

[English]

(viii) Need to provide Adequate funds to Sikkim for Development of proper Infrastructure

SHRI BHIM PRASAD DAHAL (Sikkim) : Sir, we, in Sikkim, felt quite happy over the interest taken by the Prime Minister in the development of the North-Eastern region of the country, which had been neglected for a long time. Within months of taking over as the Prime Minister, Shri Deve Gowda made a visit of the North-Eastern States and was kind enough to announce a package of all-round economic development. We are, however, constrained to note that Sikkim although faced with similar problems of isolation, poor infrastructural facilities and a difficult hilly-terrain State failed to get the attention of the Prime Minister.

Through this mention, I would like to bring it to the notice of the Prime Minister that we, in Sikkim, are looking forward to his visit to see for himself the difficulties being faced by our people due to difficult living conditions. The State has vast hydro-electric, tourism and horticulture potential which has not been tapped due to paucity of funds and absence of proper infrastructure.

Till date, there has been no major project taken up under the Central sector nor any airlink established which would help in the development of tourism.

With these points made, I request the Prime Minister in particular and the Union Government in general to treat Sikkim also with a sense of love and belonging as long isolation breeds problems of its own kind.

14.50 hrs.

**DELHI DEVELOPMENT (AMENDMENT)
BILL, 1996 — CONTD.**

[Translation]

MR. CHAIRMAN (SHRI NITISH KUMAR) : The House will now take up Item Number 11. I call upon Shri Vijay Goel to speak.

[Translation]

SHRI VIJAY GOEL (Sadar-Delhi) : Mr. Chairman, I raise to speak on Delhi Development (Amendment) Bill. This Bill was enacted in 1957 and today in 1996 it has become a matter of ridicule for Delhi. You will be astonished to know that the purpose for which this authority was constituted, its advisory committee has met for the last three years. Its head is no other than Lt. Governor of Delhi. I had specifically written a letter to know as to why the meeting of this body had not been called. You can well imagine the state of affair in which this authority is functioning. Delhi used to be the capital of pandavas by the name of Indraprasth. Delhi

has a history and culture tracing down to Mahabharat period. The capital of pandav where Draupdi was disrobed and humiliated, today every citizen is being humiliated and nobody is paying any attention towards his suffering.

Mr. Chairman, first of all we take word 'Dilli'. In Hindi it is written 'Dilli' whereas in English it is spelt 'Delhi'. I would urge upon the Central Government to correct the spelling of Delhi and it should be written 'Dilli' because the way in which Dilli is spoken in Hindi it is also read in English. If the name is not proper, how other things will function properly. When DDA was set up, the population of Delhi was 7 lakhs. In 1947 when refugees came to Delhi its population swelled to 14 lakhs. At that time the need was felt that some Bill should be brought for the development of Delhi. Hence in 1957 a Bill was brought and a master plan was prepared for the planned development of Delhi. Its other function was to acquire, dispose of and manage the land. But it is a matter of regret that today there are masters but there is no plan. Today, mafia has illegally occupied the DDA land and is disposing and also managing it, whereas DDA has turned a blind eye towards this. You will recall that DDA had acquired 60,000 acres of land but it is a matter of guess for the member sitting here as to how much land has been developed. There is no one to look after Delhi because there are hoards of agencies here such as DDA, CPWD, MCD and many others. You can well imagine the fate of a common man when so many agencies are functioning. A common man has to go many places to verify whether the land belongs to DDA, MCD or the Central Government. One has to run from pillar to post to get this work done. But today we are not prepared to consider why we have segmented Delhi in so many agencies and authorities. Why do not we develop Delhi fully through one agency.

Mr. Chairman, DDA is looking after Housing and is constructing Houses. If I am right then Delhi was constituted not only with the purpose of constructing houses but one of its job was to allot Delhi as per the lay out of master plan so that the other people could develop it. But today DDA has constructed such houses that nobody can forecast when its roof will come down. Nobody can tell about the quantity of the cement and steel used in them. There are many such instances. DDA is constructing houses in Vasant Kunj and other places which can prove dangerous any time. People living in those houses are constantly reeling under fear that their roofs may cave in any time. DDA constructed 24,000 houses in 1988-89. In 1989-90 DDA constructed 21,000 houses. In 1995-96 DDA constructed only 2000 houses. Today there are 70,000 people in que for DDA houses. DDA have not constructed those so far. Only 2000 houses have been constructed in 1995-96. I do not think that Central Government are serious to solve the housing problem. During the course of meeting with Lt. Governor for the budget of 1995-96, it was informed

that there is a budget of 250 crore rupees and out of that only 75 or 50 crores have been spent on housing. The remaining money has not been spent. When the DDA came up with a new scheme. I asked them whether houses have since been allotted to old applicants. It is not I but the hon. Minister Shri Venkateswaralu who I hold in high esteems and who is also a senior Minister gave this information to the Rajya Sabha on 5th December. I do not think that the hon. Minister has been able to understand the DDA fully. Even the Vice-Chairman has not so far understood the DDA well. If the Vice-Chairman will be changed after every 17 months, they will take time to understand the DDA. On the 5th December, the Rajya Sabha was informed that there were no takers for the DDA houses. As many as 3017 houses are lying vacant in Bindapur Dwaraka. The hon. Minister says that it is his new concept. Development will take place gradually. There are no takers for the type of houses constructed by the DDA. There are no takers for 21535 houses. In his reply on 29th February in this regard the hon. Minister clarified that water and electrical connections are yet to be installed in these houses. These connections will be given by other agencies. I would like to know from the Government whether the MCD and the DESU were consulted before taking up construction work of 21,000 houses. Was the water supplying consulted? When water and electrical connections have not yet been given to existing houses, how it is that new schemes have been taken up. Will the new houses also remain without these connections or any arrangement being made for this. I come from the Delhi Sadar Parliamentary Constituency. Lakhs of acres of DDA land is lying in my area alone. I shall come to this later. But one thing I would like to say that there is no use of taking up new housing schemes by the DDA when the houses already constructed are lying unused without water and electrical connections.

SHRI RAM KRIPAL YADAV (Patna) : What the Government of Delhi is doing?

SHRI VIJAY GOEL : The hon. Member does not know that the DDA do not come under the Delhi Government. When schemes are launched, the Delhi Government will be required to give water and electrical connections. If the Delhi Government is not in a position to give these connections, what is the use of raising these structures? This is the most important question I would like to ask. There is no need to level charges against the Delhi Government. Instead the DDA should be handed over to the Delhi Government. Then only the Government of Delhi could be held responsible.

Mr. Chairman, Sir, about 43,394 applicants registered their names under the Ambedkar Housing Scheme and the new pattern scheme. Persons who deposited money, have not yet been given flats. A total of 70,000 person are in the line waiting their turn to get houses. There is no information about it and there is nobody to give any information as to what further

development schemes are in the offing. There is also no indication as to what will be the future housing schemes. Recently two schemes were announced, the Janata Registration scheme and the S.F.S.

15.00 hrs.

Unspecified number of applications were called for for 3500 flats only. An advance of Rs. 5000/- was also taken from each applicant. Interest @ 10% will be paid on the advance money. Then what the DDA will do of the crores of rupees deposited with them. The hon. Minister should reply this point. The construction of houses in Dwarika Phase-I and Dwarika Phase-II which were likely to be completed by the years 2000 or 2002 has not yet started. The hon. Minister can not give a reply to this point today. By what time all these schemes will be completed. All these schemes are being postponed. These schemes are being deferred. What the Central Government is doing to coordinate the works of various agencies. The present Government at the Centre does not keep any co-ordination among the various agencies. If the DDA come under the Government of Delhi, the discord among various agencies will be over. Before starting a new scheme the Government of Delhi should be consulted in detail. Mr. Chairman, Sir, today the DDA proudly show in their documents that 3257 acres of their lands has been encroached. The land has been occupied illegally. If somebody does not get land in Delhi, he encroaches upon DDA land. Today, the cost of 3257 acres would run into not in lakhs but into crores of rupees. Who is to be held responsible for that. Has a single person been suspended for this illegal possession and unauthorised construction. I wrote to DDA about the unauthorised construction of DDA land in my area. Unfortunately, they have no knowledge of the location of half of their land. They have been able to reclaim only 200 acres of land. Even today thousands of acres of DDA land is under illegal possession, but no one has so far been suspended for this lapse. Today, as many as 352 J.J. colonies have come up on DDA land. No planned construction could be made, no E.W.S. flats could be given or no flats could be constructed on that land. The land has been illegally occupied and J.J. colonies have been grown there. No amenities are available in these colonies. The DDA can neither evict this land nor provide any amenities to those people. It is also not that the DDA would provide basic facilities to those people and settle them. There are also charges against the DDA that it has turned into a money making agency. In the same way every one of us feel that the public schools take exorbitant fees. They are raising the fees arbitrarily. Nobody asks the DDA, if the land per acre costs Rs. 80 lakh in South Delhi, Rs. 50 lakh in North Delhi and Rs. 35/- lakh in East Delhi, how the housing societies registered under DDA claiming to work on no profit no loss basis are earning so much of profit. At the time of applying, the societies run from pillar to post to acquire land. You will be surprised to

know that there is no tradition in the DDA to reply to any society's letter. I placed all these points before the Lt. Governor. He had no reply for all this. Make pay off and acquire land has become the state of affair in the DDA.

