also recommends that a senior officer not below the rank of Joint Secretary should be ex-officio part time Member of the Authority to provide necessary linkage between the Authority and the Ministry.

36. Clause 10 of the Bill relating to the powers and functions of the Chairperson can be divided into two parts. First part describes major functions of the Chairperson and the second part authorizes the Government to prescribe/delegate more functions. The Committee feels that the second part will certainly leave scope for abrogating powers that might create problems between Chairperson and DG on the one hand and Chairperson and the Ministry on the other hand. No where does the proposed Bill explicitly provide that the Chairperson will be a part-time. This ambiguity, if allowed, will create problems in the functioning of the authority particularly between Chairperson and DG. Needless to say, any possible clash between DG and Chairperson will go against the intended objectives of the Bill. Therefore, the Committee feels that Chairperson should be only part-time and recommends that the fact of the Chairperson being only part-time, should be explicitly mentioned in the Bill. Prescribing further powers by delegated legislation should be confined to the functions mentioned in Clause 10. The Committee, therefore, recommends to add words, "relating to the functions mentioned above" after the word "Authority" at the end of Clause 10.

37. The Clause 11 of the Bill provides that Ministry of Civil Aviation will frame rules of procedure for transacting business by CAA through regulations. The Committee recommends that this matter should be left to the Authority itself as is the normal practice. Therefore, the Clause 11 should be amended, by adding "the Authority itself through" between words "specified by" and "regulations".

38. In the Clause 11 (2) it has been mentioned that in the absence of Chairperson, DG or in his absence any other Member will preside the meeting of the CAA. The Committee feels that the DG being CEO of the Authority should not preside the meeting as he is not a Member of the Authority. Therefore, it would be appropriate if in the absence of Chairperson, any other Member presides the meetings. The Committee recommends that the words "the Director-General and in his absence" may be deleted from Clause 11(2).

39. The Committee finds that Clause 12(b) seeks to validate Authority's decision even if it has been taken with defectively appointed Members. The Committee feels that this can be misused. Therefore, the Committee recommends that 12 (b) should be deleted.

40. The Clause 14 (1) and 14 (4) (a) are repetitious and thus should be redrafted. The Committee notes that in the Preamble of the Bill, functions, duties and powers of the CAA have been mentioned and the same have been repeated again in the sub-clause 2 of the Clause 14. The Committee feels that the both are not matching each other and all the functions mentioned in the Preamble should find place in Clause 14 (2).

41. The Committee recommends that it would be appropriate to replace word "main" from clause 14(4) (f), with word "nodal".

42. The Clause 14 (h) involves the issues pertaining to defence matters and therefore, the Committee feels the MoCA should obtain necessary clarifications and clearances from the Ministry of Defence in this regard.

43. The Clause 14 (4) (n) mentions that the CAA will "encourage indigenous design and manufacture of aircraft and aircraft components" by acting as catalytic agent. The Committee feels that manufacture of aircraft and aircraft components is an activity which involves many other Ministries/authorities and which appears to

be beyond the Authority's mandate. As an aviation safety regulator, it should only approve its design, standards, etc. The Committee, therefore, recommends to replace the word "encourage" with the word "approve" in clause 14(4) (n).

44. The Committee notes that Clause 14 (5) (a) necessitates prior approval of the Central Government for creation of posts etc. of the CAA. This provision, the Committee feels, will not make any material difference in this regard with the existing system. It would necessitate not only approval of the Ministry but also of the DOPT and the Ministry of Finance and in some cases, it might need the approval of the Cabinet which would be cumbersome and time-taking particularly, for the highly technical and skilled posts. The Committee recommends that in order to achieve the intended independence and autonomy of CAA, the words "with the prior approval of the Central Government" should be deleted. Authority may be vested with necessary powers to create and select posts within overall strength approved by the Central Government which may be linked with the demand/growth in the aviation sector.

45. Clause 14 (5) (c) mentions among other about the "agents". The Committee is not clear about its meaning and relevance and, therefore, recommends that it should be deleted. Further, in the same it is proposed that advisors, attorneys etc. engaged on contract shall be made as per the industry standard. Proviso to the above Clause provides that the salary, allowance and other terms and conditions of service of the officers and employees of the Authority other than those referred to in Clause (c) above shall be the same as that of the officers and employees of the Central Government. The Committee recalls that it was because of comparatively lower salary and allowance in the Government, the DGCA was not able to attract and retain technical personnel from the industry and faced acute shortage of skilled technical hands. Be that as it may, the objective of attracting much needed highly skilled manpower will continue to be eluded. The Committee, therefore, recommends that while administrative and non-technical officers and staff in the Authority may be given Central Government salary and allowances, the skilled technical manpower may be offered pay and packages comparable to that in vogue in the industry.

46. In Clause 23(2) (a) the word "others" before Member appears to be irrelevant and have to be deleted.

47. Clause 28 and 29 of the Act deal with punishment for non-compliance of provisions of this Act and punishment for non-compliance with order of Authority respectively. The Committee feels that quantum of prescribed fine for first and subsequent offences are too meager to have a deterrent effect on the operators in aviation sector. The Committee is of the view that penalty should be so severe that it will deter the offender to commit the offence. It, therefore, recommends to increase the fine heftily to obviate the possibility of repeating the offences by paying the fine.

48. Under clause 32 (3), the compounding amount to be deposited by the offender with the Central Government, the Committee feels that it may go to Authority.

49. Clause 40 provides the extraordinary powers to the Central Government to supersede the CAA under certain circumstances. The Committee feels that the words "grave emergency" in sub-clause 1(a) and the words "any direction issued by

the Central Government" in sub-clause 1 (b) are vague leaving scope for its misuse. The Committee, therefore, recommends that these words should be adequately and clearly specified in the Rules/regulations to be framed subsequently.

50. The Committee observes that there is no mention of regular safety aspects of helicopters in this Bill and recommends that the provisions should be more comprehensive and include all aspects pertaining to safety of helicopters also.

51. The Committee notes that the 'officers of the Authority' has not been mentioned in the definitions, which should be provided.

