

**Fourteenth Loksabha**

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**Participants :** [Mahtab Shri Bhartruhari](#), [Shandil Dr. \(Col.\) Dhani Ram](#), [Babu Rao Shri Mediyam](#), [Singh Shri Mohan](#), [Prabhu Shri Suresh](#), [Panda Shri Prabodh](#), [Yerrannaidu Shri Kinjarapu](#), [Khaire Shri Chandrakant Bhaurao](#), [Mehta Shri Alok Kumar](#), [Gandhi Smt. Maneka](#), [Gangwar Shri Santosh Kumar](#)

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Title : Further discussion on the motion for consideration of the Cantonment Bill, 2006 moved by Shri Pranab Mukherjee on the 14<sup>th</sup> August, 2006.

MR. DEPUTY SPEAKER: Now, we will take up item no. 5. Time allotted for this item is three hours. We have already taken 42 minutes. Two hours and 18 minutes are left with us. Last time when the House was adjourned, Dr. Babu Rao Mediyam was on his feet. He has already taken three minutes. Now, I would request him to continue his speech [[lh32](#)].

DR. BABU RAO MEDIYAM (BHADRACHALAM): Mr. Deputy-Speaker, Sir, this Cantonments Bill, 2006 is a delayed Bill. It intends to replace the previous Cantonments Act of 1924. I rise to support this Bill with some suggestions.

Sir, it envisages four main points, as is stated in the Statement of Objects and Reasons. One is, imparting greater democratisation of the cantonments; second is, improvement in its financial base; third is, allowing the State Governments and the Central Government the developmental activities into the cantonments; and fourth is, proper regulation, control and management of these cantonment laws.

This is a welcome Bill because the cantonment system is a colonial legacy; and we want to democratise it and improve and increase the facilities.

On the first point regarding democratisation of the cantonment, I would submit that the cantonments were classified into four categories. My suggestion is on Section 12 at page 7. This Bill has four categories. There are 62 cantonments in our country out of which 56 were established during the colonial period and another six were established during the Independent period. But this classification is based on the population criterion. But I feel and I suggest that apart from this population criterion, we must take into consideration the territorial income of that cantonment and resources available for its infrastructural developments etc.

As this Bill intends to consider the cantonment as a deemed municipality, I would submit that in some of the States, municipalities are of three types, namely, Category (a), Category (b) and Category (c). That is also determined on the basis of population statistics. So, I want this Clause to be re-written clearly stating the three different categories. It is because of financial sustainability that it is called the deemed municipality. If it wants to create a social infrastructure like drinking water, sanitation, health, school and other things, it requires a financial resources.

Suppose, there is a fourth category, where the population ranges between 2,500 and 10,000. That is a very small population, which may generate very less income. That is why, I feel that there should be three categories of municipalities. The first category may be of more than one lakh population. It is because, in my State of Andhra Pradesh, there is a big cantonment -- Secunderabad Cantonment -- which has a population of about two lakh and odd. The voter strength there is 1.8 lakh. So, it should be able to sustain itself and it should be able to provide the basic amenities for that area. That is why I would like to suggest that the Category (1) should be for a population of more than one lakh. Below that, two Categories should be formed.

There has been delimitation of cantonment wards as far as Secunderabad is concerned. Only on the 6<sup>th</sup> August, this month, we have had the Cantonment Board elections there. The biggest cantonment ward there is consisting of 42,000 voters; and the smallest ward is consisting of 20,000 voters. So, all the disparities should be removed, and equal number of votes should be allotted to each ward, thereby having more and more democratisation[\[KD33\]](#).

Regarding the composition of this Board, it is given on the same page under Section 12 that there should be eight members from the Department. The Command, that is, the General Officer Commanding-in-Chief is the Command, the District Magistrate; the Chief Executive Officer *ex officio*; the Health Officer; the Executive Engineer and three military officers will also be there. There should be eight members, and eight members should be elected from the ward. Here, in this composition, I would suggest to you to include the local MLAs and MPs to be the members of this Board.

Now, this Bill proposes that they will be the *ex officio* members without vote but they can be included with voting rights. But now-a-days, since the MLAs and MPs are having certain funds for the developmental activities, those MPLAD funds and other resources can be spent in the cantonment areas. I want a provision to be added like that. Then, in order to have social composition, members from SC, ST and women should be there in the Cantonment Board.

My second suggestion is about the election. The election criteria are given on page 13 under Section 27. Regarding the division of wards, I have already quoted. Here Section 30 is regarding corrupt practices in the elections. As far as my knowledge goes, cantonments are not devoid of corruption. As they are on par with municipalities, there is corruption. In the recent elections also, all the six points, which are given in this Section, namely bribery, undue influences, appeal of the candidates or his agents by religion, caste, race, community and language, promotion of hatred and enmity between the different classes, publication of the candidate's merits and hiring of the vehicles, were ignored. The elections were held on par with the general elections of any political party. They are being held without political affiliations but political parties are also intervening in it. Even though if we deem it to be a municipality, because in most of the States, the elections to the municipalities, corporations and the local bodies are being held under party banner, why can it not be held on the same line in the cantonment areas? So, I would request the hon. Minister to consider this.

Regarding quorum, it is said in this Bill that half of the number is the quorum but as the definition goes, quorum is the smallest number possible to commence a meeting or to take a decision or to transact something. So, this should be one-third. So, one-third quorum should be put for this.

Regarding the supersession of the Board, on the one side, we are giving some democratisation within the organisation, the Cantonment Board, but on the other side supersession is advised in Section 60, and no period is specified there. I want here to specify a period that the

supersession should be up to one year or two years or up to the next election. The period should be specified.

Regarding taxation, for example, in Secunderabad, the octroi taxes or the terminal taxation is very high. There is a National Highway, NH-7, which is going through the Secunderabad Cantonment, and on that road, the octroi taxes are being collected[m34].

I hope that will be changed. The checking and other inspections are highly corrupt. That is why the Cantonment is not getting its revenue. The corrupt practices should be stopped and the octroi tax should be banned.

Lastly, the Bill talks about the defence land. I have only one question to ask to the hon. Minister of Defence. At present there is no provision in this Bill. I want to know whether the State level land acquisition rules and the Urban Land Ceiling Act etc., would be followed in these cantonments or not. I would like to have an answer to this question.

श्री मोहन सिंह (देवरिया) : उपाध्यक्ष महोदय, जिस विधेयक को कई वर्षों तक सभी पार्टियों के सदस्यों ने स्टैंडिंग कमेटी में बहुत बहस के बाद तैयार किया हो और राज्यसभा ने जिसे बहस करने के बाद पास कर दिया हो, उसका विरोध करने का तो प्रश्न ही नहीं है। इतना जरूर है कि स्टैंडिंग कमेटी ने इस सदन के सामने जो अपनी आख्या दी थी, जैसा कि सभी कमेटियों की आख्याओं के सम्बन्ध में होता है, सरकार उसकी बहुत सी संस्तुतियों को अपनी किन्हीं प्रशासकीय मजबूरियों के चलते स्वीकार या अस्वीकार करती रहती है, फिर भी मोटे तौर पर मैं इस विधेयक का स्वागत और समर्थन करता हूँ।