Mr. Chairman, Sir, today the cost of DDA houses is very high. DDA Houses were meant for the weaker sections which should have cost Rs. 1 or 1.5 lakh at the maximum. On the contrary the houses cost to the extent of Rs. 10 lakh. It is very difficult to acquire such costly houses. The societies which were allotted land by the DDA constructed their houses very late. They were penalised for this lapse. Later it was found that the DDA delayed clearance of their layout plans. Their appeal was not heard. Due to this a large number of societies remain incomplete. The DDA have been converted into a money making agency. It is not for a common man. The Authority have no right to earn money from people and construct houses for them. They should provide houses to people on no profit no loss basis. Today all the societies claim that there should be some grievances redressal system in the DDA where people can lodge complaints and seek redressal. At present there is no such system in the DDA.

Mr. Chairman, Sir, you will find DDA parks and rose gardens at places. Rose gardens are there, but not a single rose one can find there.

Today, DDA parks are not developed as they are done in the M.C.D. A Mali is employed in each park with a covered area of one acre. In my area as many as 40 Malis are working in one park, but actually even 5 Malis do not remain present.

The people whose land has been acquired by the DDA do not get compensation. There are many complaints in this regard. The DDA acquire land at will but people whose land has been acquired run from pillar to post for compensation. There is nobody to listen to their complaints.

Gandhiji had said that till the villages are developed, people will migrate to cities. The DDA have not yet developed the villages. As a result of this population of Delhi is increasing continuously. Housing societies are also working here. I want that the DDA should once again engage the private agencies, prepare the lay out plan and take up development work with the support of all and sundry. Then only we will be in a position to provide houses to more and more people.

Today people mostly complain about corruption spread in the DDA. In a meeting of the Officers of the DDA where the Lt. Governor was also present, I raised the point of corruption in the DDA. I questioned each and every official of the DDA to be bold enough to say that he is not indulging in corruption. No one present could say that from top to bottom. All officers are involved in corruption. No files move without bribe. It may be that there were some honest persons in the DDA, but now it is said that everybody is involved in corruption.

The Central Government is responsible for the corruption in the DDA that cannot be described in words. Despite that knee deep corruption, only 8 persons have so far been penalised or punished. Cases have been filed against 48 officials only that too against officers of J.E. and A.E.'s level. No senior officer has so far been accused. Six such person who posses property disproportionate to their income have been proceeded against. People carry the impression that no work in DDA can be done without bribe. When the Central Government cannot control the DDA, it should transfer the authority to the Government of Delhi, otherwise Delhites will continue to face the housing problem as they are doing in the case of electricity and water.

The DDA have failed in its objectives. If the DDA wish more and more development of Delhi, they should work in the J.J. colonies where no work has been undertaken. Today, residential houses of DDA have been converted into shops and each such unit costs upto Rs. 80/- lakh, but no action has been taken against a single person. It is better to dismantle the house and construct a new one because of the quality of material used by DDA.

While bringing forward the amendments and pressing to pass them, the hon. Minister did not pay any attention to all these problems. Earlier there used to be the Metropolitan council which has since been replaced by a Legislative Assembly.

(Shri Chitta Basu *in the Chair*)

15.09 hrs.

Earlier, there used to be three Members and now also three Members are to be taken in the DDA. Out of these three two Members are to be taken from the ruling party and one from the opposition. Today, the ruling party has only 45 Members in the House and the number of opposition Members is higher. In the Lok Sabha Committees also parties are given representation on the basis of single proportionate vote and their strength in the House. It will therefore be in the everybody's interest that the BJP which is in the power in Delhi is given representation on the basis of proportionate vote. The strength of the party should be taken into account while giving representation.

There are 13 Members in the DDA out of which two Members come from the corporation which is the smallest body. The Legislative Assembly sends three Members, but not a single Member is taken from the Parliament. In my second amendment I have proposed that Members of Parliament should represent the Central Government in the DDA. It will also not be proper that while two M.Ps. join the Advisory Council of the DDA, there will be no Member of Parliament in the Authority. I, therefore, propose that minimum two and maximum three MPs should be taken in the Authority of the DDA.

Mr. Chairman, Sir, there will be no use of the Advisory Council, when two Members of Parliament are

taken in the Authority of the DDA. I hope that my amendment will be accepted by the hon. Minister. It will not be turned down only because it had come earlier. I also hope that the august House is unanimous on it. I request the hon. Minister to accept my amendment.

[English]

SHRI BALAI CHANDRA RAY (Burdwan) : Mr Chairman, Sir. I rise to support the amendment. But while supporting the amendment, I must confess that the Delhi Development Authority has not been able to develop or maintain the development that has taken place in Delhi. No doubt, during the last 50 years, Delhi has grown, grown of its own acceleration the same ways as all other cities grow, industries have come into existence of its own for its needs and tall buildings have been erected. Simultaneously these buildings have been encircled by the ugliest possible slums.

The growth must not be misunderstood for development. All the hon. Members speaking on this Bill have pointed out the failures, both in lack of proper planning and failure to execute on the Master Plan of Delhi Development Authority. The main difficulty which the Delhi Development Authority appears to have ignored is the fact that development should have been comprehensive and integrated so that its economic development, social environment, cultural, progress along with its structures, roads, etc., are simultaneously developed so as to systematically fit in into a growing city, catering to the needs of modern civilised life. The Delhi Development Authority has neither planned that nor has achieved it. The failures of the Delhi Development Authority can be recounted in whichever way one likes.

Just now one of the hon. Members has pointed out that 21,535 flats of the Delhi Development Authority, as on 21st February 1996 are lying as there are no takers. We do not know why they were constructed. Why there are no takers? Is it because of infrastructural failures or lack of electricity or inadequate water supply? Nobody is willing to take those flats because there is no supply of power.

A huge money would have gone into the construction of 21,535 flats, the public money at that and the unplanned Delhi Development Authority had been spending this public money without any qualms at all. When it was pointed out that it was a great loss or a huge loss that they were incurring, the explanation that had been given in the Annual Report was really amusing.

They say that the appreciation of land value where they have constructed the flats counterbalances the loss that they are incurring. This is something funny. This loss should be additional profit to their funds. Well, that is the explanation they have given. There has been a backlog of 43,394 registrants, as has been pointed out just now.

About encroachment, it has already been pointed out that 3,257 acres have been encroached but the idea must not be that it is the Jhuggi *jhompri* that have encroached most of the land. There are bound to be *jhompri* in a city like this. Slums are a concomitant to elitist existence. In a city where people can spend a lot and can deprive a large number both slums and tall buildings simultaneously grow and they have grown. But even now the slums are not occupying a very large part of the encroached area. The total area occupied by *jhompri* comes to 436 acres. Out of 3,257 acres 2,821 acres are occupied by people who are better off, not living in *jhompri*. How do they manage it? My hon. friend who has just now spoken said that they manage by greasing the palms of somebody. How can an Authority overlook it? There is a lot of noise in Calcutta that as because the hawkers have been removed from the streets and there is a rehabilitation programme. Well, encroachment will continue if attempt to remove the encroachment be there and statutory authority will not tolerate such encroachment. This is the situation which cannot be countenanced. But that is what has been happening.

Now there are 22,000 houses as on 4th March, 1996 to which there are no takers. It is not only that but the Delhi Development Authority never took into consideration that not only in 1947 and immediately after independence that, during a short those few years - it is a situation which we all remember as we have grown in age that 70 lakhs of people have crossed the border. Therefore, there was an influx of population in Delhi and those incoming people had to be received because it was consequence of independence that they come. There was no plan. It was not only that there was no plan in 1947 or 1957 or 1967 but there has no real plan even afterwards. We are expecting that, in Delhi, by 2001, there will be 122 lakhs of people. Large growth will be there and again, DDA has not come out with any comprehensive plan as to how to receive them. A lot of noise is sometimes created by the use of the word 'migrants'. Sometimes, the migrants are identified as foreigners which is unfortunate. Our Constitution provides that any citizen of this country has the right to live anywhere. Therefore, if some people come from outside and choose Delhi as their place of residence, no complaint can be made by anybody. It is for Delhi to find out how best they can suit them in a beautiful and comprehensive pattern of a city which is vaunting to be the best in India.

We hope that Delhi has certainly the right to occupy that exalted place. But there were schemes to disperse and decentralise the pressure of population in Delhi. There was counter magnet town schemes. As an experimental measure, five towns were chosen. Unfortunately, that has not been pursued with the vigour that is necessary in a situation as is obtaining in Delhi now. The result was that the counter magnet town schemes has not succeeded to the extent it was expected to succeed or it was desired to succeed.

What I would submit is that there is not only Delhi Development Authority but there is also the National Capital Region Planning Board, another statutory body, which are flushed with funds. These two organisations are lucky. The NCRPB have a budget of Rs. 11,000 crore. For the Eighth Five Year Plan, they have a budget of Rs. 1,967 crore. Now, if the problems of migrants and slums are identified to be important problems of the city, it is for the Delhi Development Authority to prepare a comprehensive plan so that these slums are cleared by rehabilitation and not by removal. And rehabilitation is possible. We have found it to have been realised in some cities. The 'Basti' Rehabilitation Scheme in Calcutta, if not wholly successful, has partially succeeded. Therefore, one solution for slum clearance could be by providing one room flats on rental basis for 20 or 30 years. Thereafter the rent so collected may be adjusted against the cost of construction and those flats may be handed over to them. It is a solution which some towns and cities have accepted. I think, we should commend it to the Delhi Development Authority to do that.