Conclusion:

52. In addition to the recommendations and observations made in the previous paragraphs, the Committee feels that the proposed Bill seeks to create an Authority which simply will be as good as the existing DGCA without much changes in its powers and authority; it would be simply changing the nomenclature from DGCA to CAA. This was the general opinion expressed by the stakeholders who deposed before the Committee. The Committee also feels that the proposed Authority would not be able to achieve the objectives stated in the Bill. The Committee is of the view that rather than bringing a stand-alone Bill like this, it would have been better to come out with a comprehensive Bill after revisiting the Aircraft Act, 1934 which has been too old to tackle the emerging problems in the Aviation Sector, by incorporating the Civil Aviation Authority in that Bill.

53. Having observed so, the Committee feels that its recommendations would be suitably incorporated in the Bill with a view to making the proposed Civil Aviation Authority more autonomous without leaving much scope for impairing its authority.

54. The Committee would like the Ministry to furnish a note for its consideration giving reason for not accepting/agreeing with any of its recommendations/observations.

Bill No. XLIX of 2013

THE MERCHANT SHIPPING (SECOND AMENDMENT) BILL, 2013

A

BILL

further to amend the Merchant Shipping Act, 1958.

Enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Merchant Shipping (Second Amendment) Act, 2013. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

44 of 1958. 5 **2.** In the Merchant Shipping Act, 1958 (hereinafter referred to as the principal Act), in PART VII, under the heading, for the sub-heading, the following sub-heading shall be substituted, namely:— Substitution of sub-heading in PART VII.

“Classification of seamen, seafarer, maritime labour standards and prescription of minimum manning scale”.

10 **3.** In the principal Act, after section 88, the following sections shall be inserted, Insertion of new sections 88A and 88B.

‘88A. In this Part, unless the context otherwise requires,— Definitions.

issued by the Director-General of Shipping, in respect of a ship that is a

with the requirements and standards set out in the provisions of the Maritime Labour Convention;

(b) “Maritime Labour Certificate” means the certificate issued by the Director-General of Shipping or by any officer, authority or organisation authorised by him in this behalf, in accordance with the provisions of the Maritime Labour Convention; 5

(c) “Maritime Labour Convention” means the International Convention on Maritime Labour Standards signed in Geneva on the 23rd February, 2006;

(d) “seafarer” means any person who is employed or engaged or works in any capacity on board a sea going ship, but does not include— 10

(i) the employment or engagement or works on board in any capacity by any person in a ship of war; or

(ii) any Government ship used for military or non-commercial purposes.

88B. (1) The provisions relating to maritime labour standards as contained in the Maritime Labour Convention, shall apply to all seafarers and ships engaged in commercial activities, but does not include— 15

(a) ships which navigate exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where any law for the time being in force relating to ports apply; 20

(b) ships engaged in fishing activities;

(c) traditionally built ships such as dhows and junks;

(d) ships of war or naval auxiliaries.

(2) Subject to the provisions of sub-section (1), the Central Government may, on the recommendation of the Director-General of Shipping, by order, extend the provisions of the said sub-section to ships not engaged in commercial activities with such exceptions and modifications as it may consider necessary.’. 25

4. In section 91 of the principal Act, for the words “boys not under fifteen years of age”, the words “young persons not under the age of sixteen years” shall be substituted.

5. In section 92 of the principal Act,— 30

(a) in sub-section (1),—

(i) for the words “any boy”, the words “any young person” shall be substituted;

(ii) for the words “the boy is a minor”, the words “such young person” shall be substituted; 35

(b) in sub-section (3),—

(i) in clause (a), in sub-clause (iii), for the words “fifteen years”, the words “sixteen years” shall be substituted;

(ii) in clause (b), for the words “a minor”, the words “an young person” shall be substituted. 40

6. In section 95 of the principal Act, in the *Explanation*, clause (b) shall be omitted.

7. In section 99A of the principal Act, the *Explanation* thereto shall be omitted.

<p>8. In section 101 of the principal Act, in sub-section (2),—</p> <p>(i) after clause (c), the following clause shall be inserted, namely:— “(cc) hours of work and rest in a week, as may be prescribed;”;</p> <p>(ii) after clause (f), the following clause shall be inserted, namely:— “(ff) the entitlement for leave, as may be prescribed;”;</p> <p>(iii) in clause (j), for the words “arising out of and”, the words “arising out of employment or” shall be substituted.</p>	<p>Amendment of section 101.</p>
<p>9. For section 109 of the principal Act, the following section shall be substituted, namely:—</p> <p>“109. (1) No person under the age of sixteen years shall be engaged or carried to sea to work in any capacity in any ship.</p> <p>(2) (a) No young person shall be engaged in night work.</p> <p>(b) The period of night work shall be such, as may be prescribed.”.</p>	<p>Substitution of new section for section 109.</p> <p>Prohibition of engagement of underage persons in certain cases.</p>
<p>10. Section 110 of the principal Act shall be omitted.</p>	<p>Omission of section 110.</p>
<p>11. For section 113 of the principal Act, the following section shall be substituted, namely:—</p> <p>“113. The Central Government may make rules for the purposes of employment of young persons, prescribing—</p> <p>(a) the authorities, whose certificates of physical fitness shall be accepted for the purposes of section 111;</p> <p>(b) the form of register of young persons to be maintained in ships where there is no agreement with the crew.”.</p>	<p>Substitution of new section for section 113.</p> <p>Power to make rules respecting employment of young persons.</p>
<p>12. In section 132 of the principal Act, in sub-section (1), in clause (a), for the words “three thousand rupees”, the words “three lakh rupees” shall be substituted.</p>	<p>Amendment of section 132.</p>
<p>13. In section 168 of the principal Act, after sub-section (6), the following sub-sections shall be inserted, namely:—</p> <p>“(7) The master of the ship or any person having charge over the ship shall maintain such standards, in accordance with the provisions of the Maritime Labour Convention, for the quantity and quality of food and drinking water, and the catering standards applicable to food provided to the seamen on ships, as may be prescribed.</p> <p>(8) The master of the ship or any person having charge over the ship shall undertake educational activities to promote awareness and implementation of the standards referred to in sub-section (7).”.</p>	<p>Amendment of section 168.</p>
<p>14. In section 173 of the principal Act, for sub-section (1) , the following sub-section shall be substituted, namely:—</p> <p>“(1) Every foreign-going ship carrying—</p> <p>(a) more than the prescribed number of persons (including the crew), shall have on board as part of her complement a medical officer possessing such qualifications; and</p> <p>(b) less than the prescribed number of persons shall have such medical facilities, as may be prescribed, in accordance with the provisions of the Maritime</p>	<p>Amendment of section 173.</p>

15. After section 176 of the principal Act, the following section shall be inserted, namely:—

“176A. (1) All ships of five hundred tons gross or more and engaged in international voyage or operating from a port, or between ports, in another country, shall possess a Maritime Labour Certificate and a Declaration of Maritime Labour Compliance. 5

(2) Ships not covered under sub-section (1) shall, unless exempted by the Central Government, possess such certificate in such manner and form, as may be prescribed.