यदि हम वर्ष 1757, 1857 को देखें और यदि 1957 में आजादी मिली होती, तो मेरी समझ से मुकम्मल आजादी होती, लेकिन 10 साल पहले भारत के इतिहास में मिसकैरेज हुआ जिससे हमारी पीढ़ी और कौम को कुछ नुकसान हुआ। लेकिन वर्ष 1757 के बाद मिलिटरी का एक स्थायी रूप दुनिया में आया क्योंकि जिन लोगों ने सम्पूर्ण भारत को कब्जा करने की लड़ाई लड़ी, उनके दिल और दिमाग में अपने देश का एक खाका था कि कैसे मिलिटरी की स्थायी रिहाइश हो, उसकी एक डिस्सीप्लिन्ड फोर्स हो, उसके अपने अलग तौर-तरीके हों जो आम जनता से अलग हों और इसी भावना से कैण्ट की यह थीसिस हमारे देश में उन लोगों ने लागू की। उसके पहले के इतिहास को अगर हम देखें तो पहले जो आक्रमणकारी आए, वे लुटेरों के रूप में आते थे। वे अपने देश में एक तात्कालिक फौज जमा करते थे कि भारत में बहुत सारी दौलत है, तुमको हमारे साथ चलना है और जितनी दौलत लूट सको, लूटकर अपने देश में लाना है। मुगलों को छोड़कर, उनके पहले जो भी आक्रमणकारी भारत में आए, वे सभी लूट की मंशा से आए और लूटकर इस देश की दौलत को अपने देश में ले गए। केवल मुगल लोग ही बाहर से आए जिन्होंने भारत में कई वर्षों तक निवास किया और सेना का एक तौर-तरीका आधारशिला के रूप में कायम किया। इस देश में भी उनसे पहले जो लड़ाइयां हुईं, यदि उनकी मिलिटरी का ध्यान से अध्ययन करें तो केवल दोनों वक्त खाना खिलाने के नाम पर, जो गांव के बहादुर लोग होते थे, उनको जाति और कौम के नाम पर तात्कालिक तौर पर सेना में भर्ती कर लिया जाता था। किसी मैदान में दिन भर लड़ाई होती थी, फिर दोनों ओर के लोग अलग-अलग हो जाते थे, खाना पकाते थे, खाते थे। खाना खिलाने का प्रलोभन था जिससे लोग सेना में भर्ती होते थे, लेकिन अंग्रेजों ने सेना की इस विचारधारा में परिवर्तन किया और यह स्थापित किया कि एक सुनिश्चित, अनुशासित, प्रशिक्षित सेना हो और उसकी लाइवलीहुड के लिए, सुन्दर जीवन के लिए शासन की ओर से कुछ दिया जाना चाहिए। इस तरह का एक मिलिटरी का कांसेप्ट उन्होंने हमारे देश में दिया। इसलिए ज्यों-ज्यों भारत में उनके साम्राज्य का

विस्तार होता गया, त्यों-त्यों कैण्ट बढ़ते गए और चलते गए। वर्ष 1857 का संघर्ष, जिसे हम भारत का प्रथम स्वाधीनता युद्ध, आजादी की पहली लड़ाई कहते हैं, वह बहुत कुछ मिलिटरी पर भी कायम है [R35]। जो हमारे कैण्ट थे, वहां से भी इसका ज्वालामुखी फूटा था। हमारे देश का स्वतंत्रता संग्राम का इतिहास यह बताता है कि जिन लोगों ने ब्रिटेन में पढ़ाई की और आधुनिक भारत की शिक्षा-दीक्षा ली, उन्हीं लोगों ने लोकतंत्र के संग्राम का नेतृत्व वहां से पढ़कर यहां भारत में आकर किया। इसी तरह से जो लोग अनुशासित ढंग से मिलिटरी में एक अनुशासित सिपाही की तरह अंग्रेजी हुकूमत को देश में मजबूत करने के लिए काम कर रहे थे, उन्हीं के भीतर हिन्दुस्तान की आजादी का स्वप्न पैदा हुआ और कई मिलिटरी कैण्ट में वह ज्वालामुखी 1857 में बाहर फूटा था। इस तरह से हमारे देश के कई कैण्ट इससे अछूते नहीं रहे।

भारत आजाद हुआ। आजादी के बाद हमारे देश में गांव बसे, जहां मूर्तिकार रहते थे, कारीगर रहते थे, भवन निर्माण करने वाले रहते थे, गांव में सफाई करने वाले सफाई मजदूर रहते थे। उसी तरह से जो मिलिटरी के रिहाइशी इलाके बने, उनको भी गांव की तरह बसाने का इंतजाम हुआ कि इस मिलिटरी के साथ-साथ वहां कपड़ा सीने वाले होने चाहिए, लोगों के घर बनाने वाले होने चाहिए और वहां आम लोगों के साथ मिलिटरी की रिहाइश भी होनी चाहिए। इसलिए उन्हें मिलिटरी कैण्ट की जमीन रहने के लिए दी गई। फिर क्या हुआ कि यदि ये नागरिक हैं, सैनिक नहीं हैं, तो इन्हें नागरिक सुविधाएं भी देनी चाहिए। वे सुविधाएं देने के लिए यह मिलिटरी कैण्टोनमेंट बोर्ड का गठन हुआ। थोड़े-बहुत उसके चुनाव भी होने लगे। वे चुनाव उसी तरह से होते थे जैसे ग्राम सभा या नगरपालिका के होते थे।

हमारे देश के संविधान निर्माताओं ने हमारे संविधान में कमी छोड़ दी। गांधी जी और राजेन्द्र प्रसाद जी की इच्छा थी कि भारत के संविधान में ग्राम विकास से ग्राम स्वराज्य को मूल माना जाए, लेकिन उन्हें छोड़ दिया गया- इस कारण कि आशंका थी कि अगर गांव को पूरे तौर पर अधिकार दे दिए गए, तो हमारे देश के परम्परागत अनुशासित अनुसूचित जाति के लोगों पर ऊंची जाति वाले हमला कर सकते हैं और फिर उनकी रक्षा नहीं हो पाएगी। इस तर्क के आधार पर संविधान निर्माण करते समय स्थानीय निकायों और पंचायतीराज को संविधान में वह दर्जा नहीं मिला, जो हमारी विधान सभाओं और संसद को मिला है। लेकिन दसवीं लोक सभा ने उस इतिहास को खत्म किया और सभी नगरपालिकाओं को, सभी ग्राम सभाओं को एक संवैधानिक दर्जा संविधान में परिवर्तन करके दिया। एक विचार पैदा हुआ कि यदि उन्हें दर्जा मिल गया है तो मिलिटरी कैण्ट को क्यों नहीं यह अधिकार मिलना चाहिए। इसी मंशा से इस संशोधन को मिलिटरी के कैण्टोनमेंट में लोकतंत्रीकरण का कांसेप्ट लेकर यह विधेयक हमारे सामने सदन में आया है। मैं इस विधेयक का स्वागत करता हूँ, लेकिन इसमें और परिवर्तन करने की आवश्यकता है।

जब 1937 के चुनाव देश में हुए तो हमारे राष्ट्रीय नेताओं ने उसका बहिष्कार करने की बात कही। वह इसलिए कही, क्योंकि जो 1935 का एक्ट भारत में आया, उसमें भारत की विधान सभा जो भी कानून पास कर दे, लार्ड गवर्नर उसे चाहे तो ओवररूल कर सकते हैं- कांग्रेस का नेतृत्व उसे मानने के लिए तैयार नहीं था। ऐसे ही कैण्टोनमेंट बोर्ड में यदि कोई प्रस्ताव पास कर दे और मिलिटरी का अधिकारी जो हैड पर बैठा हुआ है, वह चाहे तो उसे ओवररूल कर सकता है, मैं समझता हूँ यह खयाल और विचार लोकतंत्र की बुनियाद के विपरीत है। इसलिए इसे पूर्ण रूप से लोकतंत्रीय होना चाहिए। इसी के साथ हम दूसरा सुझाव देना चाहते हैं कि मिलिटरी की भूमि का पूरा डीमार्केशन अभी से होना चाहिए। मेरा अपना खुद का विचार है कि सेना के पास जितनी जमीन है, उसका 40 फीसदी नाजायज कब्जे में है। भारत की मिलिटरी और भारत की सरकार इस बात की पैमाइश करे, छः महीने के अंदर करे, कि किस कैण्टोनमेंट के पास कितनी जमीन है और उस जमीन को नए सिरे से जैसे गांव में होता था, पत्थर गाड़ देते थे, यह सुनिश्चित कर दें कि यह कैण्ट की जमीन है, यह मिलिटरी की जमीन है। इस तरह से उसका डीमार्केशन हो जाएगा।