I shall conclude by saying that the solution is not that these two organisations should be handed over to the State administration or if handed over, these will be better administered. It is well known and generally accepted by the common man in the country that the Central administration, so far as audit of administrative performance is concerned, has a better marshalling than the State administration. Therefore, if the DDA and the NCRPB are under the Central administration, it should not by itself be a hindrance to comprehensive development. I only say that the monitoring that is provided there should further be improved. If monitoring is improved, the functioning can certainly be improved.

I agree with the suggestion that there should not only be representation from the State Assembly but also from the Lok Sabha and the Rajya Sabha. The hon. Minister should consider whether he would be in a position to accept such an Amendment. With these few words, I conclude.

[Translation]

SHRI B.L. SHARMA PREM (East Delhi) : Hon. Sir, my colleague, fellow and friend Shri Goel, Member of Parliament has put forth his view point on three subjects, first of which is representation. In my opinion representation in the Assembly should be proportional for both the ruling party and other parties and the MPs of Delhi should be included in it. I was in the tenth Lok Sabha and am in the present one also. I have been in close association with the activities of DDA for the last six years. I had complained to the then Minister Smt. Sheela Kaul like I am complaining to the present Minister today, about the encroachments made on the DDA land worth Rs. 1300 crore. The saddest part of it is that the DDA has no knowledge about the land owned by it in Delhi. Fencing of land is not done. Land is left to be grabbed by goondas and land grabbers. I have

sent as many as five hundred telegrams on the record to DDA during the last six years. In a discussion held on one occasion, I had said that I have sent 500 telegrams to DDA regarding encroachment cases to which the reply given was that they have received just 25 telegrams. That means that the officers, junior engineers, Asstt. Engineers of DDA are in collusion with the encroachers. In this connection I have been threatened to be shot on two occasions. This is recorded in the FIR. I received this threat because I was the first Member of Parliament to have got a case registered with the CBI against not only the officers involved in the Rs. 1300 crore scam but also those involved in the Rs. 48 crore scandal in DDA. The DDA has not intimated Lok Sabha till date as to what action has been taken against those officers. If I may say so

[English]

I am the watch dog of DDA lands, it will not be an exaggeration.

[Translation]

The concerned people in DDA as well as the Minister should first of all decided about the date by which bill boards will be put on all the DDA lands after during the fencing on such lands, to show that the lands belong to DDA. In the land encroachment activities three types of people namely police officers, land grabbers and junior engineers/assistant engineers, play the key role. As a Member of Parliament I urge upon you.

[English]

They are all living beyond their means.

[Translation]

We cannot maintain even a diesel vehicle for ourselves, we cannot even think of that while the junior engineers possess as many as three to four vehicles.

[English]

They are living lavishly.

[Translation]

An inquiry should also be conducted to find out the contractors who are their relatives. In the 48 crore rupees scandal which I have mentioned, payments were made without any work having been carried out. It is on record in the Tenth Lok Sabha that a case regarding this was registered with the CBI.

Similarly in Dilshad Garden 73 acres of land was encroached upon. I had called a Press conference on 13th August, 1996. After that the lower level officers were misguided by the higher rank officers. I have with me a D.O. letter dated 15.11.1986. I said that the Master Plan which ought to have been implemented was not implemented. They say that only 12.5 acre land has

been encroached upon. In my opinion a CBI inquiry on the whole matter should be conducted.

The roads under the DDA are never repaired. What they keep saying is that these roads belong to MCD and are non-transferable.

[English]

They prepare buildings without plans.

[Translation]

In my Parliamentary constituency, there is Alipur. In the industrial area of Alipur hundreds of houses are vacant in which no electricity and water supply is provided. The question of cleaning of the parks just does not arise. Perhaps several lakhs of rupees are surrendered every year. No body knows about the number of houses and their strength. Markets have been built on the DDA roads and parks. Without any allotments thereof having been made. The public money is going to a waste. In my opinion this whole issue should be inquired into, only then the problem can be solved. If the DDA is handed over to the Delhi Government then the Delhi Government can oversee the goings on in the DDA. It can also see whether they are working properly or not. Responsibilities should be fixed and I am also of the opinion that pensions of those persons should be stopped, who retired just ten years ago and during whose tenure lands grabbings took place. Once responsibility is thus fixed on an officer, it will lead to the rectification of the whole DDA set-up.

With this I conclude.

SHRI NITISH KUMAR (Barh) : Mr. Chairman, Sir, the Delhi Development (Amendment) Bill, 1996 has been brought forth with a very limited objective for the House to pass it. The first objective is that wherever "Union Territory of Delhi" is written, "National Capital Territory of Delhi" should replace it, the second objective is that wherever "Administrator" is written, it should be replaced by "Lt. Governor" and the third objective is that whereas previously it was provided that three Members to the Metropolitan Council will come through election, now such Members are to come from National Territory of Delhi instead.

Sir, I am astonished to see one thing in this Bill on which I rise to speak with your permission. It is written in this Bill:

[English]

"There representatives of the Legislative Assembly of the National Capital Territory of Delhi to be elected by means of a single transferable vote by the members of the Legislative Assembly from among themselves of which two shall be from among the ruling party and one from the party in Opposition to the Government."

[Translation]

Two representatives from the ruling party and one from Opposition by means of single transferable vote will be elected. I am unable to understand as to how will they conduct the elections? We have witnessed such a thing in the past, for any committee of the Parliament Members are elected but no where is the provision that so many Members from the ruling party and so many Members from Opposition will be elected. This seems to be a new type of provision. If such Members are to represent the whole Assembly three Members will be from the Assembly and I do not know how their elections are proposed to be conducted. It is beyond my comprehension. Take the position of the Centre here. Here we have 45 Members from the Janata Dal, the Prime Minister belongs to this groups which is the ruling party, or take the whole United Front for that matter, the United Front does not include Members from the CPI, together they comprise 150 or 140 Members from whose side two representatives will come and only one representative will come from the rest of the House comprising 2/3rd strength thereof. If you find a second example like this anywhere else, it will lead to a funny situation. That is why I am unable to understand this. I do not know what is the intention of the Government in putting forth this Bill, which should have contain the provision of direct representation of the Assembly and for election of three Members by means of single transferable vote. In my opinion, it should contain this type of provision.

Secondly, Delhi is the Capital of the country National Capital Territory includes all. They are also sitting here. Therefore, it should have representation of Parliament also which has no representation. A provision has also been made about Advisory Council which has representatives from Parliament. Regarding this the proviso says :

[English]

"Three Members of Parliament of which two shall be Members of the House of People and one shall be Members of the Council of State to be elected respectively by the Members of the House of People and Members of the Council of State".

[Translation]

It is nowhere written in this that out of the two persons to be elected, one will be from the ruling party and the other from the Opposition. It is written in it that two Members will be elected from Lok Sabha and one from Rajya Sabha. I would also like to know as to when the Advisory Council holds its meeting? Regarding this the Clause 5 and sub clause 3 of the Delhi Development Act provides as follows :

[English]

"The Council shall meet as and when necessary and shall have the power to regulate its own procedure."

[Translation]

The only right they have is to regulate their own procedure and when they will get this power.

[English]

"The Council shall meet as and when necessary"

[Translation]

When I asked my colleague from Delhi, I came to know that the Council has not been meeting for the last three years. What does this mean? They are to be elected from Lok Sabha. Votes have to be cast, the process involves labour, people have to file their nominations. An election to Parliament involves so much expenditure. Ballot papers have to be printed, people have to be put on the election work, nominations have to be filed, canvassing takes place. Two persons get elected to the Council which is to meet as and when necessary. Now who is going to feel the necessity of holding such a meeting, if the persons in charge of the affairs do not think it proper to convene the meeting, then the meeting will not be held. Therefore, there is need to enhance the scope of the present Bill. Members of Parliament should be involved in the Authority itself which should contain the provision for three Members. MPs also should have representation. In it they can be ensure that out of the three Members two will be from Delhi i.e. these two will be the ones who are representing Delhi, this particular area. One Member can be from outside Delhi because Delhi is the capital and MPs elected from States other than Delhi should also have representation in this Council.

Sir, people all over the country take interest in Delhi. If anything happens to Delhi it will be the loss of the whole nation. There is Red Fort in Delhi, if the army of another country hoists its flag over Red Fort it will mean the enslavement of Delhi and the country. This being the situation, Delhi belongs to all countryman and all have something to do with Delhi. Therefore, even the Members of Parliament elected from outside Delhi should have representation in the Council. One thing which I fail to understand is the demand of bring DDA under Delhi Administration. The new Assembly that has been constituted and the new Government that has been formed is a crippled Government. It has got little powers. It does not have the power to allot even a single house. The law and order is not with this Government. It has no control over police. If anything happens, then a Minister or even the Chief Minister of Delhi cannot do anything about it. In such an event, he will have to talk to the Commissioner of Delhi or such officers over whom he has no administrative control. When the people cast their votes they hope that their representatives will take care of them. Sir, through you we will demand from the Government that such things should be taken care of by it. When the Bill for giving Assembly to Delhi was brought forward, when Delhi

was being given statehood, a demand was raised then, but these things were sidetracked at that time. Several years have gone by since then. Now the time has come to reconsider it. An authority like DDA should be transferred to the Delhi Government and Delhi should be handed over to the State Government. Alongwith this the responsibility for law and order should also be cast upon the State Government, only then the State Government may acquire meaning.