(3) The shipping master, surveyor, seamen’s welfare officer, port health officer, Indian consular officer or any other officer at any port duly authorised in this behalf by the Central Government, may inspect any ship, in such manner as may be prescribed, and the master of the ship or any person having charge over the ship shall make available to such inspecting officer, the Maritime Labour Certificate and the Declaration of Maritime Labour Compliance.”. 10 15

16. After section 218 of the principal Act, the following section shall be inserted, namely:—

“218A. (1) The Central Government may, having regard to the provisions of the Maritime Labour Convention, make rules for carrying out the purposes of this Part.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:— 20

(i) the hours of work and rest in a week under clause (c) of sub-section (2) of section 101;

(ii) the entitlement for leave under clause (ff) of sub-section (2) of section 101; 25

(iii) the period of night work under clause (b) of sub-section (2) of section 109;

(iv) standards for the quantity and quality of food and drinking water, including the catering standards that apply to food provided to the seamen on ships, under sub-section (7) of section 168; 30

(v) the qualifications of medical officer under clause (a) and the medical facilities under clause (b) of sub-section (1) of section 173;

(vi) the manner and form of certificate to be provided to ships under sub-section (2) of section 176A;

(vii) the manner of conducting inspection in a ship to verify possession of the Maritime Labour Certificate and the Declaration of Maritime Labour Compliance under sub-section (3) of section 176A; 35

(viii) any other matter which may be or is to be prescribed relating to the Maritime Labour Convention.”.

17. In section 436 of the principal Act, in sub-section (2), in the Table, against serial number 25,— 40

(a) in column (2), the word and figures “,section 110”, occurring at both the places shall be omitted; and

(b) in column (3), the figures “110”, shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Merchant Shipping Act, 1958, as amended from time to time, provides for matters relating to merchant shipping in India. The objective of the said Act is to ensure the development and efficient maintenance of the Indian mercantile marine in a manner best suited to serve the national interests.

2. India is a member of International Labour Organisation (ILO), Geneva. India has acceded to various ILO Conventions. Now, India intends to accede to the International Labour Organisation's instrument C-186, known as the Maritime Labour Convention, 2006 (herein referred to as the MLC). This Convention is considered as the 'Bill of Rights' for the seafarers across the world, given that shipping, as an industry, is, intrinsically, global in nature. The MLC provides for international standards for the living and working conditions, of seafarers, including their food, accommodation, medical care, repatriation, social security, and recruitment.

3. The main purposes of the said Convention are:

(i) to bring the system of seamen's protection contained in the existing labour standards closer to the workers concerned, in a form consistent with the rapidly developing and globalised sector; and

(ii) to improve the applicability of the system so that ship owners and governments interested in providing decent conditions of work to their respective national seafarers do not have to bear an unequal burden in ensuring their protection.

4. Paragraph 4 of Article II of the said Convention provides that except as expressly provided for otherwise, the provisions of the said Convention applies to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and traditionally built dhows and junks, but does not apply to warships or naval auxiliaries.

5. On ratification of the MLC, India will ensure an improvement in the working and living conditions, and employment rights of Indian national seafarers, and provide, *inter alia*, the following benefits to them:

(a) safe and secure workplace on a ship;

(b) fair terms of employment;

(c) decent working and living conditions on a ship; and

(d) right to health protection, medical care and other social protection.

6. The Central Government has approved the ratification of the MLC. Therefore, it is proposed to amend the Merchant Shipping Act, 1958, to make enabling provisions for implementation and enforcement of the MLC; and thereby making it mandatory for Indian flag vessels to comply with the provisions of the said Convention and to obtain a Maritime Labour Certificate to that effect for the Indian flag vessels.

7. Under the provisions of the Merchant Shipping (Second Amendment) Bill, 2013, every Indian flag vessel of 500 gross tonnage or more and engaged in international voyage(s), would be issued with a Maritime Labour Certificate after an inspection of the ship concerned. This will enable them to get preferential treatment and exemption from their inspection for this purpose at foreign ports thereby reducing operational time and transaction costs for them. Further, India will be to ensure that all foreign flag vessels

entering the territorial waters of India, or any marine areas adjacent thereto, over which India has, or may hereafter have an exclusive jurisdiction, are subject to an inspection under the MLC, by which the rights of all seafarers regardless of their nationality are protected.

8. The Bill seeks to achieve the above objectives.

NEW DELHI ;
The 12th July, 2013.

G. K. VASAN

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 16 of the Bill seeks to insert a new section 218A relating to power to make rules for the purposes of Maritime Labour Convention in the Merchant Shipping Act, 1958. Sub-clause (1) of the said new section 218A empowers the Central Government, having regard to the provisions of the Maritime Labour Convention, 2006, to make rules for carrying out the purposes of Part VII relating to seamen and apprentices. Sub-clause (2) specifies the matters in respect of which such rules may be made. These matters, *inter alia* , include : (i) the hours of work and rest in a week under clause (cc) of sub-section (2) of section 101; (ii) the entitlement for leave under clause (ff) of sub-section (2) of section 101; (iii) the period of night work under clause (b) of sub-section (2) of section 109; (iv) the standards for the quantity and quality of food and drinking water, including the catering standards that apply to food provided to the seamen on ships, under sub-section (7) of section 168; (v) the qualifications of medical officer under clause (a) and the medical facilities under clause (b) of sub-section (1) of section 173; (vi) the manner and form of certificate to be provided to ships under sub-section (2) of section 176A; (vii) the manner of conducting inspection in a ship to verify possession of the Maritime Labour Certificate and the Declaration of Maritime Labour Compliance under sub-section (3) of section 176A; and (viii) any other matter, which may be or is to be prescribed relating to the Maritime Labour Convention.