मैं लखनऊ शहर के बारे में जानता हूँ, वहां अर्से से संघर्ष चल रहा है। महापालिका ने कुछ जमीन को बेच दिया, लोगों ने घर बना लिए, डवलपमेंट अथोरिटी ने उसमें आवास बनाकर आबंटित कर दिया। जब आबंटन हो गया तो कुछ वार्डों के बाद मिलिटरी पहुंची और कहा कि यह जमीन हमारी है। अब संघर्ष चल रहा है। कभी मिलिटरी खड़ी हो जाती है अपनी जमीन बचाने के लिए और कभी पीएसी खड़ी हो जाती है अपने दिए हुए रिहाइशी लोगों को आबाद कराने के लिए। दोनों तरफ से झगड़ा होने तक की नौबत आ जाती है [R36]। इसलिए पहले मिलिट्री की जमीन का डीमार्केशन होना चाहिए। दूसरे स्तर पर मिलिट्री द्वारा दी गयी जमीन, जिसपर आम नागरिक रहते हैं, उनके लिए नागरिक सुविधाएं मिलनी चाहिए। मिलिट्री का बजट आज 80-85 हजार करोड़ रुपये का है, लेकिन आज जब हम कैण्ट एरिया का निरीक्षण करते हैं तो पता लगता है कि वहां आलीशान भवन बन रहे हैं, भवन

बनाने पर सेना ने ज्यादा जोर दिया है। जो पैसा आप सेना के भवन बनाने में, उनके मल्टी-परपज हॉल बनाने में, खूबसूरत सिनेमा-हॉल बनाने में, अस्पताल बनाने में खर्च कर रहे हैं, ठीक है, वे भी बनने चाहिए लेकिन साथ-साथ कैंट के निवासियों की सुख-सुविधाओं पर भी उसका एक हिस्सा खर्च होना चाहिए। मिलिट्री की आप खुफिया जांच करा लीजिए कि मिलिट्री कैंटीन का सामान बाहर आकर प्राइवेट लोगों की दुकानों पर बिकता है या नहीं। मैं इसको आरोप के तौर पर नहीं कहता हूँ लेकिन जांच कराइये कि ऐसा क्यों होता है? अगर हम मिलिट्री से जुड़े हुए दूसरे लोगों के रिहायशी इलाकों को उनसे अलग करें, तो यह काम रोका जा सकता है। मिलिट्री अपने पैसे से कंटोनमेंट के जो रिहायशी इलाके हैं उनमें कुछ मॉल बनाकर, जो रिकॉगनाइज सेलर्स हैं उनको दुकानें आवंटित करे और जो मिलिट्री का माल बेचते पकड़ा जाए, उनको सजा के साथ-साथ उनकी दुकानों को खारिज किया जाए। इस काम को आप कर सकते हैं।

माननीय मंत्री जी को मैं एक सुझाव देना चाहता हूँ जो हमारे सूबे से ताल्लुक रखता है। इलाहाबाद में जो अर्धकुम्भ का मेला लगता है उसमें करोड़ों लोग जाते हैं। मिलिट्री के घेरे में जो वहां का किला है और उसमें जो बहुत पुराना वट-वृक्ष है, ऐसी मान्यता है कि जो भी संगम में स्नान करने जाए और उस वट-वृक्ष के दर्शन उसे न हों तो उसको संगम में स्नान का पुण्य नहीं मिलता है। कुछ साल पहले, उत्तर प्रदेश सरकार से बात करके, उस समय के रक्षा मंत्री ने, जो आज उत्तर प्रदेश के मुख्यमंत्री हैं, एक रास्ता खुलवाया था जिससे तीर्थ-यात्रियों को वट-वृक्ष तक आने-जाने में सुविधा हो गयी थी, लेकिन मिलिट्री ने उस रास्ते को बंद कर दिया है और साधु-संतों के लिए, वह रास्ता आज झगड़े की स्थिति में है। वट-वृक्ष के दर्शन का जो रास्ता है आपको उसे खुलवाने का प्रयास करना चाहिए।

आज इलाहाबाद में कैंट का जो एरिया है वहां पर 100 साल पहले, बहुत सारे बड़े लोगों ने 9-10 रुपये में लीज पर कुछ जमीन आवंटित करा ली। वह लीज अगर आज के रेट से की जाए तो 10-12 हजार रुपये टैक्स का आयेगा जो वे नहीं देते हैं। आज छोटे-छोटे लोग भी मिलिट्री एरिया में घर बना लेते हैं लेकिन आर्मी के लोग उनके घरों को गिरा देते हैं। आपने कैंट एरिया में बड़े लोगों को आलीशान भवन बनाने के लिए, नॉमिनल रेंट पर जमीन दी है उसका पुनर्निर्धारण और पुनर्मूल्यांकन किया जाना चाहिए। मिलिट्री एरिया और नागरिक एरिया का सही-सही डिमार्केशन करके, इस काम को हम ठीक ढंग से कर सकते हैं। मैं इस विधेयक का समर्थन करता हूँ और माननीय मंत्री जी को धन्यवाद देता हूँ कि उन्होंने एक सही प्रयास किया है और इसमें जो थोड़े-बहुत और संशोधन की आवश्यकता है, हम बैठकर एक और संशोधन के जरिये इसे ठीक कर सकते हैं। इन्हीं सुझावों के साथ मैं इसका समर्थन करता हूँ।

**श्री आलोक कुमार मेहता (समस्तीपुर) :** महोदय, आपने मुझे कंटोनमेंट बिल 2006 पर बोलने का अवसर प्रदान किया है, उसके लिए मैं आपका आभारी हूँ। यह एक बहुत महत्वपूर्ण बिल है और इस लोकतांत्रिक देश में कंटोनमेंट एरिया और उसके आस-पास रहने वाले या इस एरिया के दायरे में रहने वाले सिविलियंस हैं, उनके लिए रिलेक्सेशन वाला बिल है। मैं इस कदम के लिए माननीय रक्षा मंत्री जी को बहुत-बहुत धन्यवाद देता हूँ कि इस बारे में एक पहल करते हुए वे अमेंडमेंट बिल लाए हैं। मैं आंकड़े सहित बताना चाहता हूँ कि पूरे देश में 62 कंटोनमेंट एरियाज़ हैं और लगभग 600 मिलिट्री स्टेशंस हैं। मेरा मानना है कि जिस तरह का प्रावधान कंटोनमेंट एरिया में किया जा रहा है, उसी तरह का प्रावधान मिलिट्री स्टेशंस में भी करना चाहिए। यह विधेयक इन स्टेशंस को बिलकुल कवर नहीं करता है। मेरी राय है कि मिलिट्री स्टेशंस को भी इसके दायरे में लाने की जरूरत है, इस पर विचार किया जाना चाहिए।

इस विधेयक को लाने की बुनियादी सोच है कि वहां के शासन, प्रशासन को डेमोक्रेटाइज किया जाए। इसमें सिविलियंस ब्यूरोक्रेट्स को इम्पावर किया जा रहा है और जो मिलिट्री के पदाधिकारी हैं, उनकी पावर कम दी गई है। डेमोक्रेसी में चुन कर आने वाले व्यक्ति को सबसे ऊंचा दर्जा संविधान ने देने का काम किया है। मैं माननीय मंत्री जी के उस वक्तव्य का सम्मान करता हूँ जिसमें उन्होंने कहा कि जिन मिलिट्री वालों के लिए वह एरिया है उनको वहां पूरी सुविधा मिलनी चाहिए। लेकिन वहां जो रहने वाले सिविलियंस हैं, जो मिलिट्री डिस्प्लिन में रहने में शायद बिलकुल आराम महसूस नहीं करते, तो उस एरिया में उनके हिसाब से भी जो प्रशासन है या विकास के काम हैं, उनकी सुविधाएं सिविलियंस के लिए होनी चाहिए, इस बात की मैं वकालत करता हूँ। मैं चाहता हूँ कि इस बारे में गंभीरता से विचार किया जाए, ताकि मुख्यधारा से कटने जैसा कोई काम न हो। अभी देश में बहुत-सी महत्वपूर्ण योजनाएं यूपीए सरकार द्वारा चलाई जा रही हैं। उन योजनाओं की विकास की किरणें उन लोगों तक पहुंचें, इसका प्रावधान भी उसी डेमोक्रेटिक सिस्टम के माध्यम से हो। आप यदि सब कुछ चीफ एक्जीक्यूटिव पर छोड़ देंगे, तो वे चाहे जो

