

Indian Ports Bill 2021

Why in news?

Maritime States (Tamil Nadu, Kerala, Andhra Pradesh, Odisha and Maharashtra) have expressed dissatisfaction over the Indian Ports Bill 2021.

What is the bill about?

- The Indian Ports Bill 2021 seeks to replace more than a century old Indian Ports Act 1908.
- The new Bill incorporates international regulatory developments in the national legislation namely the -
 1. International Ship and Port Facility Security (ISPS) Code 2004
 2. International Convention for the prevention of pollution from ships (MARPOL) (1983, 2005)
 3. International Ballast Water Management (BWM) convention (2017)

What are the welcome features?

- The Bill mandates port authorities to provide adequate “reception facilities” to ships to dispose of their waste.
- It contains provisions for the safety and security of ports and for the prevention and containment of pollution at ports.
- These provisions will apply to all ports in India (major and non-major ports).
- The ports are required to prepare a “Security Plan” and a waste reception and handling plan.
- The Ports will also be subject to periodic audits by the Union government to ensure compliance.



What are the contentious provisions?

Maritime State Development Council

- The Council will be established by the Centre with the Union Minister of Ports, Shipping and Waterways as the Chairperson.
- The Ministers in charge of ports in the Maritime States will be the members.
- It also includes the Secretary and Joint Secretaries of the Ministry dealing with ports.
- But neither the State Maritime Boards nor expert members on port administration and trade interests find a place in the Council.
- The Bill also proposes to make the Council a permanent body with wide-ranging powers to -
 - i. formulate a national plan for development of existing and new ports and revise the plan periodically
 - ii. monitor the development of major and non-major ports to ensure their integrated development with the national plan

Powers

- The Union government can make a port non-operational if it is not in consonance with the national plan.
- Heavy penalties for administrative lapses on Port authorities and officials ranging from Rs. 50,000 to Rs. 2 lakh or imprisonment up to 6 months or both.
- The excessive authority and power concentrated in the Union government relegate the maritime States into a secondary position.

What is the changing trend with Indian ports?

- India has 12 major ports and about 212 non-major ports.
- Major ports come under the direct control of the Centre.
- All non-major ports come under the control of the respective State governments.
- In 2000-01 Indian ports handled total traffic of 369 million tonnes, with 76% share with major ports and 24% with non-major ports.
- In 2020-2021 the total traffic handled at Indian ports reached 1,250 million tonnes.
- But the share of major ports declined to 54% while that of non-major ports increased to 46%.
- In this line, by 2030 non-major ports could overtake the major ports in cargo handling.
- Clearly, the maritime State governments will be the main driving force to effect such developments.

What does this call for?

- Port handling requires more decentralization.
- India's maritime States have, in the past, executed a number of port development projects successfully.
- E.g. Mundra Port, handling the highest volume of cargo (144.4 MT in 2020-2021), has been developed on a concession granted by Gujarat Maritime Board.
- Krishnapatnam, Kakinada and Gangavaram ports have been developed on a concession by the Andhra Pradesh Maritime Board.
- So, the Centre must step back and give more autonomy to States.
- Major ports can offer "brownfield sites" while the Maritime States can offer "greenfield sites" for development.
- The Union government should thus take the Maritime States with it as equal partners in the growth and development of ports in India.

Source: Business Line