2. The matters in respect of which rules may be made are matters of procedure or administrative details and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

ANNEXURE

EXTRACTS FROM THE MERCHANT SHIPPING ACT, 1958
(44 OF 1958)

* * * * *

PART VII

SEAMEN AND APPRENTICES

Classification of seamen and prescription of minimum manning scale

Apprenticeship to the sea service

91. All shipping masters shall give to persons desirous of apprenticing boys not under fifteen years of age to the sea service or requiring apprentices not under that age for the sea service such assistance as may be in their power, and may receive from those persons such fees as the Central Government may fix.

92.(1) The apprenticeship of any boy to the sea service shall be by contract in writing between the apprentice or on his behalf by his guardian, if the boy is a minor, and the master or owner of the ship requiring the apprentice.

(3) Every such contract shall be executed in the presence of, and shall be attested by, the shipping master of the port, who shall, before the execution of the contract, satisfy himself—

(a) that the intended apprentice—

(iii) has attained the age of fifteen years; and

(b) if the intended apprentice is a minor, that his guardian's consent has been obtained to his being bound as an apprentice.

Seamen's employment Offices

95.(1) It shall be the business of the seamen's employment offices—

Explanation. —For the purposes of this section,—

(b) ‘seafarer’ means any person who fulfils the conditions to be employed or engaged in any capacity on board a sea-going ship other than a government ship used for military or non-commercial purposes.

99A. (1) No person shall engage or carry to sea any seafarer in any ship, unless the seafarer is in possession of seafarer's identity document.

(2) The seafarer's identity document under sub-section (1) shall be issued in such form and manner and on payment of such fees as may be prescribed.

Explanation. —For the purposes of this section, “seafarer” means any person who is employed or engaged or works in any capacity on board a sea going ship ordinarily engaged in maritime navigation, other than a ship of war.

101. (1)*****

(2) The agreement with the crew shall contain as terms thereof the following particulars, namely:—

(j) payment of compensation for personal injury or death caused by accident arising out of and in the course of employment;

109.No person under fourteen years of age shall be engaged or carried to sea to work in any capacity in any ship, except—

(a) in a school ship, or training ship, in accordance with the prescribed conditions; or

(b) in a ship in which all persons employed are members of one family; or

(c) in a home-trade ship of less than two hundred tons gross; or

(d) where such person is to be employed on nominal wages and will be in the charge of his father or other adult near male relative.

110. (1) Save as otherwise provided in sub-sections (2) and (3), no young person shall be engaged or carried to sea to work as a trimmer or stoker in any ship.

(2) Sub-section (1) shall not apply—

(a) to any work of trimming or stoking done by a young person in a school ship or training ship in accordance with the prescribed conditions; or

(b) to any work of trimming or stoking done by a young person in a ship which is mainly propelled otherwise than by steam; or

(c) to the engagement or carrying to sea of a person over sixteen years of age to work as a trimmer or stoker on a coasting ship, provided he is employed in accordance with the prescribed conditions.

(3) Where in any port a trimmer or stoker is required for any ship other than a coasting ship, and no person over eighteen years of age is available, two young persons over sixteen years of age may be engaged and carried to sea to do the work which would otherwise have been done by one person over eighteen years of age.

(4) There shall be included in every agreement with the crew in ships to which this section applies a short summary of the provisions of this section.

113. (1) The Central Government may make rules prescribing—

(a) the conditions of employment of young persons in any capacity in school ships and training ships, and the authorities by whom and the manner in which the

Prohibition of engagement of seafarer without seafarer's identity document.

Form and contents of the agreement.

Employment of children.

Engagement of young persons as trimmers or stokers.

Power to make rules respecting employment

(b) the conditions of employment of young persons as trimmers or stokers in coasting ships;

(c) the authorities whose certificates of physical fitness shall be accepted for the purposes of section 111; and

(d) the form of the register of young persons to be maintained in ships where there is no agreement with the crew.

(2) Rules under clause (b) of sub-section (1) shall be made after consultation with such organisations in India as the Central Government may consider to be most representative of the employers of seamen and of seamen.

132.(1) Where under the agreement with the crew any dispute arises at any port in India between the master, owner or agent of a ship and any of the crew of the ship, it shall be submitted to the shipping master,—

(a) where the amount in dispute does not exceed three thousand rupees, at the instance of either party to the dispute;

173. (1) Every foreign-going ship carrying more than the prescribed number of persons (including the crew), shall have on board as part of her complement a medical officer possessing such qualifications as may be prescribed.

PART XVI
PENALTIES AND PROCEDURE
Penalties

436. (1) *****

(2) The offences mentioned in the second column of the following table shall be punishable to the extent mentioned in the fourth column of the same with reference to such offences respectively.

Serial Offences Section of Penalties
No. this Act to

which offence
has reference

25 If any person—

(a) is carried to sea to work in 109, 110, The master shall be liable to a fine
contravention of section 109, 111. which may extend to fifty rupees;
section 110 or section 111;

or

(b) is engaged to work in any The parent or guardian shall be liable

vention of section 109, section rupees.
110 or section 111 on a false
representation by his parent or
guardian that the young
person is of an age at which
such engagement is not in
contravention of those
sections.

RAJYA SABHA

A

BILL

further to amend the Merchant Shipping Act, 1958.