भी हों, चाहे मिलिट्री के हों या सिविलियंस हों, उनके सोचने का तरीका एक ही तरह का होगा। अगर अलग-अलग भी हो तो भी शायद वहां की लोकल पब्लिक के फ्रेंडली नहीं हो सकता। इसलिए मैं यह बताना चाहता हूँ कि इस मामले में थोड़ी तब्दीली करने की आवश्यकता है। मैं चाहता हूँ कि इस पर विचार करते हुए इसे कंसीडर किया जाए।

क्लाज़ 24-26 उसी ओर इशारा कर रही हैं कि जो स्टैंडिंग कमेटी है, उसमें भी आपने चीफ एक्जीक्यूटिव को इम्पावर किया है। इन सारी चीजों पर ध्यान देते हुए मेरा कहना है कि जो इलेक्ट्रिक बॉडी है, जो चुने हुए व्यक्ति होंगे, उनकी बातों का डोमिनेंस उस कमेटी में अवश्य होना चाहिए। इस बात की हम वकालत करते हैं। कुछ असुविधाओं की तरफ मैं आपका ध्यान आकर्षित करना चाहता हूँ। मैं एक छोटा सा उदाहरण दूंगा। पटना के आस-पास दानापुर कंटोनमेंट एरिया है। वहां पर साथ ही मुख्य सड़क है। आपको चाहे कितनी भी इमरजेंसी हो, आपको उस सड़क पर 5 से 10 किलोमीटर प्रति घंटे की स्पीड से गाड़ी चलानी है। आप उस एरिया के सिविलियन भी हैं, तो भी आप कुछ नहीं कर सकते [cé\[i37\]](#)।

### **15.00 hrs**

यदि स्पीड बढ़ा दी, तो ड्राइवर और उसके साथ बैठे लोगों के हाथ और कान पकड़ कर उठने-बैठने की सजा दी जाती है। इस तरह उन्हें ह्यूमिलेट करने की कोशिश की जाती है। इन प्रशासनिक बातों को कमेटी में कंसिडरेशन के लिए रखना चाहिए। यदि उसमें पब्लिक रिप्रेजेंटेटिव्स नहीं होंगे तो लोकतांत्रिक प्रक्रिया के अनुसार काम नहीं चल सकता है और बहुत ज्यादा सेंसिटिविटी नहीं आ सकती है। मैंने इसके बारे में ज्यादा कुछ नहीं कहा लेकिन जो कुछ भी कहा उसमें एक महत्वपूर्ण बात यह है कि इसका न केवल डैमोक्रेटाइजेशन होना चाहिए बल्कि उसके जो तरीके देश में रहे हैं, उस कनवेंशन का पालन करना चाहिए। ऑफिसर्स का डोमेन्स निश्चित रूप से चुने हुए व्यक्तियों से कम होना चाहिए और उनको एक्जीक्यूटिव की तरह काम करना चाहिए।

इन्हीं बातों के साथ बहुत-बहुत धन्यवाद देता हूँ और मैंने जो बातें कही हैं, मैं चाहूंगा कि माननीय मंत्री जी उस पर गम्भीरता से विचार करते हुए, इस बिल में कुछ संशोधन करें। इसके साथ मैं इस बिल का पुरजोर समर्थन करता हूँ।

SHRI B. MAHTAB (CUTTACK): Mr. Deputy-Speaker, Sir, I rise to deliberate on the Cantonments Bill, 2006. The hon. Minister for Defence, the Leader of the House, is very much aware of the cantonments in the country. In Hindi, we call them *Chhavni*. The hon. Minister comes from the State of West Bengal and I come from the State of Orissa where we have a martial dance called *Chhau* dance which evolved from the word *Chhavni*. So, it is not correct to say that cantonments did not exist before the Britons arrived in India. But, cantonments as being discussed today are basically the ones created by the British where military and civilians lived together, away from the hustle and bustle of city life.

As has been stated, we have 62 cantonments in 16 States of the country. Cantonment Boards are autonomous bodies functioning under the overall control of the Ministry of Defence in the Central Government under the provisions of Cantonments Act, 1924. While initiating the discussion, the hon. Minister had said that it is an old Act and that none of us would have been born in 1924. To say precisely, it is an outdated Act. This Act has already been amended 28 times. Yet this is a very bulky Bill running into 113 pages.

The basic idea behind piloting this Bill, as has been stated, was to provide a buffer, to keep a distance between the troops and the civilians. The second was to ensure availability of civilians



nearby to take care of the needs of the Armed Forces. The third was to ensure minimum civic standards to the civilian population in cantonment areas. These were the three basic points which were required in a cantonment area, where a military establishment is there.

The existing Act is not geared to meet the economic and social challenges involved in the administration of cantonments. It lacks a proactive development orientation. With the passage of time, as I had said, many of the provisions of the Act have outlived their utility [\[KMR38\]](#).

This new legislation has been brought in with a view to re-enact the existing Act in the context of the Seventy-fourth Amendment and to provide better urban management in the Cantonment. There are basically three points. This Bill envisages enhanced representation for elected members. Secondly, provisions have been incorporated to streamline financial administration and thirdly, extension of Centrally-sponsored development schemes in Cantonment has been incorporated. The fourth part, of course, has been deleted after the suggestion of the Standing Committee regarding land ownership, which earlier hon. Member had also mentioned.

I have seven points to make. One of the major aims of the Bill is greater democratisation of Cantonment Boards, which has already been mentioned. Clause 47 deals with power that is given to the Committee. Even the decisions taken by the Committee especially for civil areas can be objected to and can be stalled indefinitely making its existence infructuous. The very nominated members of the Board, who may be privy to that decision, can override even the decision of the full Board. This is in clause 56. These provisions smack of a colonial mindset. If you are democratising, why do you have these clauses? These provisions do not in any way help in democratisation of the Cantonment Boards.

As the Cantonments are spread over 16 States and in the National Capital Territory of Delhi, different municipal laws are prevalent in different States. There is a need to have a system of proper coordination with adjoining municipal bodies.

I come to the second point relating to clause 13. I would like to draw the attention of this House to clause 13 of the Bill. Wide powers have been given under this Bill to vary the constitution of Boards in special circumstances in case of war. There are a number of instances that were given. I would like to mention here that the special circumstances have not been specified, nor any time limit has been laid down within which the varied Board must be restored or fresh elections should be held. Today, what is the position? Sixty-one Cantonments are functioning without elected members. These provisions need amendments and the maximum time limit of at least six months be prescribed within which the Board be restored or fresh elections should be held.

I come to my third point relating to clause 31. This clause authorises the Government of India, the Union Government, to make rules for regulating elections, but no authority has been mentioned. Who would initiate the process of holding elections to various Cantonment Boards as and when they are due? It would be proper that the Ministry of Defence should designate one of its officers as Election Officer who would initiate the election process and supervise the conduct of elections in a free and fair manner.

There is multiplicity of authorities also in various provisions of the Bill in clauses 52, 53 and 77, and in serial numbers 5, 6 and 7 of Schedule V. These are likely to cause confusion because the Government has not examined it; this is my impression. There is a need to define the field of authority and the role of various functionaries mentioned therein. Starting from the Commander-in-Chief downward, multiplicity of authorities have been mentioned there, and it will lead to confusion. It is better if we define it.

Another point is that wide powers have also been given to the Chief Executive Officer (CEO), and no right of appeal has been given against the decision in a number of clauses in the Bill. There is a need to have an Appellate Authority to hear an appeal against the decisions of the Board, Civil Area Committee or any functionary of the Board, like the CEO[R39]. I feel that the CEO should only be a Secretary to the Board and should exercise only 'for and on behalf of' the Board. This has been mentioned by one of the hon. Members earlier here.

The Union Government should be made the appellate authority and it can delegate the power suitably. It is found that presently civil and military population ratio – it is very interesting – is 80 : 20 in various cantonments whereas land uses is in the ratio of 20 : 80, thus depriving the civil population of their basic requirements like education, health, sanitation, etc. There is a need to increase the civil area in various cantonments.

Lastly, I come to the finance part of it. The resources of the Cantonment Boards are limited as the bulk of the property in the cantonment is Government-owned on which no tax can be levied. The Union Government had provided – this is the information, which I could gather – financial assistance, by way of grant-in-aid, in 1999-2000, which was hardly Rs.22 crore. What is the latest position? I would urge that more funds should flow for public health, sanitation, primary education and street lighting, etc.