Sir, lastly, the allegations of corruption that have been levelled must be enquired into. Every day we hear about the disputes which occur regarding the allotment of houses by the DDA, sub-standard construction work under the DDA and other things. There was a Commissioner of this Delhi Development Authority who used to deal with land under DDA. He did something which revealed the corruption rampant in DDA relating to land affairs in Delhi and in which DDA is often involved. I cannot hold all officers responsible for this but enquiry should be conducted against those responsible and guilty. Serious allegation of corruption are levelled, hotly discussed but are not inquired into. Now we are in an age of transparency. Big people are being put behind the bars. If corruption is rampant in DDA, it should not be allowed to go unchecked. It should be thoroughly inquired into.

Sir, through you, I would like to say that the provision of having two ruling party members and one opposition member in Advisory Council has no meaning here. Whatever logic you may give about it but that cannot convince us. Therefore, when there is a provision of single transferable vote, then the Assembly should have the sole right to elect the Members for Advisory Council. The Parliament should also have representation in the Authority and not in the Advisory Council. This is my submission.

MR. CHAIRMAN : If you have any amendment, you can speak about it now because later on you will not get a chance.

SHRI R.L.P. VERMA (Kodarma) : Mr. Chairman, Sir, it appears that the present Amendment Bill to Delhi Development Act is a living example of British policy. It is true that with the Constitution of National Capital territory of Delhi, the Metropolitan Council has come to an end automatically. Now Assembly members should be included in it. This Act was passed in 1957 and now 40 years have passed. In these 40 years the development aspects have gone under sea change. The population, are and other activities have also increased to a great extent. Therefore, we cannot step up the development activities of DDA by including merely 2 or 3 members in the Advisory Council. I agree with the objections raised by Shri Vijay Goel, Shri B.L. Sharma 'Prem' and Shri Nitish Kumar. But it appears from the present Bill, which has been brought here, that like British policy both the State Government and the Central Government want to maintain their control over

it. The development works may or may not be carried out but the loot and corruption by the officers or the bureaucracy should continue. For example there are 1050 unauthorised colonies in Delhi where theft of electricity is going on. When the people ask for a regular electricity connections they are not given. A parallel corruption is going on everywhere. One can get power connection only after paying a bribery of Rs. 15 to 20 thousand. This practice has been going on since last several years. Who will think over such problems? There is no coordination between Lt. Governor and the Chief Minister of Delhi. The BJP Government provide water and electricity connections to the people but the Lt. Governor does not allow it to do so on the direction of Central Government. In this way no development can take place in Delhi. Living standard of the people is falling and people are becoming poorer and poorer. On the one hand Delhi is a heaven for some people and on the other it is hell for other lakhs of people. They are living inhuman life. It seems that they are the poorest persons. I would like to know whether providing of water and electricity is not the responsibility of the Central Government? If there is a Government of some other party in the State, will the facilities of water and electricity not be provided to the people? Such discrimination is being made against the people of Delhi. Therefore, there is a need to make some improvement in the situation. The DDA should not be entrusted with the construction work only but it should be entrusted with the works of poverty eradication, employment generation, opening of schools, hospitals, colleges etc. in Delhi. If DDA will not think about these things then who else will think over it. When it is called as Delhi Development Authority, then it should look after all aspects of development of this city. With this view, I have given an amendment to this Bill that three MPs should also be included in it. Delhi is a capital city so people from all over the country live here particularly people from North east, U.P., Bihar, Bengal and Rajasthan live here in jhuggi-jhoumpadies. These are about 32 lakh voters who have been denied basic amenities. They have been facing a lot of problems. It is a matter of regret that even after 50 years of Independence, the people of Delhi are not getting water and electricity. They are compelled to use electricity in illegal manners. Had they been given authorised connections, the State Government would have earned crores of rupees from them. Every one knows about it but no one thinks over it.

Mr. Chairman, Sir, I have given an Amendment that besides representatives of Delhi, three outsider MPs - one from Rajya Sabha and two from Lok Sabha - should be included in the Advisory Council so that the rights and interests of outsiders could also be protected.

SHRI JAG MOHAN (New Delhi) : Sir, if you permit me, I want to say a few words. Some of the points which were raised by me can really be answered by the hon. Prime Minister because of the fall out of the economic

policies on our cities and all the intensification of lopsided development that is taking place. I am sure the hon. Minister of State will not be able to answer them effectively; when the hon. Prime Minister himself happens to be the Minister of Urban Development; and when all the mock and the dust and the dross of those economic policies are being put on the lap of the poor Minister of State, he cannot handle them. It is the Prime Minister who has to reply...

MR. CHAIRMAN : A Minister is a Minister.

SHRI JAG MOHAN : But our demand is that integrated set up should be there and the DDA should be handed over to the State Government. It is in accordance with their own policy of decentralisation.

On the one hand, they are giving maximum autonomy to Kashmir and here they are denying even the elementary to ensure better coordination.

MR. CHAIRMAN : You have made your point. A Minister is a Minister, he is a representative of the Government.

SHRI JAG MOHAN : Sir, he can reply to the points to which he can do but other points are to be replied by the hon. Prime Minister.

MR. CHAIRMAN : You must assume, for that he is entitled to.

THE MINISTER OF STATE IN THE MINISTRY OF URBAN AFFAIRS AND EMPLOYMENT AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (DR. U. VENKATESWARLU) : Sir, I am thankful to all the hon. Members who have participated in this Amendment Bill. Though eleven Members have given their names, as many as nine hon. Members have participated.

Very valuable suggestions of very high order for keeping Delhi liveable and for keeping Delhi free from several problems like pollution, traffic congestions, lack of basic amenities, and also accident free and a clean and green Delhi is desired by everyone of us. For that several suggestions have been given, right from Shri Jag Mohan who has got a lot of insight in the Delhi Development Authority affairs as for over several years he had dealt with it in detail.

Sir, the hon. Member, Shri Jag Mohan has made a suggestion that it would have been better if the hon. Prime Minister himself, as the senior Minister of this Ministry, had given the reply.

However, I will try to satisfy the hon. Members to the best of my ability as far as Delhi affairs are concerned. It is no secret that the urban pockets in India, particularly, in Delhi, have been growing quite disproportionately, beyond the imagination of anybody. The present population has crossed 1.1 crores, i.e. more than 11 million. By the end of the century, by 2001, it is likely to be about 12 million. Also, the growth of the city and the population have been really beyond

the imagination of anybody. There are several reasons for that. But the major reason is, there is a mass exodus of people from rural areas to urban areas while seeking their livelihood and employment to sustain their families. This is the main reason. That is how the population has been growing. But unfortunately, whatever that we have been seeing now, whatever that has been described by the hon. Members about the city and its various problems, they are not the making of one individual or one political party in one day or in one month or in one year. It has been a problem which has been perpetuated over a long period, over the years and decades. So, Sir, I do not undermine the emphasis that has been laid down and the efforts that have to be taken by this Government to make improve Delhi in all several angles but also in the functioning of the DDA.

As hon. Member, Shri Jag Mohan said, there should be a better coordinating among various bodies. That is how a comprehensive approach and outlook is to be given. That is how, the real and true sense of urban vision is to be attached to that. That is how a best livable Delhi is to be created. These are really the problems. The present status of Delhi is really the result of the negligence that has been perpetuated over several years and decades.

Sir, we have got the plans. The Master Plan of Delhi is there. Later the NCR has also been carved, carving the other pockets from the neighbouring States like Himachal Pradesh, U.P., Rajasthan and from other places. This is for the first time that a National Capital Region has been carved. There is only one city that has got this National Capital Region. With all this, the planning is there but unfortunately, the growth of the city, the growth of the population is going much ahead of the planning of its infrastructure development. In fact, certain problems are not able to be addressed to, as and when they are actually required. Several problems have been mentioned. Right from the mushroom growth of JJ clusters to the lack of minimum basic amenities in these clusters and slums, the problem of encroachment, the dismal performance of Urban Land Ceiling Act, the much awaited Delhi Rent Act, the corruption at different levels, the problem of houses that have been constructed by the DDA from time to time and the lack of amenities even in these constructions—all these have been mentioned by the hon. Members.

I am thankful to you all for the suggestions that have been extended. It is good material for me also to have a better insight into the administrations of this Ministry. There are several overlappings as far as the suggestions that have been extended by the hon. Members. I will try to make an attempt to answer the major problems that have been mentioned by the hon. Members in the given time.

The first issue that has been raised is about the unauthorised and authorised colonies that are coming up from time to time. It is not a new problem. A

personality like Shri Jag Mohan has expressed his concern over this problem. He knows pretty well, more than me or anyone else as to how these things have been coming up. It is not that the Government has not been seized of this matter. Attempts have been made on several occasions to regularise these unauthorised colonies and also for shifting, relocation and rehabilitation of the JJ clusters. Irregular and unauthorised growth has created multi-dimensional problems such as environmental degradation, pollution, traffic congestion, inadequate provision of basic amenities, growth in accidents and thereby making the life in Delhi miserable particularly in certain aspects.

Sir, the Government have taken, from time to time, steps to regularise these colonies. Recently in the Rajya Sabha, the hon. Prime Minister, while answering a question has suggested to constitute a committee to go into all the problems of the unauthorised colonies and also to come up with recommendations as to how best these unauthorised colonies are to be regularised or relocated elsewhere. Now this problem is once again clubbed with the problem of the recent court judgements that the polluting industries are to be shifted outside Delhi and also the non-conforming industries such as small units also have to be shifted from Delhi to outside areas. These are the problems. This Government is actively considering them. Besides the Union Government and the Ministry of Urban Development, the Delhi Government is also seized of the matter.