(Shri G.K. Vasan, Minister of Shipping)

Annexure-II
(vide para no.3)

List of Organisations/Associations/Unions/Stakeholders

1. Air India
2. Airports Authority of India
3. Airports Authority Employees Union
4. Business Aircraft Operators Association of India
5. Centre for Asia Pacific Aviation
6. Chimes Aviation Academy
7. Civil Aviation Department Airworthiness Control Officers Association
8. Director-General of Civil Aviation
9. GMR Airports
10. Indian Commercial Pilots' Association
11. Indian Pilots' Guild
12. International Air Transport Association (IATA)
13. Jet Airways
14. Ministry of Civil Aviation
15. Rotary Wing Society of India

**DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE ON
TRANSPORT, TOURISM AND CULTURE**

List of Reports

Sl. No.	Report No.	Report's name	Date of Presentation
1.	1	Demands for Grants, 1993-94 of Department of Tourism	30 .4. 1993
2.	2	Govt. Policy on Private Air Taxi Operation and Matters connected therewith	17 .8.1993
3.	3	Inland Waterways Authority of India (Amendment), Bill, 1992	08 Dec 1993
4.	4.	Air Corporations (Transfer of Undertakings and Repeal) Bill, 1992	08.12. 1993
5.	5	The Airports Authority of India Bill, 1993	16.3.1994
6.	6.	The Anti-Hijacking (Amendment) Bill, 1993	19.4.1994
7.	7.	The Suppression of Unlawful Acts Against Safety of Civil Aviation (Amendment) Bill, 1993	19.4.1994
8.	8	Demands for Grants (1994-95) of Department of Tourism	21.4.1994
9.	9	Demands for Grants (1994-95) of Ministry of Civil Aviation	22.4.1994
10.	10	Demands for Grants (1994-95) of Ministry of Surface Transport	25.4.1994
11.	11	Merger of Vayudoot with Indian Airlines	24.8.1994
12.	12	Development of Tourism and Transport in North East	20.3.1995
13.	13	National Highway System	25.4.1995
14.	14	Demands for Grants (1995-96) of Department of Tourism	26.4.1995
15.	15	Demands for Grants (1995-96) of Department of Civil Aviation	26.4.1995
16.	16	Demands for Grants (1995-96) of Ministry of Surface Transport	10.5.1995
17.	17	National Highways (Amendment) Bill, 1995	26.5.1995
18.	18	Inland Waterways	25.8.1995

Sl. No.	Report No.	Report's name	Date of Presentation
19.	19	Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Bill, 1995	04.12.1995
20.	20	Privatisation Policy in regard to Major Ports	28.2.1996
21.	21	Seamen's Provident Fund (Amendment) Bill, 1995	28.2.1996
22.	22	Civil Enclaves in Defence Airfields	07.3.1996
23.	23	Demands for Grants (1996-97) of Department of Tourism	27.8.1996
24.	24	Demands for Grants (1996-97) of Ministry of Civil Aviation	04.09.1996
25.	25	Demands for Grants (1996-97) of Ministry of Surface Transport	09.9.1996
26.	26	Demands for Grants (1997-98) Department of Tourism	15.5.1997
27.	27	Demands for Grants (1997-98) of Ministry of Civil Aviation	15.5.1997
28.	28	Demands for Grants (1997-98) of Ministry of Surface Transport	15.5.1997
29.	29	Ship-building and Ship-repair Industry in India	24.7.1997
30.	30	Functioning of Indian Airlines and Alliance Air	14.8.1997
31.	31	Demands for Grants of Department of Tourism for the year 1998-99	03.7.1998
32.	32	Demands for Grants (1998-99) of Ministry of Civil Aviation	06.7.1998
33.	33	Demands for Grants (1998-99) of Ministry of Surface Transport	06.7.1998
34.	34	The Merchant Shipping Second (Amendment) Bill, 1998	04.12.1998
35.	35	Functioning of Air India	08.3.1999
36.	36	Major Port Trusts (Amendment) Bill, 1998	04.3.1999
37.	37	Demands for Grants 1999-2000) of Ministry of Tourism	19.4.1999

Sl. No.	Report No.	Report's name	Date of Presentation
38.	38	Demands for Grants of Ministry of Civil Aviation for the year 1999-2000	19.4.1999
39.	39	Demands for Grants (1999-2000) of Ministry of Surface Transport	19.4.1999
40.	40	Problems faced by Tourists/Passengers at the Airport in the country	07.3.2000
41.	41	Demands for Grants (2000-2001) of Ministry of Tourism	19.4.2000
42.	42	Demands for Grants (2000-2001) of Ministry of Civil Aviation	19.4.2000
43.	43	Demands for Grants (2000-2001) of the Ministry of Surface Transport	19.4.2000
44.	44	Disinvestment of Air India	22.8.2000
45.	45	Functioning and Revival of Central Inland Water Transport Corporation Ltd.	15.12.2000
46.	46	Chartering and Management of flights for Haj Pilgrims	15.12.2000
47.	47	Functioning of the Department of Lighthouses and Lightships	23.3.2001
48.	48	Demands for Grants (2001-2002) of the Department of Tourism	26.4.2001
49.	49	Demands for Grants (2001-2002) of Department of Culture	26.4.2001
50.	50	Demands for Grants (2001-2002) of Ministry of Civil Aviation	26.4.2001
51.	51	Demands for Grants (2001-2002) of the Ministry of Road Transport & Highways	26.4.2001
52.	52	Demands for Grants (2001-2002) of the Ministry of Shipping	26.4.2001
53.	53	The Aircraft (exemption from taxes and duties on fuel and lubricants) Bill, 2000	27.11.2001
54.	54	Function of Border Roads Organisation	12.12.2001
55.	55	Demands for Grants (2002-2003)(demand no.79)of the Department of Tourism	24.4.2002
56.	56	Demands for Grants (2002-2003) (demand no. 80) of the Department of Culture	24.4.2002
57.	57	Demands for Grants (2002-2003), (Demand No. 77) of the Ministry of	24.4.2002