In most democratic countries, forts and palaces have been held by armies or armed forces. Apart from the daily maintenance of the structure, there is an element of shine and ceremony, that a professional army adds to such historic sites. Buckingham Palace in London has the Brigade of Guards. Tower of London has the Yeoman of Guard, which is a unit of army pensioners. The US Army has all its major cantonments with the prefix 'fort'. The Jhansi Fort has been evacuated. The Kangla Fort inhabited by Assam Rifles since 1891 has been handed over to the State Government of Manipur. It would be better – this is my suggestion – to keep the forces at historical forts along with a permanent presence of Archaeological Survey of India. It may not only be worthwhile but necessary if all these fascinating structures are to be maintained as a proof of our rich past.

**SHRI SURESH PRABHAKAR PRABHU (RAJAPUR):** The Cantonment Bill, which is under discussion in this House is a comprehensive legislation, dealing with various cantonment properties, cantonment areas that are situated in different parts of the country.

Whenever one moves away from a civilian area into the cantonment area, one is always startled by the difference that one notices. It seems that one is in a different country. The entire



environment in that area is so-unique that it only reminds us of the areas by-gone and sometimes, we wonder why in the same country there should be some islands like this that exist and the other areas are unfortunately infested with all types of problems that are associated with civil and civic life.

Therefore, while it is important that we must democratize all the institutions in the country, at the same time, we must also think and introspect to find out whether democratization and the forces of democracy which are unleashed all over the country have been able to attain what was really aimed at – that is, to better the public life, the lives of the common man. We should see whether the quality of air has improved, whether the general quality of water has improved, whether the ambient air quality has improved, whether the lot of the common man has improved, etc. When we go there, we see a totally different change.

Therefore, I would really like to support the Bill and at the same time, we, the representatives of 1.1 billion people of the country, should really introspect to find out what has gone wrong. Day before yesterday, we celebrated India's Independence Day[V40]. We must really wonder whether in these last 60 years we have been able to attain what we started attempting. Therefore, we support the Cantonments Bill. Everybody sitting here is the product of democracy. We are elected by the people. This is the House of People. Democratic forces have to be supported. While doing that, I would appeal to the hon. Minister to deliberate on this issue and make sure that the Bill is passed.

In areas like cantonments, there are different islands. There are some unique structures in those areas. They are so different, that probably after some time if you demolish those structures, the entire humanity will lose something. It is not just Indian culture that is depicted there. Actually speaking, it is the culture of the whole humanity, which lives on this planet for so many years. That culture should not be destroyed. Democracy ultimately is the rule of numbers. If more number of people say to demolish the structure, I think we should not be able to do that. We must have enough safeguards in this Bill to make sure that such monuments, such archaeological structures are properly preserved and maintained and kept intact for the years to come.

I must confess that I have not read the Bill properly. I must give another glance to the Bill. I was going through the Bill and found out that there is a provision which says that illegal structures will not be allowed to come up. Right now, in the National Capital of India we are grappling with an issue wherein the Supreme Court has said that illegal structures should not be allowed to stand. I think while we are coming out with a comprehensive legislation, I would appeal to the Minister to please do census of all the structures in that area, identify any illegal activity that is going on there right now and make sure that when we hand over these structures to be managed to the local bodies they will not be able to tamper with it and say that this was existing even before 50 years. As we have seen now, some of the structures could not be demolished because in India you can produce any evidence to say that it was existing even before 100 years. Therefore, we should try to make sure that such a census is carried out and all illegal activities should be demolished at once. If we do not do that, probably after some time we will see so much of mushroom of activities will come up. When we hand over the control of these bodies to the local self-government, they must have the inventory in the form of a register, which should be verified by a senior Army Officer saying that there is no illegal structure which has come up in that area.

My colleague, Shrimati Maneka Gandhi has moved an amendment, which I would try to support because this amendment is actually the spirit of the law which the Government is trying to introduce. It only elaborates further what needs to be done. For example, Clause 240, talks about making sure that structures are properly maintained. If you can make sure that this particular amendment, as proposed, is put in place, we shall ensure that you will be able to take it forward.

We already have a new Forest Policy. The Report has been submitted to the Government by the former Chief Justice of India, Shri Kirpal, which says that 33 per cent of the land area must be covered with forests. It also says that we need urban forest. There are many cities in the country, world where there is a lot of urban forest. Hyderabad has also created a new forest in the last two years. I would request the hon. Minister, in each of these cantonment areas, to earmark at least one-third of the land for forest, for green area, so that that area remains intact for all the time and serve as lung not only for the cantonment area but also for adjoining municipality and adjoining areas where people are residing. I would request the Minister to take note of this

I would like to make another point for kind consideration of the Minister. We are thinking of having potable drinking water quality. We are thinking of setting the standards. This House itself has deliberated this issue and it was said that potable drinking water standards should be specified. We are not able to do that all over the country for the simple reason, it is a mammoth task. We never had standards and it becomes difficult to introduce standards and straightaway start using them all over the country[\[R41\]](#).

So I would request the hon. Minister to please think about introducing such potable quality water standards, at least, for the citizens living in the cantonment areas. Then what will happen is that the forest, water, legal structures as well as monuments which are there in that area, as I said, would be a part of an ideal island. Maybe, the rest of the country will look up to that and say that we should also follow these islands and this island will become a part of the main land. Then India will become a better place to live in.

SHRI PRABODH PANDA (MIDNAPORE): Sir, I rise to support the Cantonments Bill, 2006. I have listened to the speech made by the Minister at the point of its introduction. He clearly stated the position of the cantonments, short history of the cantonments and the need for democratisation of the cantonments. I think the idea of this Bill is to give the deemed municipality status to the cantonments. It is just at an intermediary stage and moving from military *raj* to the self-government. This is neither military *raj* nor self-government as municipalities or the Panchayats. So, I do support this idea. But while supporting this Bill, I would like to make some suggestions and I also want some clarifications from the Minister in this regard.

The cantonments should have a system of proper coordination with the adjoining municipalities. Nothing of this sort is found in this Bill. In regard to alteration of limits of the

cantonments, in Clause 4, it is said that public is allowed to give objections to the Central Government through GOC-in-C within six weeks from the date of the publication in the official gazette. But the public may not be aware of this fact. How will the public be made aware about it and how will they submit their objections within the prescribed limits to the GOC-in-C? So, some arrangements should be made for making announcements and for pasting notices in the public places.

Coming to Clause 10 regarding Cantonment Board, that provision is not clear. It is not clear as to whether the Board will get allocation of funds from the respective State Governments to which it has been allocated or directly from the Government of India. That is not clear. It should be made clear. In this context, I would like to know whether before deciding to give deemed municipality status, the Ministry of Defence had consulted the State Governments. There is an apprehension of conflict between the Centre, the States and the Cantonment Boards. So, we would like to know whether the State Governments had been consulted or not in this regard.

Coming to Clause 67, the civil residences of the cantonment should not be subjected to double taxation. All types of vehicles are taxed by the regional transport authority of the concerned district. So, double taxation particularly of vehicles and such other items should not be there.

Coming to point of assessment, the assessment should be done not in three years but in five years<sup>[r42]</sup>. It is our suggestion.

Sir, clause 240 talks about preservation of heritage and conservation of ancient historical monuments. I would like to thank the hon. Minister that they have thought of including such a clause in this Bill. But it has not been very clearly mentioned in the Bill. The provision, as made in the clause, should be made more clear. Also, what about the powers given to the GoC-in-C in this regard? He should be given the responsibility for this. He should be given all responsibility in regard to the Cantonment Board.

Sir, about clause 249 I would like to say, this aspect has already been mentioned by hon. Member, Shri Mehta, that there should be a provision made for an appeal against the decision of the Board. There should be a provision made for creation of some sort of an appellate authority.

Sir, clause 265 gives the power to the Cantonment Board to inspect and regulate any market situated even beyond the jurisdiction of the Cantonment Board. Now, how can a Cantonment Board be authorised to inspect and regulate something beyond its jurisdiction? This aspect is not understood. This should be corrected so that a Cantonment Board is not authorised to intervene beyond its jurisdiction.

Sir, I am thankful to the hon. Minister who said in his initial remarks that the for other military camps and establishments the Government would think of bringing about a separate legislation. That is a welcome step.