SHRI JAI PRAKASH AGARWAL (Chandni Chowk - Delhi) : Sir, can I intervene for a minute?

The problem of these industries has been created by the Delhi Government because they have given a notice in the court that these are illegal industries. That is why the problem has come. These are not illegal. They are with the licence with DESU permission and water permission from the Government. They are not illegal industries.

DR. U. VENKATESWARLU : I did not say illegal. I am only telling that the court has given a direction. I said these are non-conforming units. There are two categories. One is the polluting industries which were ordered to be shifted from Delhi to the outskirts. The second category is the non-conforming units which are to be shifted from this area... (Interruptions)

SHRI JAI PRAKASH AGARWAL (Chandni Chowk - Delhi) : You change the Master Plan. If you change the Master Plan, this problem will be solved. (Interruptions)

16.00 hrs.

You cannot shift 40,000 industries from one place to another. You change the Master Plan. You have been doing it earlier also.

DR. U. VENKATESWARLU : Sir, kindly let me answer.

MR. CHAIRMAN : He will explain it.

KUMARI MAMATA BANERJEE (Calcutta South) : All the Members of Parliament from Delhi are shouting. The Minister should listen to them.

[Translation]

SHRI B.L. SHARMA 'PREM' : I would suggest that the Master Plan of Delhi should be changed, then every thing will be all right.

[English]

MR. CHAIRMAN : He is dealing with that point. Have the patience to listen to him.

SHRI JAI PRAKASH AGARWAL : There are some problems in it and they have risen because of some misunderstandings. An Affidavit has been filed in the Court that these are all illegal industries but in reality they are not illegal industries because they have got permission from the Government for using water and electricity. If the Government changes the land use in the Master Plan, there will be no problem at all.

MR. CHAIRMAN : He is not yielding.

SHRI VIJAY GOEL (Sadar-Delhi) : Sir, the hon. Minister has mixed up both the issues of unauthorised colonies and industries. The Central Government should not have any problem in regularising the unauthorised colonies. If the Government will constitute a committee for the purpose that would only be a delay tactics because it has become necessary to provide civic amenities in these colonies.

[English]

MR. CHAIRMAN : You explain the position of Government.

DR. U. VENKATESWARLU : Sir, I am only trying to explain what has been done recently. Even yesterday also when the hon. Member Shri Jai Prakash Agarwal was speaking on this Bill, he had asked why the Government should not file an affidavit in the Court with regard to this matter. So far as the suggestion of changing the definition of the 'household industry' from the present one, which permits industries on ground floor using less than one kilowatt of power and employing not more than five persons is concerned, it can be changed only if the Supreme Court accords such permission as the matter is pending in the court. Now, the Court has given the direction. The Government of National Capital Territory of Delhi has already constituted a Committee under the chairmanship of the Principal Secretary, Urban Development, Government of NCT of Delhi to look into the issue of norms for the Master Plan of Delhi, for location of household industries in residential areas. The Government of NCT of Delhi has intimated that the Committee is expected to give its Report in about a week's time. This is the position. I am only trying to explain what is the step that I have taken. One the one side, we have got the direction from the Supreme Court and on the other side, we have got a Committee that has been constituted by the NCT of

Delhi and which is supposed to give its report in a week's time. It is only after that a decision can be taken. This is what I am trying to say. I have not ruled out the suggestion that has been given by him. I have never said that the suggestion is not tenable. I am only trying to explain that the matter is pending in the Court and the report of the Committee is awaited and is supposed to come in a week's time.

SHRI JAI PRAKASH AGARWAL : The Supreme Court is not a Government otherwise Chief Justice would become Prime Minister and other judges would become Ministers. If the Supreme Court has said something, that is not final. Now a days they are interfering in every matter.

DR. U. VENKATESWARLU : That is a different thing. Now, we are bound to act on the direction given by the hon. Court. This is what I am trying to explain. The other problem that is really bothering everyone of us is. (Interruptions) Sir, one suggestion has been made to change the Master Plan. Just two days ago, one of our hon. Ministers, Shri R.L. Jalappa, the hon. Minister of Textiles, came to me alongwith all other people connected with these affairs. We have to examine whether it would be possible to immediately take up change of Master Plan or any such thing. But it is not so. Our Shri Jag Mohan knows that it has got a lot of procedure and the notices have to be given to all the people who are going to be affected by this and it is a very long drawn process and the Supreme Court has has given us time up to 31st December only. This is the thing. We have to see, before 31st December, whether it would be possible to change the Master Plan and file an affidavit in the court.

[Translation]

SHRI JAI PRAKASH AGARWAL : Whatever the Supreme Court has said, is that final? It is a question of 10 lakh people and 40 thousand industries. It is not an ordinary matter. It is not like that the Supreme Court says something and we accept it as it is. It is not the case that whatever the Supreme Court says the Government will continue to accept that. The Supreme Court's verdict in Shahabano case was reverted by passing a Bill in the Parliament. It is not necessary for the Government to accept this verdict also. It is not an ordinary thing to make 50 thousand industries sick. Had Shri Jagmohan ji been incharge of Delhi, he would have not allowed this thing to happen. No such thing has happened during his time. Lakhs of workers would become jobless and they would face hunger... (Interruptions)

[English]

MR. CHAIRMAN : He has taken notice of it.

[Translation]

SHRI RAM KRIPAL YADAV : I would like to make a special request to the hon. Minister that he should take it seriously. It is not an ordinary matter... (Interruptions)

[English]

MR. CHAIRMAN : He is responding to it.

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Mr. Chairman, Sir, the whole House is concerned about it.

SHRI BASU DEB ACHARIA (Bankura) : Mr. Chairman, Sir, this is a matter concerning thousands of workers.

[Translation]

SHRI RAM KRIPAL YADAV (Patna) : Sir, lakhs of Bihari workers are working in these industries. It is a question of their livelihood. Their kith and kins would be on roads...*(Interruptions)*

[English]

MR. CHAIRMAN : Please listen to me.

The hon. Minister has taken note of that point. He is going to explain the position of the Government and he should be allowed to explain the Government's position.

[Translation]

KUMARI MAMATA BANERJEE : Mr. Chairman, Sir, it is not an ordinary matter...*(Interruptions)*

MR. CHAIRMAN : It is not an ordinary matter that is why the hon. Minister has been asked about it.

[English]

SHRI BASU DEB ACHARIA : Sir, he should assure that the Government would review the entire matter regarding resettlement of workers. Otherwise, thousands of workers will be rendered jobless.

MR. CHAIRMAN : Let him reply if he wants to.

KUMARI MAMATA BANERJEE : Mr. Chairman, Sir, the matter is related to thousands of people.

[Translation]

SHRI RAM KRIPAL YADAV : Mr. Chairman, Sir, I would request the hon. Minister as to what he is going to do for the resettlement of the workers who are going to lose their jobs. It was their only means of livelihood and now they will be deprived of it, so I would like to know as to what the Government is going to do for their resettlement.

[English]

MR. CHAIRMAN : I am on my legs. Please take your seat.

(Interruptions)

MR. CHAIRMAN : It is an important point - I am not going to dispute that and I think the hon. Minister also will not deny that it is an important matter.

SHRI BASU DEB ACHARIA : But he should give an assurance.

[Translation]

SHRI JAI PRAKASH AGARWAL : Mr. Chairman, Sir, it is not an easy matter. Do not consider it an easy matter. 50 thousand industries would be closed. They will have no money and the workers would face hunger.

[English]

MR. CHAIRMAN : This is what I am saying. The hon. Member should understand.

[Translation]

KUMARI MAMATA BANERJEE : Mr. Chairman, Sir, you please direct the hon. Minister. Without your direction and a proper discussion on this issue, nothing will happen...*(Interruptions)*

SHRI JAI PRAKASH AGARWAL : Mr. Chairman, Sir, the hon. Minister should say something about it and give some assurance in the House. So long as a clear assurance is not given, nothing will happen.

SHRI NITISH KUMAR : Mr. Chairman, Sir, nothing can be said here against the judgement of Supreme Court, Sir, I am point of order.

[English]

MR. CHAIRMAN : What is your point of order and under which rule are you raising it?

[Translation]

SHRI NITISH KUMAR : Mr. Chairman, Sir, my point of order is that Executive, Judiciary and Legislative have their own jurisdictions. If the Government is not agree with the judgement of the court, it can request the court for revision but it is not proper to say that we would not accept the judgement.

So far as the question of resettlement and workers of Bihar are concerned, I would like to say that industry owners always do injustice with them. They take work from them but do not pay them adequately. They do not even register their names. All sort of injustice is being done with these workers...*(Interruptions)*

People from U.P. are also there but most of the workers are from Bihar. The factory owners do not even enroll them. They take work from them but when a question of compensation arises, they are not paid any compensation. Therefore, the Government should work into this aspect and keep a watch on industries also...*(Interruptions)*

[English]

MR. CHAIRMAN : Jag Mohanji, you have spoken and the hon. Members have taken part in the debate.