Sl. No.	Report No.	Report's name	Date of Presentation
		Shipping	
58.	58	Demands for Grants (2002-2003), Demand No. 7) of the Ministry of Civil Aviation	24.4.2002
59.	59	Demands for Grants (2002-2003) (demand no. 76) of the Ministry of Road Transport and Highways	24.4.2002
60.	60	Development of Tourism in the country	21.11.2002
61.	61	The Airports Authority of India (Amendment) Bill, 2000	21.11.2002
62.	62	The Major Port Trusts (Amendment) Bill, 2001	19.2.2003
63.	63	Action taken by the Government on the recommendations/observations of the Committee contained in its Fifty-Eighth Report on Demands for Grants 2002-2003 of Ministry of civil Aviation	25.2.2003
64.	64	Action taken by the Government on the recommendations/observations of the Committee contained in its Fifty-Seventh Report on Demands for Grants 2002-2003 of Ministry of Shipping	25.2.2003
65.	65	Sale of Centaur Hotel Mumbai Airport	10.3.2003
66.	66	Demands for Grants (2003-2004)(demand no. 91) of Department of Tourism	10.4.2003
67.	67	Demands for Grants (2003-2004) (Demand No. 76) of Ministry of Road Transport & Highways	10.4.2003
68.	68	Demands for Grants (2003-2004)(demand no. 90) of Department of Culture	25.4.2003
69.	69	Demands for Grants (2003-2004) (Demand No. 9) of Ministry of Civil Aviation	25.4.2003
70.	70	Demands for Grants (2003-2004)(demand no. 83)of Ministry of Shipping	25.4.2003
71.	71	The Jallianwala Bagh National Memorial (Amendment) Bill, 2003	03.12.2003
72.	72	Action Taken by the Government on the	03.12.2003

Sl. No.	Report No.	Report's name	Date of Presentation
		recommendations/observations of the Committee contained in its Sixtieth Report on Development of Tourism in the Country	
73.	73	Action Taken by the Government on the recommendations/observations of the Committee contained in its Sixty-Sixth Report on Demands for Grants (2003-2004) (Demand No. 91) of Department Of Tourism	03.12.2003
74.	74	Action taken by the Government on the recommendations/observations of the Committee contained in its Sixty-Seventh Report on Demands for Grants (2003-2004) of Ministry of Road Transport & Highways	03.2.2004
75.	75	Action taken by the Government on the recommendations/observations of the Committee contained in its Seventieth Report on Demands for Grants (2003-2004) of Ministry of Shipping	03.2.2004
76.	76	Action taken by the Government on the recommendations/observations of the Committee contained in its Sixty-Eighth Report on Demands for Grants (2003-2004) Of Ministry of Culture	03.2.2004
77.	77	Action taken by the Government on the recommendations/observations of the Committee contained in its Sixty-Ninth Report on Demands for Grants (2003-2004) of Ministry of Civil Aviation	03.02.2004
78.	78	Demands for Grants (2004-2005) (Demand No. 9) of Ministry of Civil Aviation	18.8.2004
79.	79	Demands for Grants (2004-2005) (Demand No. 93) of Ministry of Tourism	26.8.2004
80.	80	Demands for Grants (2004-2005) (Demand No. 20) of Ministry of Culture	26.8.2004
81.	81	Demands for Grants (2004-2005) (Demand No. 86) of Ministry of Shipping	26.8.2004
82.	82	Demands for Grants (2004-2005) (Demand No. 79) of Ministry of Road	26.8.2004

Sl. No.	Report No.	Report's name	Date of Presentation
		Transport & Highways	
83.	83	Eighty-Third Report on functioning of the Commission of Railway Safety	06.12.2004
84.	84	Demands for Grants (2005-2006)(demand no. 86)of Department of Road Transport and Highways	29.4.2005
85.	85	Demands for grants (2005-2006)(demand no. 20)of Ministry of Culture	29.4.2005
86.	86	Demands for Grants (2005-2006)(demand no. 85) of Department of Shipping	29.4.2005
87.	87	Demands for Grants (2005-2006)(demand no. 93)of Ministry of Tourism	29.4.2005
88.	88	Demands for Grants (2005-2006)(demand no. 9) of Ministry of Civil Aviation	29.4.2005
89.	89	The Merchant Shipping (Amendment) Bill, 2004	27.7.2005
90.	90	Development of Airport Sector with Special Emphasis on New Modern Airports	23.8.2005
91.	91	Functioning of the Archaeological Survey of India	25.11.2005
92.	92	Action taken by the Government on the recommendations/observations of the Committee contained in its Eighty-Fourth Report on Demands for Grants (2005-06) of Department of Road Transport and Highways	27.2.2006
93.	93	Action taken by the Government on the recommendations/observations of the Committee contained in its Eighty-Fifth Report on Demands for Grants (2005-06) of Ministry of Culture	27.2.2006
94.	94	Action taken by the Government on the recommendations/observations of the Committee contained in its Eighty-Sixth Report on Demands for Grants (2005-06) of Department of Shipping	27.2.2006
95.	95	Action taken by the Government on the recommendations/observations of the Committee contained in its Eighty-Seventh Report on Demands for Grants (2005-06)	27.2.2006

Sl. No.	Report No.	Report's name	Date of Presentation
		of Ministry of Tourism	
96.	96	Action taken by the Government on the Recommendations/Observations of the committee contained in its Eighty-Eighth Report on Demands for grants (2005-06) of Ministry of Civil Aviation	27.2.2006
97.	97	Action taken by the Government on the recommendations/observations of the Committee contained in its Ninetieth Report on the 'Development of Airport Sector with Special Emphasis on New Modern Airports'	27.2.2006
98.	98	Action taken by the Government on the recommendations/observations of the Committee contained in its Eighty-Third Report on the 'Functioning of the Commission of Railway Safety'	21.3.2006
99.	99	The Admiralty Bill, 2005	21.3.2006
100.	100	The Inland vessels (Amendment) Bill, 2005	17.3.2006
101.	101	The Carriage by Road Bill, 2005	21.3.2006
102.	102	Demands for Grants (2006-2007) (Demand no. 85) of Department of Road Transport and Highways	22.5.2006
103.	103	Demands for Grants (2006-2007) (Demand no. 19) of Department of Culture	22.5.2006
104.	104	Demands for Grants (2006-2007) (Demand no. 92) Of Department of Tourism	22.5.2006
105.	105	Demands for Grants (2006-2007) (Demand no. 84) Of Department of Shipping	22.5.2006
106.	106	Demands for Grants (2006-2007) (Demand no. 84) Of Ministry of Civil Aviation	22.5.2006
107.	107	Action taken by the Government on the recommendations/observations of the Committee contained in its Ninety-First Report on functioning of the Archaeological Survey of India	22.5.2006
108.	108	Functioning and Performance of India	15.12.2006