Sir, with these words I support the Bill and I hope the hon. Minister would ponder over all the points that have been raised here. Thank you. (ends)

SHRIMATI MANEKA GANDHI (PILIBHIT): Sir, my colleague, Shri Suresh Prabhu has spoken extremely well about what we need to protect in the Cantonment Boards. I was born into the Army and brought up there. Anybody who has lived in the Cantonment in the early part of their lives will never forget the experience of being there. We would always want, as Shri Prabhu has put it, to benchmark the cantonments as an aspirational ideal of what India should be. Therefore, rather than dragging or giving the ability to someone to bring the cantonments to the civilian level, it would be better for us to aspire to be like them.

**15.28 hrs.**

(Shri Balasaheb Vikhe Patil *in the Chair*)

Sir, I am not going to speak for long. I just want to say that the 62 Cantonment Boards have some of the finest monuments, but for some bizarre reasons we regard heritage only those monuments that have been built by men. We do not regard as heritage what nature has given to us for free. Recently, I wanted to put some captured wild animals into the deer forest in Chandimandir, but I was informed that the Army had turned this deer forest into a cricket ground and nothing had been more upsetting than this latest information. I would like to request the hon. Minister to protect the environment, which means, trees, atmosphere, quality of air etc. as part of our natural heritage. Environment should be regarded as heritage specifically and it desperately needs protection. The Cantonment Bill, 2006 gives power to the Cantonment Board, in clause 64, at page 105, to conserve heritage and frame byelaws. However, nothing has been said about environmental protection. In the case of the municipalities, the State Governments have the power to protect both the heritage as well as the environment, especially if the municipalities do not act. In case of the cantonments, the authority, as is given to the State Governments in case of the municipalities, is the General Officer Commanding-in-Chief. The GoC-in-C needs to be given the power to protect the heritage of environment. For this purpose, I have moved an amendment. The amendment is for line 9 at page 73, after 'sanitation' if the hon. Minister would be good enough to insert 'or, for the purpose of conservation of ancient and historical monuments as defined, or of heritage or of environment' [\[snb43\]](#).

Sir, I will not be here tomorrow. I have to leave urgently. Therefore, nobody will be moving this amendment. Whether or not it is moved, it is your country as much as it is mine. As the hon. Minister for Defence, I am sure, you would like to preserve it. I know the hon. Minister would say 'no' in any case because the Bill has already been passed by the Rajya Sabha and so it would be difficult for the Government to take it right back and every person in the Executive would try to avoid that. But if he could find a way in which the environment could be protected on paper, because once we give them a loophole then everybody will misuse that, then I would be grateful.

DR. COL. (RETD.) DHANI RAM SHANDIL (SHIMLA): Sir, I rise to speak in support of this Cantonment Board Bill which has been presented to this House after it has been passed by the Rajya Sabha. This Bill was long overdue. The hon. Minister deserves all the praise and commendation for having brought forward this legislation to this House. The hon. Minister, I would say, has served a great national cause by doing so. It is because after 82 long years, the inhabitants of cantonments will be having a feeling of democratisation. At the same time, in the entire context of the clauses, it is seen that the character of the cantonments has been preserved.

Mr. Chairman, Sir, out of the 62 cantonments that we have in our country, four are in my parliamentary constituency alone. I wish to submit that I have been associated with the cantonments from my early childhood. I have been a student in cantonments. I had joined the Armed Forces because of the impact of cantonments, because of the life in cantonments, because of its ordinariness and its organised way of life.

Sir, this Bill contains some salient features. It is meant to provide greater democratisation by conferring them with the status of a municipality. I think, this Bill aims at moving towards a more liberalised form because the number of elected and nominated members are equal in number and they also are being sought to be provided with powers. I think, it is a step towards democratisation. There is a provision for developmental activities and centrally-aided schemes, in public interest, now can be taken up.

Clause 31(b) seeks to provide reservation for women and also for persons belonging to the Scheduled Castes and the Scheduled Tribes community and the cantonments are also sought to be now divided into various wards. There is also a proposal for improvement of the financial base of the cantonments. The cantonments is now proposed to be divided into four categories. It has been categorised as follow: Category I for a population over 50,000; category II for a population between 10,000 and 50,000; category III for a population between 2500 and 10,000 and category IV for a population up to 2500[snb44].

So, cantonment which literally means temporary quarters for the troops ironically became permanent quarters for the troops from the British period onwards, as has been brought out by various hon. Members who spoke earlier. And it became an inseparable entity of our country. We are seeing it from the British period till today.

The first and the oldest cantonment, as was clarified by the hon. Defence Minister, was not in 1758 but it was in 1765. The cantonments in Barrackpore in West Bengal and Danapur in Bihar were simultaneously raised in 1765. Over a period of time, a large number of people got attracted presumably because civic amenities were better available there and elites wanted to live in a more entered fashion. As was brought by Shri Suresh Prabhu, when you walk into a cantonment from a civic area, you find that there is a drastic change. You find a change in ambience. You find many gardens, entered buildings, cleanliness and roads which are properly maintained. The entire atmosphere in fact is changed there. I wish we follow this example in the rest of the country. The example of cantonments should be followed in the rest of the country so that our country can move ahead. We find that, in the Western world, most of the towns are just like cantonments.



Sir, I have gone through the reply given by the hon. Defence Minister in the Rajya Sabha. Out of 92 recommendations given by the Standing Committee on Defence, 42 recommendations have been accepted as we see it in the Bill now. It is a commendable effort. Out of these, I wish to touch upon the most important one, namely, defence land measuring around 15 lakh acres.

I must compliment the hon. Defence Minister, the hon. Prime Minister, the Cabinet and the Chairperson of the UPA for the strategy and policy adopted for the use of defence land. In fact, the term used by the Defence Minister in the Rajya Sabha was that we should try and avoid land grabbing. Really speaking, that is not the real sense of the term. I would like to dwell upon it a little further. It is not only that the cantonments or the military stations are located in prime land but we must also think about the role of the Armed Forces in today's context. We must know that there is security concern also. Depending upon the nature of the job of the Armed Forces as such, there should be a change of policy found everytime. There is a need to research. In today's context, when we have institutes of higher learning of international standard, there is a need to have such land available with the Armed Forces. There is a need to have this land under some scheme of things so that you can build institutes of international standard like good stadiums, etc. If primary land is used for high-rise buildings or for commercial purposes, then we will not be left with land that is required for the next generation. I personally feel that this policy that has been adopted is a welcome aspect. Today, when technology after technology is sweeping the globe, we require enters for research and learning. For that, we need defence land, leave aside DRDO and other requirements that we find.

I would now come to the second point which Shri Mohan Singh also brought out. After all, why should we say to take away the power which should not be taken away from an elected member[bru45]?

I will give you an example of my constituency. There are too many contentious issues. They have come up so many times in Kasauli and Subathu Cantonments. I know that we, the Members of Parliament, and the MLAs do not have the voting power. But even then, when we cooperate with the authorities and when we ourselves intervene, every contentious issue gets attended to.

Similarly, I feel, there has to be a unity of purpose. We have to realise that our Army officers in uniform are no different. They are also thinking of the welfare of those inhabitants. Really speaking, in Subathu Cantonment, when I was a student, there used to be a great respect for the Commandant of the Centre, who was the Station Commander. Even now people have high respect for him. So, it is a question of how we sit and sort out issues. If we keep on only worrying about our powers, as to how much power one elected body has or the nominated people have, then, I think, things will not be sorted out, even if the power goes the other way.

I feel there is a need to understand that the officers of the armed forces are also one among us and that they are trying to look at things in an objective manner for the welfare of inhabitants; for the law and order there; for the peaceful living; for the organised living; for the healthy and happy living in the Cantonment. That is exactly the aim. That is why the hon. Defence Minister, while replying in the Rajya Sabha, said that it is the privacy of the armed forces and that it should not be construed as an autocratic way of living or in any such connotation. Really speaking, they will be able to



preserve their beauty, charm and glory that we have been seeing over the years better. If it is gradually shifted, probably, it might get disturbed. All the same, if there is a need to amend it, I am sure, we, the Members, here can always amend it in the times to come and implement the provisions of the Act. ... (*Interruptions*)

The next point is about heritage buildings. That is a very important point. I think it was very adequately covered by the hon. Members. The important areas should be protected. In Shimla, we have Annandale Grounds. It has been the target of civilians, who wanted to have buildings there, but it has not been handed over. It should be done all over the country. ... (*Interruptions*)

I think the Government, as rightly brought out by the hon. Defence Minister, always thinks about the society. Substantial land for the Metro in Delhi was transferred from defence land. The same is the case in Bangalore and Pune. It has always been given when it is in the national interest.