(Interruptions)

SHRI JAG MOHAN : Sir, I want to say that the hon. Members are saying these things on wrong assumptions. The facts are not with them. The facts are that the Delhi

Master Plan and the Second Master Plan declared certain areas as non-conforming industries, i.e., industries which are hazardous, nuisance and abnoxious for health. This decision is taken under the Delhi Development Act which has been approved by the Cabinet and has also been approved by this hon. Parliament itself. What the Supreme Court has said is 'implement the statutory provisions of the Master Plan which you yourself have approved.' In essence, it means that neither the Executive nor the Parliament has discharged its legal and statutory obligations. All that the Supreme Court has said is 'kindly discharge that obligation and make Delhi free from all the pollution and all the health hazardous things that are coming up. They have also made it liberal by saying that all those factories which have to be shifted will be relocated and the compensation will be paid to the labourers. Recently they have, by a modified order, enhanced the rate of compensation. If any labour welfare programme has to be drawn up, all that we have got to do is to tell the Government to place the facts before the Supreme Court so that better terms could be allocated and all of them are re-employed in equivalent or better jobs. This is the factual position... (Interruptions)

[Translation]

SHRI JAI PRAKASH AGARWAL : Small industries are there in non-conforming areas.

[English]

But they have not pointed out in the Court that they cannot be shifted. They are very small manufacturers and are very small people. They do not have the finances to move to any other place. Now the Government should say that they can do it in a phased programme of five years or ten years or fifteen years. You cannot just say that close all industries by 31st December. It cannot be done. Please understand their difficulties... (Interruptions)

[Translation]

SHRI VIJAY GOEL : The Central Government should change the Master Plan of Delhi. So long as the plan is not changed this problem cannot be solved... (Interruptions) Shri Jagmohan ji is talking about big industries but one lakh thirty seven thousand industries would be thrown out by 31st December... (Interruptions)

[English]

MR CHAIRMAN : Your point is well taken.

SHRI SRIBALLAV PANIGRAHI : Mr. Chairman, Sir, as you have found, the whole House, regardless of party affiliation, is concerned about it. All the Members feel concerned about it since this decision of the apex court of the country involves basic human consideration. Lakhs of people will be thrown out of their jobs and so many industries will be removed and that too within a very short period. There are ways to do it. We do not challenge the decision of the Supreme Court. There are ways available to appeal for revision.

MR. CHAIRMAN : You have also made your point.

SHRI SRIBALLAV PANIGRAHI : Sir, what I want to say is that this is a question of basic human consideration and all parties feel concerned about it. Sir, I have a suggestion to make..

The hon. Prime Minister should immediately convene a meeting of the leaders of all parties to find out how to combat this situation and come before the House with the outcome of the meeting. This is my sole suggestion. Somebody says that it cannot be done since the Supreme Court passed an order. With regard to the decision of the Supreme Court, a way can be found out to sort out this matter. I request the Minister to see that the hon. Prime Minister convenes a meeting of the leaders of all parties to sort out this problem.

[Translation]

SHRI RAM KRIPAL YADAV : With the coming into effect of the recent Supreme Court decision, lakhs of labourers have become jobless. I do not say that verdict of the Supreme Court should be dishonoured. My point is that before taking any decision in the public interest the Government should make some alternative arrangement so that lakhs of labourers could be resettled. The Government should chalk out some scheme to settle them. Most of these worker belong to hand-to-mouth category and hail from Bihar. If they are retrenched, they will be on the roads right from tomorrow and there will be a large number of starvation deaths which would lead to anarchy. It is the question of daily livelihood for them. I, therefore, make this humble request to the Government that as a welfare country it should approach the Supreme Court to review its judgement and take steps for the resettlement of the workers.

MR. CHAIRMAN : You have made your point

SHRI RAM KRIPAL YADAV : Several hon. Members expressed their views in the House in this regard. Some concrete way out will have to be found out so that the labourers get their daily bread and their large scale retrenchment is checked. The Government should take steps to resettle them. The august House which is now in Session should consider their plight and the Government should take some concrete steps in this regard... (Interruptions)

[English]

MR. CHAIRMAN : Do you want to resume the debate?

[Translation]

KUMARI MAMATA BANERJEE : It has become a trend that the rich people go on spating their treasure and the laws come to their aid. The poor labourers are left in the lurch. The Court verdict is right so far as closure of industries on account of environmental pollution is concerned. At the same time the Government

should take some steps. The Government should evolve some alternative plans and do something. This problem is being experienced in each and every state. Delhi is the capital of the country. As such the Government should call for an all party meeting, a meeting of the Chief Ministers and the meeting of the National Development Council to resolve the issue.

[English]

SHRI G.M. BANATWALLA (Ponnani) : Mr. Chairman, Sir, the crux of the entire problem is that no technicality whatsoever should lead to the uprooting of the industries and the destruction of the workers. The Government must, therefore, give a categorical assurance that every possible step will be taken including legal steps in order to protect both the industries and the workers. That is the main thing to which we must pay attention and, notwithstanding the technicalities, the Government should give this particular assurance.

SHRI JAG MOHAN : Millions of residents of Delhi live right underneath these acid factories.

SHRI BASU DEB ACHARIA : I have received a note from the Ministry of Labour with regard to the closure and relocation of hazardous and non-conforming industries. What has been stated in the note is that the hon. Supreme Court, in its judgement on 8.7.96, ordered the relocation of 168 hazardous heavy industries in the National Capital region. These industries have been ordered, by the Apex court, to stop functioning and operating in Delhi with effect from 30.11.96.

"In a similar Order dated 6th September, 1996 the Apex court has also ordered that another 513 industries shall stop functioning in the city of Delhi with effect from 31st January, 1997.

MR. CHAIRMAN : That is all right. That is known. You give your comments.

SHRI BASU DEB ACHARIA : A note is circulated to the hon. Members who gave notice under Rule 193 or under Rule 194.

MR. CHAIRMAN : That may be taken up in the Business Advisory Committee.

SHRI BASU DEB ACHARIA : I have also given a notice.

MR. CHAIRMAN : That is all right. What notice you have given is another matter. That will be discussed in the Business Advisory Committee. Your party has got representation there.

SHRI BASU DEB ACHARIA : In addition to the 160 industries, another 513 industries are to be closed from 31st January, 1997. So, it is a serious situation concerning thousands of workers.

MR. CHAIRMAN : That is why, you have been allowed to mention it.

SHRI BASU DEB ACHARIA : The Supreme Court has given a judgement. A way out has to be found out and the hon. Minister should give a categorical assurance that alternate arrangements will be made for the workers who will be dislodged and rendered jobless because of the closure of the industries in Delhi.

SHRI AJAY CHAKRABORTY (Basirhat) : Government should appreciate the feelings of the entire House and taken appropriate measures to protect the poor workers. The Government should see that the workers are no longer thrown out of their jobs. If it is possible the workers should be taken back to some other jobs. It is a serious matter which the Government should immediately look into.

MR. CHAIRMAN : Hon. Members, I want to make the point clear that the Statement of Objects and Reasons is very clear and this is not relevant to the main provisions of the Bill. Hon. Minister has agreed to deal with the subject. Let him deal with it.

(Interruptions)

SHRI JAI PRAKASH AGARWAL : You can give a direction to the Law Minister also.

MR. CHAIRMAN : No. I do not. Thank you very much for your advice.

SHRI TARIT BARAN TOPDAR (Barrackpore) : Please inform the House whether you are taking up the matter with the Apex Court to bring about an acceptable and practical solution to both the industry and the workers.

SHRI BALAI CHANDRA RAY : Let the Government issue an Ordinance to nullify the judgement.

MR. CHAIRMAN : Hon. Minister, have you listened to all the points that have been raised?

DR. U. VENKATESWARLU : The one question that has been raised by the last hon. Member is whether the Government can issue an Ordinance when the Parliament is in Session. It is not possible. (Interruptions) Kindly hear me... (Interruptions)

MR. CHAIRMAN : Please allow the hon. Minister to speak.

DR. U. VENKATESWARLU : This is a very serious issue which we have been discussing. I request all the hon. Members to allow me to respond to all their suggestions. All the suggestions will be well taken care of.

I am really thankful to all the hon. Members who have expressed their concern cutting across party lines. The mood of the House is one and the same that the interests of the workers should be protected. I am all with them. Now the Government is one with the concern that has been expressed by all the hon. Members. The Government is also very much serious about it. But I have only been trying to impress upon them that the Delhi Government with whose coordination the Government of India has also to look into this issue, has constituted a Committee.

The Committee is submitting its Report in a week's time. Already, two or three days passed. In another four or five days, I am getting the Report.

Meanwhile, I may also inform the august House that the hon. Home Minister had taken a meeting where all the Ministers who are connected with this issue were present. The Home Minister had taken a meeting with the Minister of Labour, the Minister of Textiles, the Minister of Urban Development and all other connected Ministers and has also discussed this issue. They have also been discussing how to deal with this issue in order to safeguard the interests of these workers. So, we are at it. There is nothing like that the Government is going back on the issue of safeguarding the interests of these workers. To that extent, you can believe me... (Interruptions) I am just telling you that one Committee is already going into that aspect. In a week's time, we are getting the Report.

The hon. Member Shri Basudeb Acharia has mentioned that not only the 168 units which were closed but there are another 513 units which are to be closed. Yes, there are 513 industries which are to be closed by 31st January. Again, a third cluster is also there. About 40 more units are to be closed by 28th February. This is the third consignment. In addition to that, about 43,050 units are said to be the non-conforming units. They are also to be shifted out of the city. Actually they are not to be shifted out but as he has rightly put it, the DDA is expected to implement the non-conforming zone regulations, that is, the Delhi Plan. So, it is a comprehensive view. The Government is at it. We are seriously thinking about it.