Sl. No.	Report No.	Report's name	Date of Presentation
		Tourism Development Corporation Limited	
109.	109	The Aircraft (Amendment) Bill, 2006	13.3.2007
110.	110	The Central Road Fund (Amendment) Bill, 2006	20.3.2007
111.	111	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Second Report on Demands for Grants (2006-07) of Department of Road Transport and Highways	14.5.2007
112.	112	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Third Report on Demands for Grants (2006-07) of Department of Culture	14.5.2007
113.	113	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Fourth Report on Demands for Grants (2006-07) of Department of Tourism	14.5.2007
114.	114.	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Fifth Report on Demands for Grants (2006-07) of Department of Shipping	14.5.2007
115.	115	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Sixth Report on Demands for Grants (2006-07) of Ministry of Civil Aviation	14.5.2007
116.	116	Demands for Grants (2007-2008) (Demand No. 9) of Ministry of Civil Aviation	11.5.2007
117.	117	Demands for Grants (2007-2008) (Demand no.84) of Ministry of Shipping	14.5.2007
118.	118	Demands for Grants (2007-2008) (Demand No. 85) of Department of Road, Transport and Highways	14.5.2007
119.	119	Demands for Grants (2007-08) Of Ministry of Tourism	14.5.2007
120.	120	Demands for Grants (2007-08) of Ministry	14.5.2007

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		of Culture	
121.	121	The National Waterway (Talcher-Dhamra Stretch of Rivers Geonkhali-Charbatia Stretch of East Coast Canal, Charbatia - Dhamra Stretch of Matai River and Mahanadi Delta Rivers) Bill, 2006	16.8.2007
122.	122	The National Waterway Kakinada-Pondicherry Stretch of Canals and The Kaluvelly Tank, Bhadrachalam-Rajahmundry Stretch of River Godavari and Wazirabad-Vijayawada Stretch of River Krishna) Bill, 2006	16.8.2007
123.	123	The Seamen's Provident Fund (Amendment) Bill, 2007	05.9.2007
124.	124	The Carriage by Air (Amendment) Bill, 2007	17.10.2007
125.	125	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Sixteenth Report on Demands for Grants (2007-08) of Ministry of Civil Aviation	20.11.2007
126.	126	The Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred Nineteenth Report on Demands for Grants (2007-08) of the Ministry of Tourism	20.11.2007
127.	127	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Eighteenth Report on Demands for Grants (2007-08) of the Department of road Transport and Highways	04.3.2008
128.	128	Action taken by the Government on the Recommendations/Observations of The Committee contained in its One Hundred And Seventeenth Report on Demands for Grants (2007-08) of Department of Shipping	04.3.2008
129.	129	Action taken by the Government on the recommendations/observations of the Committee contained in its One Hundred and Twentieth Report on Demands for Grants (2007-08) of Ministry of Culture	04.3.2008

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130.	130	The National Waterway (Lakhipur-Bhanga Stretch of the Barak River) Bill, 2007	04.3.2008
131.	131	Closure of Bangalore and Hyderabad Airports and matters related thereto	05.3.2008
132.	132	The Indian Maritime University Bill, 2007	17.4.2008
133.	133	The Airports Economic Regulatory Authority of India Bill, 2007	17.4.2008
134.	134	Demands for Grants (2008-09) of Department of Shipping	17.4.2008
135.	135	Demands for Grants (2008-09) of Department of Road Transport and Highways	28.4.2008
136.	136	Demands for Grants (2008-09) of the Ministry of Tourism	28.4.2008
137.	137	Demands for Grants (2008-09) of Ministry of Culture	28.4.2008
138.	138	Demands for Grants (2008-09) of Ministry of Civil Aviation	28.4.2008
139.	139	The Motor Vehicles Amendment Bill, 2007	28.4.2008
140.	140	Promotion of Tourism in Jammu and Kashmir	20.8.2008
141.	141	Modernization of Airports	20.8.2008
142.	142	Functioning of Private Airports and the related Issues	23.10.2008
143.	143	Action Taken by the Government on the Recommendations/ Observations of the Committee contained in its One Hundred and Thirty Fourth Report on Demands for Grants 2008-2009 of The Department Of Shipping	19.12.2008
144.	144	Action Taken by the Government on the Recommendations /Observations of The Committee contained in its One Hundred and Thirty Fifth Report on Demands for Grants 2008-2009 of The Department of Road Transport and Highways	19.12.2008
145.	145	Action Taken by the Government on the recommendations /observations of the Committee contained in its One Hundred	19.12.2008

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		and Thirty Sixth Report on Demands for Grants 2008-2009 of the Ministry of Tourism	
146.	146	One Hundred and Forty-Sixth Report on action taken by the Government on the recommendations /observations of the Committee contained in its One Hundred and Thirty Seventh Report on Demands for Grants 2008-2009 of the Ministry of Culture	19.12.2008
147.	147	Action Taken by the Government on the Recommendations /Observations of the Committee contained in its One Hundred and Thirty Eighth Report on Demands for Grants 2008-2009 of The Ministry Of Civil Aviation	19.12.2008
148.	148	The National Highways Authority of India (Amendment) Bill, 2008	17.2.2009
149.	149	Development of Tourism Infrastructure and Amenities for the Commonwealth Games 2010	24.2.2009
150.	150	The National Commission for Heritage Sites Bill, 2009	23.11.2009
151.	151	Merger of Indian Airlines and Air India: Its impact on the Civil Aviation Sector <i>(updated on 03 Mar 2010)</i>	03.3.2010
152.	152	Action Taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred and Fortieth Report on Promotion of Tourism in Jammu And Kashmir	03.3.2010
153.	153	Action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred and Forty Ninth Report on Development of Tourism Infrastructure and Amenities for the Commonwealth Games 2010	03.3.2010
154.	154	Demands for Grants (2010-2011) Ministry of Tourism	20.4.2010
155.	155	Demands for Grants (2010-2011)of Ministry of Road Transport and Highways	20.4.2010