I feel it is a welcome Bill. In the final analysis, it is a very welcome Bill. I would like to give one or two suggestions with your permission. There is a long-standing demand from the inhabitants of Subathu Cantonment of Himachal Pradesh for construction of a hospital. It is a very genuine demand. The hospital has to be built in the same place where it was earlier made. We require your blessings. Once the Act is implemented, elections be conducted without delay. We may ponder over the status of the CEO, Chief Executive Officer.

With these words, I fully support the Bill.

SHRI KINJARAPU YERRANNAIDU (SRIKAKULAM): Mr. Chairman, Sir, the Cantonment Bill, 2006 is a very comprehensive Bill. This Bill contains 360 Clauses and five Schedules.

According to clause 10 of the Bill, "Every Board shall be deemed to be a municipality under clause (e) of article 243P of the Constitution." After 73<sup>rd</sup> and 74<sup>th</sup> Amendments to the Constitution, we have given more autonomy to the local bodies, like gram panchayats, zilla panchayats and the municipalities. After the introduction of this clause 243P, we have given deemed municipalities. According to 73<sup>rd</sup> and 74<sup>th</sup> Amendments, there shall be a Financial Commission to provide financial resources to the municipalities and the local bodies<sup>[r46]</sup>. This is also based on the constitutional amendment. I am requesting the hon. Minister to provide a financial commission, and to provide funds to the deemed municipalities of these Cantonment Boards. Then, only the Cantonment Boards will get more finance. They can meet the demands of the civic needs and other things.

Secondly, there shall be an Election Authority. They should conduct elections every five years without any gap. That is the mandatory provision under the Constitution. But here there is no Authority. They may conduct or they may not conduct elections. That is why, on the basis of the Constitution, you have brought this comprehensive Amendment Bill. Under clause 31, you have mentioned about the election authority, how to conduct elections and power to make rules regulating elections. But you have to add that there should be an Election Authority. The Election Authority

will conduct elections every five years and also help in preparation of the voters' lists. Without any authority for the preparation of the voters' lists conducting elections, there is no sanctity in the Bill. So, normally, the authorities will not go for the elections. Why is it so? It is because this is a semi-democratic Bill. In the municipalities and Gram Panchayats etc., all the representatives are elected by the people. As per this Bill, 50 per cent of the members are nominated by the Government and 50 per cent of the members are elected by the people. The head of the Board is the head of the Cantonment Board governing it. So, he is the Chairman of the Board. That is why, elections should be conducted every five years without any delay.

Thirdly, the benefits or the advantages of the Centrally sponsored schemes are to be seen. Normally, there is the Bharat Nirman Scheme. Out of the Bharat Nirman Scheme, we are providing funds to corporations, major municipalities which are having a population of more than 10 lakhs. But there should be a provision that once we are providing Rs. 1,76,000 crore to the municipalities and corporations under the Bharat Nirman Scheme, these Centrally sponsored schemes would also be implemented in those cantonment areas. Out of the Bharat Nirman Scheme, some percentage of the money should go to these cantonments and financially, they would get more money to meet the demands of the citizens, particularly in Secunderabad which is one of the biggest cantonments in India. Three hundred and fifty years back, the first cantonment was established in West Bengal's Barrackpore District. So, after 350 years, so far 62 cantonments are there and after the Independence we have established only six cantonments. The Secunderabad Cantonment is a big cantonment. People are suffering from octroi and double taxation. Even many times they are collecting motor transport toll tax also. Along with the cantonment, the Hyderabad Corporation is there. If they have a vehicle and they have to go and come ten times in a day, then they have to pay ten times this motor vehicle toll tax etc. The poor, petty vendors, hawkers etc., everybody is suffering. So, since so many years there is a demand for abolition of the octroi tax and also toll tax.

Sir, we have a lot of heritage. We have to protect our heritage. So, this is an alarming situation. All our heritage buildings are in a dilapidated situation and their condition is deteriorating. So, the Government of India should take care to protect our heritage. This is our nation's culture. It will reflect to the people everywhere in the world.

Thirdly, as far as environment is concerned, we have enough lands. Each acre is costing some crores of rupees. Now, land-grabbers and unauthorised persons are occupying our lands. Only two lakh acres of land is under the control of the cantonments and other 15 lakh acres of lands is beyond the cantonment areas. We have to protect our 15 lakh hectares of lands by bringing a separate legislation to protect our lands. Under this Cantonment Act, there is no provision other than the cantonment lands. I am requesting the Government of India to bring a separate legislation to protect other than the cantonment area lands[\[R47\]](#).

Under this Cantonment Act, there is no provision for other lands other than the Cantonment lands. I am requesting the Government of India to bring forward a separate legislation to protect the lands other than the Cantonment area lands. By making this suggestion, I am particularly requesting the hon. Minister to abolish the octroi tax and the toll tax. Otherwise, people will suffer a lot.

With these suggestions, I am supporting this Bill.

MR. CHAIRMAN : Next, Shri Chandrakant Khaire to speak.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, before he speaks, I would like to submit that we have already given notice to the hon. Speaker's Office saying that our Law Minister will move a Resolution at Four of the Clock contained in the Supplementary List if he is permitted. Since the debate on farmers has been fixed at Four of the Clock, we would request that the rest of the speakers can continue tomorrow and then the Minister of Defence will reply tomorrow.

MR. CHAIRMAN: Up to what time, will it continue?

SHRI PRIYA RANJAN DASMUNSI: Up to Four of the Clock the debate will continue. At Four of the Clock, the debate relating to the Agriculture Ministry will take place. Then, the Defence Minister will reply tomorrow.

MR. CHAIRMAN: The rest of the speakers will continue. Is it all right?

SOME HON. MEMBERS: Yes.

SHRI PRIYA RANJAN DASMUNSI: My only request to the Chief Whip of the principal Opposition is that if he can help reduce the number of speakers, it would help us because the time that was allotted has already surpassed. So, I cannot accommodate many Members....  
(Interruptions)

MR. CHAIRMAN: He is not winding up the discussion. We will continue it.

...(व्यवधान)

सभापति महोदय : कल भी डिस्कशन चलेगी और मंत्री जी का रिप्लाई होगा, हमने यही बेंत तय करनी है। इसमें कोई आपत्ति नहीं है।

श्रीमती सुमित्रा महाजन (इन्दौर) : हमें बोलने का मौका मिलना चाहिए।...(व्यवधान)

श्री प्रियरंजन दासमुंशी : बहस के लिए जो समय निर्दिष्ट किया गया है, उससे आगे समय नहीं बढ़ा सकते। लिस्टेड बिजनेस कैसे लेंगे।

श्री चंद्रकांत खैरे (औरंगाबाद, महाराष्ट्र) : सभापति महोदय, मैं आपका बहुत-बहुत आभारी हूँ कि आपने मुझे बोलने का समय दिया।...(व्यवधान) देश में 62 केन्टोनमेंट्स हैं, उनमें से मेरे क्षेत्र में संभाजीनगर, औरंगाबाद में हैं, जहां से मैं चार बार, दो बार विधायक और दो बार सांसद के रूप में चुनकर आया हूँ। हमने विधायक को से वहां जो डेवलपमेंट किया, उसके बाद अभी