As some of our Members have suggested, the Government will not hesitate to call a meeting of all the Leaders of the Parties and discuss this issue in one week's time immediately after this Report is on hand so that this Report will also be discussed and appropriate action can be taken. The Court will also be approached if advised by the Leaders in the All Party meeting. There is nothing like going back on this issue. It is a question of bread and butter of about seven lakh people. Now, seven lakh people are going to be disturbed because of this issue. Already, out of the 168 units, 167 were closed. Only one unit has not been closed. It has been given time up to 30th June. So, 167 units had already been closed. This is the position. The matter is very serious. We have been looking into this. I will be happy if the hon. Members are satisfied with this answer as far as this issue is concerned.

I would just like to mention two or three more items only. One particular issue is about the major congestion in Delhi. You know that the total number of vehicles that are on the roads in Delhi is something like 27 lakhs. Twenty seven lakhs of vehicles are there on the roads of Delhi which are emitting all the exhaust fumes. It is creating a lot of pollution. It is now creating all hazard. I do not know what is going to happen to the health of

the people who are living in Delhi after some time. This is such a serious problem.

The other item is about the number of accidents. The number of accidents in which the Blue Line buses are involved and other issues often mentioned in both the Houses. Members are mentioning about the accidents that are taking place on the roads in Delhi. These are all serious things. Keeping this in view, keeping the congestion part in view and keeping the traffic problem in view, this Government, soon after it has assumed charge of the Government of India, cleared the MRTS Project. The MRTS Project was pending for the past 22 years. This Government has seriously thought about it and the project has been cleared. A project which costs about Rs. 4852 crore and the completion cost will be something like Rs. 8200 crore, that project has been cleared.

Recently just on the 6th of this month, an OEC loan agreement has also been signed with Japan. The loan component has also been cleared. So, if this project is commissioned earlier, a lot of the congestion problem at least in the central part of Delhi where the congestion is more, can be solved, it can be de-congested and the traffic can be taken care of. This Government has also cleared the MRTS projects.

With regard to slums which are coming up like anything in and around the city of Delhi - taking into consideration this serious problem where people are living in slums - there are 25 lakh people living in slums around Delhi and there are more than 1200 JJ clusters. For improving the conditions in the slums, this Government has taken up a new programme this year for with an outlay of Rs. 250 crore. This new slum improvement programme has also been launched immediately by the hon. Prime Minister in the month of August at Kanpur with an expenditure of Rs. 250 crore.

Lastly, I must also go on record. As everybody knows, by the time the first Delhi development plan was drawn, it has taken 27 years. In 1989, the first plan was ready. There was a certain amount of time lag that has taken place at different points of time. I am not trying to accuse anybody. But this is what has happened. Now, once again, this Government is serious as to how to bring about a modified Master plan with building regulations. Recently a Committee was also constituted under the chairmanship of the Secretary, (Urban Development). He has also submitted his report mentioning as to how to modify the building laws so that the living conditions can be improved. In addition to that, this major problem of housing is not only in Delhi but in most of the cities. Recently in the month of October on 7th, 8th and 9th, I had organised a National Seminar on Housing inviting all the Ministers of Housing and Urban Development and Municipal Administration from all the States and as many as 25 hon. Ministers from different States had also attended. We had discussed various dimensions of this housing problem

not only in urban areas but also in rural areas. Several suggestions have come up including the regulatory measures, including amendments that are to be brought to the Urban Land Ceilings Act, including building materials and including eco-technology building aspects. All these aspects have been discussed and have been considered. Only four or five days ago, the minutes and the recommendations of that Seminar have also been printed. I shall be supplying a copy of the proceedings of this meeting as also the recommendations that have come up with various dimensions in which we have been thinking about as to how to go in for construction of houses even in the urban areas, to all the hon. Members.

Yesterday, one of our Members had suggested about the housing programme under the Indira Awas Yojana which is meant for rural areas. One of the suggestions was, why should it not be implemented in urban areas. But the major problem is that of availability of land. The cost of land is very high. Yet some of the programmes like the Ambedkar Awas Yojana etc., are being pursued by the Delhi Development Authority wherein some of the JJ clusters and some sections of the people with socially neglect can be catered to. As far as housing is concerned, this is what this Government has done.

There was one serious allegation made that there is a wide-spread corruption in Delhi Development Authority. I am not going to claim that the Delhi Development Authority is free of corruption at different levels.

Sir, I am not going to claim that it is totally free. But in the last three years, as our hon. friend Shri Vijay Goel has mentioned, as many as 48 people have been taken to book and about four officers have been kept under suspension. At different levels, the people who have been found guilty, have been tried and examined.

SHRI VIJAY GOEL : They are all of the level of A.E and J.E.

[Translation]

Not a single senior officer has been presecuted. Only small flies have been caught. The list will show that are the 48 officials are JEs and AEs

[English]

SHRI B.L. SHARMA 'PREM' : Nobody has been prosecuted...(Interruptions)

MR. CHAIRMAN : Shri Prem, he is replying.

[English]

He has taken up the point.

[Translation]

SHRI B.L. SHARMA 'PREM' : We are directly connected.

MR. CHAIRMAN : O.K. you made a good speech.

DR. U. VENKATESWARLU : Sir, our hon. friend Shri Vijay Goel and others have been coming to me. They know what amount of pains I have been taking to rectify some of the things. About the issues that have been raised — as I have said right at the beginning — it is good material for me. I will certainly look into all these things. There is no question of myself just going back from any issue, come what may. I am just committed to do something for this Ministry and I will do it. I am confident of doing it and I am committed to do it. That is why, right in the beginning my very first sentence was that the material that has been provided by all of you is a good material for me to equip me to discharge my duties as Minister of Urban Affairs where the sensitive areas are innumerable. So, I am just doing my best.

In addition to the action that has been taken at different levels, I assure the hon. Members that I will further pursue if there is any such thing. In this regard I am also requesting all the hon. Members that if they have any particular incident to bring to my notice, they may do so. I will keep it confidential. I will do my best. I will reply to them and I will get back to them about the action that has been taken against the officer found guilty. There is no question of going back from it.

Sir, it has been said that large areas of DDA land are under encroachments. The total area that has been acquired so far by the DDA is 91.908 acres. I have also got the figures available with me regarding the areas of DDA under encroachment. The area under encroachment is 1.750 acres which works out to 1.9 per cent of the total area that is held by the DDA. I am not telling that 1,750 acres.. (Interruptions)

[Translation]

SHRI B.L. SHARMA 'PREM' : I have been saying this thing for last 6 years. Does the hon. Minister have any knowledge of the sites belonging to DDA. No fencing of the DDA land has been done. Please let us know the time by which fencing will be done.

[English]

MR. CHAIRMAN : Please resume your seat. He is replying, Shri Prem.

DR. U. VENKATESWARLU : Mr. Chairman, through you, I am just coming to that point...(Interruptions)

SHRI VIJAY GOEL : You have said that 1,750 acres of land of DDA is under encroachment. But I have got a document of the DDA with me and it says,

"During 1995-96 concerted efforts were made to remove encroachments of DDA land. A survey was conducted on 31.12.1995 and an area of 3,257 acres was found to be under encroachment of various types. It was gathered from the survey that apart from other types of encroachment, total number of 350 *Jhuggi Jhonpri* clusters are most common type of encroachment on DDA land.

My question is, which figure is right? Please clarify

SHRI B.L. SHARMA 'PREM' : The Lt. Governor has constituted a task force for the DDA. The D.C.P. of the task force came to me. He told me that during last month itself bungling of crores of rupees took place.

[English]

I am telling you in the Parliament.

SHRI VIJAY GOEL : Please tell us which one is right. Is this right or is your document right? This is also the DDA document.

DR. U. VENKATESWARLU : I will check up the figure that has been provided by the hon. Member and get back to him. This is the latest figure which has been supplied to me.

[Translation]

SHRI B.L. SHARMA 'PREM' : The latest position is that I have received 500 telegrams...*(Interruptions)*

[English]

MR. CHAIRMAN : It is not proper that every time you stand up and say something.

(Interruptions)

SHRI B.L. SHARMA 'PREM' : Documents are with me; you cannot say like that. I am the only Member of Parliament in Delhi who has saved Rs. 13 crore worth of land for the DDA. The land grabbers tried to murder me twice. How can I be silent?

SHRI VIJAY GOEL : I am sending you the documents.

MR. CHAIRMAN : Anyway, the Minister may continue.

DR. U. VENKATESWARLU : I will check up the figures provided by the hon. Member once again and get back to him with the correct figure. Still, though I have been expressing that the percentage of encroachment is only 1.9, I am not going to substantiate that this is a mean figure or a low figure. Most of the prime lands have also been occupied in Delhi. Lands which are very costly have also been occupied. I am also eager to find out as to what to do. In fact I have called for a meeting of all the officers and told them about the intensity of this problem. I just told them to come back to me on a monthly basis with the action that has been taken by them and what is the result that has been yielded on their action. Every month they will be coming to me and I will monitor the total action that has been taken by them. That is all that I would like to inform the hon. Members.

About the Urban Land Ceiling Act I will just mention two or three points and then come to the main part of the Bill. This Delhi Development Authority issue is such an important issue not only for the Government but also for several Members that it has come up for discussion in this way and I am very happy about it.