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156.	156	Demands for Grants (2010-11) of Ministry Of Shipping	22.4.2010
157.	157	Demands for Grants (2010-11) of Ministry of Culture	22.4.2010
158.	158	Demands for Grants (2010-11) of Ministry of Civil Aviation	22.4.2010
159.	159	Action Taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred and Thirty First Report on Closure of Bangalore & Hyderabad Airports; One Hundred and Forty First Report on Modernisation of Airports; and One Hundred and Forty Second Report on Functioning of Private Airports	06.5.2010
160.	160	The National Road Safety and Traffic Management Board Bill, 2010	28.7.2010
161.	161	The Anti-Hijacking (Amendment) Bill, 2010	01.3.2011
162.	162	Action Taken by the Government on the recommendations/observations of the Committee contained in its One Hundred Fifty Fourth Report on Demands for Grants (2010-11) of the Ministry of Tourism	04.3.2011
163.	163	Action Taken by the Government on the recommendations/observations of the Committee contained in its One hundred Fifty Fifth Report on Demands for Grants (2010-2011) of the Ministry of Road Transport and Highways	04.3.2011
164.	164	Action Taken by the Government on the recommendations/observations of the Committee contained in its One Hundred Fifty Sixth Report on Demands for Grants (2010-2011) of the Ministry of Shipping	04.3.2011
165.	165	Action Taken by the Government on the recommendations/observations of the Committee contained in its One Hundred Fifty Seventh Report on Demands (For Grants (2010-2011)Ministry of Culture	04.3.2011

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166.	166	Action Taken by the Government on the recommendations/observations of the Committee contained in its One Hundred Fifty Eight Report on Demands for Grants (2010-2011) of the Ministry of Civil Aviation	04.3.2011
167.	167	Functioning of National Museum	11.3.2011
168.	168	Directorate General of Civil Aviation (DGCA) – Issues and Challenges	04.5.2011
169.	169	Helicopter Operations in India	04.5.2011
170.	170	Modernization of Major Ports	11.8.2011
171.	171	Functioning of Sahitya Akademi, Lalit Kala Akademi, Sangeet Natak Akademi and National School of Drama	17.8.2011
172.	172	Development of Tourism in North-Eastern Region	17.8.2011
173.	173	The National Highways Authority of India (Amendment) Bill, 2011	15.3.2012
174.	174	Demands For Grants (2012-13) of Ministry of Civil Aviation	27.4.2012
175.	175	Demands For Grants (2012-13) of Ministry Of Culture	07.5.2012
176.	176	Demands for Grants (2012-13) of Ministry of Tourism	07.5.2012
177.	177	Demands for Grants (2012-13) of Ministry of Shipping	07.5.2012
178.	178	Demands for Grants (2012-13) of Ministry of Road Transport & Highways	07.5.2012
179.	179	One Hundred Seventy Ninth Report on Action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred Sixty Seventh Report on 'Functioning of National Museum'	21.5.2012
180.	180	One Hundred Eightieth Report o Action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred	21.5.2012

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		And Seventy Second report on Development of Tourism in North-Eastern Region	
181.	181	One Hundred Eighty First Report on action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred Sixty Eighth Report on the Directorate General of Civil Aviation (DGCA) – Issues and Challenges	04.12.2012
182.	182	Action taken by the Government on the recommendations/ observations of the Committee contained in its One Hundred Sixty Ninth Report on the Helicopter Operations in India	04.12.2012
183.	183	Action Taken By The Government On The Recommendations/ Observations Of The Committee Contained In Its One Hundred Seventy Seventh Report On The Demands For Grants (2012-13) Of Ministry Of Shipping	04.12.2012
184.	184	Action Taken By The Government On The Recommendations/ Observations Of The Committee Contained In Its One Hundred Seventy Sixth Report On The Demands For Grants (2012-13) Of Ministry Of Tourism	04.12.2012
185.	185	Action Taken By The Government On The Recommendations/ Observations Of The Committee Contained In Its One Hundred And Seventy Fourth Report On The Demands For Grants Of Ministry Of Civil Aviation (2012-13)	04.12.2012
186.	186	Action Taken By The Government On The Recommendations/Observations Of The Committee Contained In Its One Hundred And Seventy Fifth Report On The Demands For Grants (2012-13) Of Ministry Of Culture	04.12.2012
187.	187	Action Taken By The Government On The Recommendations/ Observations Of The Committee Contained In Its One Hundred And Seventy Eighth Report On The Demands For Grants Of Ministry Of Road	04.12.2012

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		Transport And Highways (2012-13)	
188.	188	Functioning Of Commission Of Railway Safety	27.2.2013
189.	189	Development Of National Waterways-Potential And Challenges	27.2.2013
190.	190	Development Of Tourism In Darjeeling And Sikkim	27.2.2013
191.	191	Demands for Grants (2013-14) of Ministry of Civil Aviation	03.5.2013
192.	192	Demands for Grants (2013-14) of Ministry of Culture	03.5.2013
193.	193	Demands for Grants (2013-14) of Ministry of Road Transport & Highways	03.5.2013
194.	194	Demands for Grants (2013-14) of Ministry of Shipping	03.5.2013
195.	195	Demands for Grants (2013-14) of Ministry of Tourism	03.5.2013
196.	196	The National Waterway (Lakhipur-Bhanga stretch of the Barak River) Bill, 2013	07.8.2013
197.	197	The Merchant Shipping (Amendment) Bill, 2013	07.8.2013
198.	198	Management of Road Transport in National Capital Region: Issues and Challenges	27.8.2013
199.	199	Action Taken by the Government on the Recommendations/ Observations of the Committee Contained in its One Hundred and Eighty Ninth Report on the Development of National Waterways-Potentials and Challenges	27.8.2013
200.	200	Development of Tourism, National Highways and Water Transport in Kerala and Cochin Shipyard Limited	27.8.2013
201.	201	Functioning of National Akademis and other Cultural Institutions : Issues and Challenges	17.10.2013 (Presented to Hon'ble Chairman)

(The above mentioned reports are available on the website of Rajya Sabha <http://rajyasabha.nic.in>→Committies→Department related RS-committee on Transport, Tourism and Culture→ Reports)