

Year	Number of Cases
1995	07
1996	06
1997	06
Total	19

(c) and (d) In the case of the deceased, late Shri Amulya Mahto, an employee of HSCL, the primary responsibility for giving employment to his dependent rests with HSCL. HSCL, due to the large surplus manpower, are not in a position to provide any fresh employment.

[Translation]

Private Builders/Colonizers

4251. SHRI SOHAN POTAI : Will the Minister of URBAN AFFAIRS AND EMPLOYMENT be pleased to state :

(a) whether the Government have any control/check on Private Builders/Colonizers to save lower/middle class plot holders from fraud practised by them;

(b) if so, the details thereof; and

(c) if not, the reasons therefor ?

THE MINISTER OF URBAN AFFAIRS AND EMPLOYMENT (SHRI RAM JETHMALANI) : (a) and (b) Since land and housing matters fall under the jurisdiction of the State Government, the State Governments have to make necessary legislations to control the private builders/colonizers. However, a Model Bill to regulate Private Builders/Developers has been formulated by the Government and circulated to all States in 1992 for their guidance and help in formulating legislation to exercise control over builders/promoters. The matter is being regularly monitored by taking up with the State Governments in order to protect the purchasers from the fraudulent dealings of private builders.

An Act for controlling the activities of promoters and builders in Delhi is under consideration. The proposed legislation would provide for compulsory registration of promoters/estate agents, agreement to sale before accepting any advance, promoters, liability for construction of supporting infrastructure and common facilities, transparency in maintaining accounts, prohibition on setting up of unauthorised colonies and penalty for contravention.

(c) Does not arise.

[English]

Municipality Provisions

4252. SHRI GIRIDHAR GAMANG : Will the Minister of URBAN AFFAIRS AND EMPLOYMENT be pleased to state :

(a) the steps taken by the Government to extend the provisions of Part IXA of Article 243 Scheduled Areas and Tribal Areas of Article 244 with some exception and modification of Municipality provisions;

(b) the main recommendations of the Committee relating to extension of Municipality to Scheduled Areas;

(c) the initiatives and measures taken by the Government to pursue with the States to constitute State Finance Commissions. District Planning Committees and enact the Act by them to fulfil the constitutional obligations; and

(d) the details of the constitutional and legal problems due to the elections already held in the States in Scheduled Areas ?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN AFFAIRS AND EMPLOYMENT (SHRI BANDARU DATTATREYA) : (a) As per Article 243ZC, the Constitution (74th Amendment) Act is not applicable to Scheduled Areas referred to in Article 244 of the Constitution. However, Parliament may, by law, extend the above Act to such Areas with exceptions and modifications. A Committee of Members of Parliament and Experts was constituted by this Ministry to suggest salient features of the law extending the Constitution (74th Amendment) Act to Scheduled Areas. For introducing requisite legislation in the Parliament based on the recommendations of the above Committee, necessary consultation has already been completed with the concerned Ministries. The State Government having Scheduled Areas have also been requested to give their comments on the report of the Committee.

(b) The main recommendations of the Committee relate to the composition of Municipalities in Scheduled Areas, functions and powers of such Municipalities, measures for the welfare of Scheduled Tribes like reservation of seats in Municipalities and also appropriate reservation in development programmes, acquisition of their lands etc.

(c) As a result of the initiative taken by this Ministry, the State Finance Commission has been constituted in a States where the Constitution (74 Amendment) Act as applicable. As per information available, District Planning Committees have been constituted in Karnataka, Kerala, Tripura, Madhya Pradesh, Manipur (in two out of four Districts), West Bengal (in 16 Distt. out of 18 Distts.), Andaman and Nicobar Islands and Daman & Diu.

(d) No such case has been brought to the notice of this Ministry by the States having Scheduled Areas