Though the Urban Land Ceiling Act which was enacted in the year 1976 has passed twenty years, it has not yielded the desired results. It is a known fact, there is no secret about it. At the time of enactment in 1976, it has been found that there is a ceiling surplus of 22 lakh hectares. Over these twenty years, the total area procured by all the State Governments is only 15,000 hectares. So, the performance is very dismal. Immediately after this Government came to power, we have reviewed the position of Urban Land Ceiling Act and a decision has been taken that suitable amendments are to be brought to make this Act more effective and more useful. In fact, I have addressed all the Chief Ministers to send their suggestions because ultimately it is the State Governments which have to implement the provisions of this Act. So, the State Governments have to come forward. I have addressed all the Chief Ministers to send in their suggestions so that a suitable amendment can be formulated at the earliest opportunity giving scope for a horizontal expansion of the city, instead of having a vertical expansion of houses. This Government is at it.

The other aspect that has been mentioned by some of our friends was this. They wanted to know when the Delhi Rent Act, which was passed some time ago and had received the assent of the President of India as early as August, 1995, was going to be notified. The earlier Government also wanted to notify it. Several suggestions have come from several quarters and the total number of representation on the file in my Ministry is more than four thousand. In addition to that, an all-party meeting was convened by the Chief Minister of Delhi in which certain recommendations were made there were certain areas which had to be improved and this Government is serious about those recommendations. I am sure that we will be able to do the needful as early as possible.

Some hon. Members had asked about the delay in bringing forward this Bill. Though the Government of the National Capital Territory of Delhi was formed as early as in 1991, why was there a delay in bringing forward this Bill? The information that is available at my command says that an earnest effort had been made even earlier also. The first Cabinet Note was submitted to the Cabinet as early as in November, 1992. Later, after this Cabinet Note was circulated, there were several Ministries that had to be consulted. This is the information that is available with me. Soon after, the Government had formed circulated the Note and submitted it to the Cabinet. The Cabinet has approved that Note and at the earliest available opportunity, I have brought this Bill, in this Session.

As far as the Bill is concerned, there are two main aspects. One of them is that three representatives of the Legislative Assembly of the National Capital Territory of Delhi are to be elected by means of a single transferable vote by the Members of the Legislative Assembly from among themselves, of which two shall be from among

the ruling party and one from the Opposition to the Government. This is a simple amendment that is being brought forward. Here, the apprehension that has been expressed by the hon. Members is this, 'When these three Members are replacing the members who were in the earlier Metropolitan Council, why should there be two Members from the ruling party and one from the Opposition?' This matter was discussed at several forums and the earlier Government also considered this issue. The Bill has been prepared after consulting the Delhi Government; there has been a good deal of discussion and consultation at various levels, including the Cabinet. The purpose behind this provision was to give wider representation for the expression of the views of the people's representatives, representing different shades of opinion and parties. So, the proposed amendment will lead to the omission of the provision and the spirit which will give rise to the possibility of all the three representatives of the Delhi Legislative Assembly being from the ruling party itself and denying the representation of the Opposition parties.

On the 5th of June 1995, the then hon. Home Minister has convened a meeting with the Urban Affairs Minister, the Lieutenant-Governor, the Chief Minister of Delhi, Dr. J. P. Singh, the Secretary, Shri Arvind Verma, the Special Secretary and Shri M. S. Srinivasan, the Joint Secretary of this Ministry. In that meeting, a consensus was evolved, that there should be two Members for the ruling party and one from the Opposition so as to give a wider representation to different shades. Based on this consensus, this amendment has been formulated.

So, what we are doing is not a new thing. It has been done in consultation with the Chief Minister of Delhi, the Lieutenant-Governor of Delhi and others; that consensus has been circulated to the Cabinet. It has received the concurrence of the Law Department. After processing all this, a final amendment has been brought forward.

So, I request the hon. Members not to pursue their amendments and to accept the principle to have all the three Members by means of a single transferable vote as proposed in the amendment bill. I request Shri Vijay Goel to withdraw his amendment. *(Interruptions)* Let me complete.

The other amendment that has been moved is that there should be a representation of the Members of Parliament also in the Delhi Development Authority. This issue has also been considered at length. Since there is an Advisory Council - wherein the Members of Parliament are attending or participating and extending their suggestions - it has been thought that it was not desirable to have it here. So, it has been discussed at length already.

There was a criticism that the Members of Parliament have not been called for the meetings of the Advisory Council. The Advisory Council itself has not met for the past three or four years. But after this

Government took over one meeting was held. *(Interruptions)* One meeting was held just recently, after a gap of four years. *(Interruptions)* The next meeting is scheduled to be held in the month of February. So, we have been pursuing this matter and this would be taken care of. We would also take care of the suggestions made by the hon. Members.

SHRI JAI PRAKASH AGARWAL : Have you taken any action against the officials of not calling the meeting for the last four years?

DR. U. VENKATESWARLU : It is not the officers who are responsible for calling a meeting.

SHRI JAI PRAKASH AGARWAL : Then, who was responsible? What was the reason for not calling a meeting?

DR. U. VENKATESWARLU : It is the Delhi Development Authority.

Sir, this is the position. Since the hon. Members of Parliament are Members on the Advisory Council, it has been thought that it was not necessary, as otherwise, there would be again, a duplication.

This point has also been considered at one point of time that the Ministers should not contest for the positions of members in the DDA, for the simple reason that otherwise, in the absence of the Lieutenant-Governor, the Vice-Chairman of the DDA would be chairing the meetings. As such, if the Ministers are there, sitting in the Board and if the Vice-Chairman, DDA is going to preside over the meeting, it would look a little bit odd. So, it has been decided that the Ministers should not be there in such meetings and only the Members of the Legislative Assembly would be the members on the Board of the Delhi Development Authority. As such, that decision has been taken.

With these few words, I commend this Bill, though I could not cover the minutest details that have been made. For instance, Shri Sharma has asked as to why we should not just fence the entire area. I will pass on this information to the Delhi Development Authority to include this as one of the items in the Delhi Development Board and the Ministry also will consider this particular aspect as to how best we can protect all these lands held not only by the DDA but also by other agencies like the MCD, NDMC and the L & DO. These are the agencies holding land in Delhi.

With these words, I request the hon. Members to kindly withdraw their amendments that they have tabled and I request the House to pass this Amendment Bill.

MR. CHAIRMAN : The question is :

"That the Bill further to amend the Delhi Development Act, 1957, be taken into consideration."

The motion was adopted.

[Translation]

SHRI VIJAY GOEL : I would like to seek a clarification. Just now the hon. Minister stated about the Delhi Rent Act...*(Interruptions)*

[English]

MR. CHAIRMAN : He has answered

(Interruptions)

MR. CHAIRMAN : The House will now take up clause-by-clause consideration of the Bill.

(Interruptions)

MR. CHAIRMAN : The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Amendment of Section-3, Clause 3

MR. CHAIRMAN : Mr. Goel, do you press your amendments or withdraw your amendments as a request has been made by the hon. Minister?

[Translation]

SHRI VIJAY GOEL : I was going to make a submission about the same thing. The hon. Minister's statement was in conformity with my suggestion ...*(Interruptions)* Members of M.C.D. have been taken in the Advisory Council of the DDA...*(Interruptions)* It makes no difference if it will comprise Members from the Parliament or the M.C.D. The DDA comes directly under the Central Government...*(Interruptions)* with the introduction of the new system...*(Interruptions)*

MR. CHAIRMAN : Whatever you want to speak, you can speak later. Do you want to press your amendment or withdraw it.

SHRI VIJAY GOEL : I move my amendment and would not withdraw it.

I beg to move-

"that lines 5 and 6 page-2

omit "of which two shall be from among the ruling party and one from the party in opposition to the Government."

Page 2 after line 13 insert-

(ii) after clause (h), the following clause shall be inserted, namely.

"(i) two members of Lok Sabha from Delhi to be elected from amongst the Members of Lok Sabha by means of single transferable vote."

[English]

MR. CHAIRMAN : Mr. Verma, are you pressing your amendment or withdrawing your amendment?

SHRI R.L.P. VERMA : I beg to move:

Page 2, after line 13, insert—

(ii) after clause (h), the following clause shall be inserted, namely :

"(i) three members of Parliament of whom two shall be members of the House of the People and one shall be a member of the Council of States to be elected respectively by the members of the House of the People and the members of the Council of States." (3)

[Translation]

I am withdrawing my amendment, but the hon. Minister has not replied my question...*(Interruptions)*

MR. CHAIRMAN : Please tell me this much only whether you want to move your amendment or withdraw it.

SHRI R.L.P. VERMA : I said that I am withdrawing, but the hon. Minister, in his reply, did not clarify the point as to by what time various facilities would be provided to unauthorised colonies in pursuances of Supreme Court orders.

[English]

MR. CHAIRMAN : Is it the pleasure of the House that the amendment moved by Shri R.L.P. Verma be withdrawn?

The amendment was, by leave, withdrawn.

MR. CHAIRMAN : I shall now put Amendment Nos. 1 and 2 moved by Shri Vijay Goel to the vote of the House.

The amendments were put and negatived.

MR. CHAIRMAN : The question is :

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

MR. CHAIRMAN : The question is :

That clause 1, the enacting Formula and the Long Title stand part of the Bill.

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

[Translation]

SHRI VIJAY GOEL : I have a right to speak on my amendment.

[English]

DR. U. VENKATESWARLU : I beg to move:

"That the Bill be passed."

MR. CHAIRMAN : The question is:

"That the Bill be passed."

The motion was adopted.