एमपीलैंड और विधायक को से खर्च नहीं होने दिया जा रहा है। मैं आपके माध्यम से मंत्री जी को बताना चाहता हूँ कि हमने उन्हें बताया कि यह हमारा को है, आप खर्च कीजिए। तब उन्होंने मान्य किया, लेकिन केन्टोनमेंट बोर्ड उसे खर्च नहीं कर पाया। वहां टोल टैक्स के कारण डेवलपमेंट हो रही है, लेकिन केन्द्र सरकार की ओर से छावनियों को एक पैसा नहीं अँता। 82 वां बाद 1924 एक्ट बदला जा रहा है, इसलिए मैं इसका स्वागत करता हूँ, लेकिन मैं कुछ बँतें बताना चाहता हूँ। सभापति महोदय, आपने स्टैंडिंग कमेटी के चेयरमैन के नाते यहां कुछ सुझाव दिए हैं, उनमें से कुछ सुझाव मान्य किए गए हैं और कुछ मान्य नहीं किए गए हैं। इसलिए मैं चाहूंगा कि हमें जो लोकतंत्रीकरण करना है, नागरीकरण करना है, वहां से सैंत मैम्बर्स चुनकर जाएंगे, क्योंकि मेरी केन्टोनमेंट क्लास टू की होगी और हम सैंत ऑफिसर्स हो जाएंगे। इनमें वहां ब्रिगेडियर अध्यक्ष हो जाता है और उपाध्यक्ष नागरीकरण से होता है। वहां उसकी ज्यादा सुनवाई नहीं होती। वहां के सारे मैम्बर्स कई बार मुझसे मिले और कहा कि जब यह बिल आएगा, तब आप इस बारे में बैलिए। केन्टोनमेंट बोर्ड में लैट्रिन्स, बाथरूम्स, ड्रेन लाइन्स भी नहीं थीं। जब मैं महाराष्ट्र में मंत्री था, तब सारे कागज़-पत्र लेकर आए। वहां श्री किशोर कछवाह उपाध्यक्ष थे। मैं तत्कालीन आदरणीय प्रधान मंत्री श्री नरसिंह राव से मिला। उनके पास रक्षा मंत्री का विभाग था। मैंने उनसे विनती की जिसे उन्होंने मान्य किया और कम से कम डेढ़ करोड़ रुपये की लागत से वहां ड्रेनेज लाइन्स पूरी हो गई जिसकी वजह से आज वहां के लोग ठीक से रह रहे हैं। लेकिन वहां बाकी कोई मेनटेनेंस नहीं है। वहां कोई अस्पताल नहीं है, वहां रास्ते की सुविधा नहीं है, कोई पार्क या गार्डन नहीं है, मैदान नहीं है और न ही वहां नागरिकों के लिए कोई एमेनिटीज नहीं हैं। केन्टोनमेंट एरिया के आजू-बाजू से यानी आर्मी लैंड से जो रास्ते जाते हैं, जैसा आप हमेशा मेरी कांस्टीट्यूंसी के रास्ते एयरपोर्ट तक जाते हैं। मैं मंत्री जी को बताना चाहूंगा कि एस क्लब से छावनी तक आने में हर ऑल्टरनेट डे वहां एक्सीडेंट हो रहे हैं। मैं इसे 12 साल से फालोअप कर रहा हूँ, लेकिन कुछ नहीं हुआ। जब मैं तेरह वीं लोक सभा में स्टैंडिंग कमेटी में था, तो वहां मैंने डी.जी., लैंड से बँत की और कहा कि यह जो रास्ता हाईवे तक जा रहा है, जिसमें स्टेट हाईवे और उसके बाद नेशनल हाईवे भी है, उसे आप मान्यता देंगे तो यह चार लाइन का रास्ता हो जायेगा। लेकिन उसे अभी तक मान्यता नहीं दी गयी। मैं कहना चाहता हूँ कि ऐसे छँटे-मोटे जो लैंड डेवलपमेंट के काम हैं, जो कई वॉर् से पेंडिंग पड़े हुए हैं। लेकिन उन कामों के लिए परमीशन नहीं मिलती। मेरी आपसे प्रार्थना है कि अगले बिल में आप उन कामों को परमीशन दिलाने का प्रावधान रखें।

हमारा पुराना बीड बायपास हैं, उसके लिए जब हम गुलवाड़ी से आगे जाते हैं, तो वह रास्ता बंद कर दिया गया है। उनका कहना है कि मिलिट्री लैंड से आपको जाने नहीं दिया जायेगा। वह रास्ता अभी तक बंद है। आप स्टैंडिंग कमेटी के चेयरमैन रहे हैं। इसलिए आपको इस बँत का बहुत अनुभव होगा। इसी तरह छावनी बोर्ड में रहने वालों लोगों की हालत बहुत खराब है। उनके मकान बहुत पुराने हैं। सालों से उनकी हालत बहुत खराब है क्योंकि उनका डेवलपमेंट कोई नहीं कर सकता।

सभापति महोदय, आपने भी यह मुद्दा कल रखा था। क्योंकि उनका परिवार बढ़ गया है, अगर उन्हें एफएसआई-दो दे दिया है, चूंकि हम इसे म्युनिसिपैलिटी के स्वरूप में ला रहे हैं, तो उनको यह अधिकार भी मिलना चाहिए। मैं दो-तीन मुद्दे और बताना चाहूंगा। अध्याय के धारा 96 के पेज नं. 37 की उपधारा ख के प्रावधान द्वारा इस अध्याय के आदेश को जिला न्यायालय में अपील करने का प्रावधान किया गया है। इस धारा के अनुसार उपधारा ख द्वारा अपील में विवेदग्रस्त कोई रकम जमा करने का जो प्रावधान है, वह अनुचित है। मैं चाहूंगा कि इस प्रावधान को किसी माध्यम के द्वारा निकाला जाये या ऐसा कोई आदेश दिया जाये क्योंकि अभी हम कुछ अमेंडमेंट नहीं कर सकते। यह रकम जमा करने का प्रावधान कम होना चाहिए।

धारा 101 पेज 38 द्वारा मुख्य कार्यपालक अधिकारी मतलब सीईओ को बारे में कहा गया है। हमारा कहना है कि आप सीईओ को मैम्बर सैव्रङ्केट्री बनाइये लेकिन सीईओ को पूरा अधिकार मत दीजिए। अन्यथा ब्रिगेडियर और सीईओ को पूरा अधिकार देने के बाद जँता की कोई सुनवाई नहीं होगी। यहां पर आदरणीय शरद पवार जी बैठे हुए हैं। मैं उनसे कहना चाहता हूँ कि पूना केन्टोनमेंट बोर्ड में आपने जितनी पञ्चसिलिटीज दिलवायी है वैसी पञ्चसिलिटीज बाकी के केन्टोनमेंट बोर्ड में भी दिलवाइये। सभी केन्टोनमेंट बोर्ड पूना केन्टोनमेंट जैसे होने चाहिए। अध्याय क्रमांक 9 की धारा 197 पेज 63 में कई घेरलू जल अन्य उपयोग करने के उपलक्ष्य में 2500 रुपये का दंड लगाना अनुचित है। मेरी विनती है कि यह दंड नहीं लगाना चाहिए। इसी तरह इसकी धारा दो में आगे एक लाख रुपये का जुर्माना किया गया है, वह नहीं किया जाये, ऐसी मैं विनती करता हूँ। केन्टोनमेंट बोर्ड में रहने वाले लोगों को सुविधा मिलनी चाहिए। वहां का इलाका सुधरना चाहिए। वहां लोगों को उसी तरह सुविधाएं मिलनी चाहिए जैसी सुविधाएं नगर पालिका क्षेत्र में होती है। यही कहकर मैं अपनी बँत समाप्त करता हूँ।

श्री र्सेतुु गंगवऱर (डरेली) : सडडडड डडुदड, डड डडसन डर डैठे हुए हँ डुर डडवनी संशुधन डल डडके नेतृत्व डें स्टैंडिंग कडेती डें डडस हुकर रऱकु सडड डें डडड डु। डैसऱ डड डडु डलडुले डलन डुल रहे थे कल डडने 95 संशुधन डलडे डलसडें से सरकर ने 42 डडने डुर 53 संशुधन नरुन डडने। डससे सडडु डऱ सकतऱ हँ कल डडवनी डल डल कलतनी डडवशुकतऱ थी।... (वुवधऱन)

**16.00 hrs.**[\[R49\]](#)

सडडडड डडुदड : गंगवऱर डु, डर डड गए हँ, डड डडनी डैंत डडड डें कलडुगऱ। डह डरुडऱ डडु डु डऱरी रहेगी।

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