

12.10 1/4 hrs.

ELECTION TO COMMITTEE

[English]

Estimates Committee

SHRI ASUTOSH LAW (Dum Dum): I beg to move:

"That the members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of rule 311 of the Rules of Procedure and Conduct of Business in Lok Sabha, one member from among themselves to serve as a member of the Committee on Estimates for the unexpired portion of the term of the Committee *vice* Shri Williamson A. Sangma, ceased to be a member of the Committee on his appointment as a Governor."

MR. SPEAKER: The question is:

"That the members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of rule 311 of the Rules of Procedure and Conduct of Business in Lok Sabha, one member from among themselves to serve as a member of the Committee of Estimates for the unexpired portion of the term of the Committee *vice* Shri Williamson A. Sangma, ceased to be a member of the Committee on his appointment as a Governor."

The motion was adopted.

12.11 hrs.

CALLING ATTENTION TO MATTER OF
URGENT PUBLIC IMPORTANCE

[English]

**Large Scale Acquisition of land by DDA
and other authorities in Delhi and
adjoining areas**

SHRI VJAY N. PATIL (Erandol): I call

the attention of the Minister of Urban Development to the following matter of urgent public importance and request that she may make a statement thereon:-

"Large scale acquisition of land by Delhi Development Authority and other authorities in Delhi and adjoining areas thereby depriving thousands of farmers the only source of their livelihood and the steps taken by the Government to mitigate their sufferings."

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI MOHSINA KIDWAI): Mr. Speaker, Sir, I would first like to apprise the Hon'ble Members of the reasons and compulsions for acquisition of land in Delhi on a large scale.

The attainment of independence and the partition of India were two events which affected Delhi profoundly. Delhi acquired a new status as the Capital of an independent country, destined to play an important role in the world affairs. Instead of being the headquarters role in the world affairs. Instead of being a headquarters of a colonial government, mainly concerned with preserving the status quo, it became the Capital of a Nation on the March in the political, social and economic fields. As a result of tremendous growth in the sphere of activity of a government, striving towards ideal of a Welfare State, there was an enormous increase in the number of offices and people working in them. Other nations soon established their missions in Delhi and this meant an additional demand for office and residential accommodation. Economic activity generated demand for land, for shops, offices, factories, etc. Industry and trade brought a large number of people to the capital in search of employment from all over the country. Labourers came from the neighbouring States, in search of a living, on account of tremendous spurt in building construction that followed independence.

The total population of the Union territory of Delhi which was only 9.17 lakhs in 1941 rose to 17.4 lakhs in the next census

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(largely due to migration from the areas which became a part of Pakistan) an increase 90% as compared with the increase of 44% in the previous decade, and thereafter the population began to grow steadily at the rate of about one hundred thousand a year.

This increase in population and growth in governmental activities, trade and commerce, led to a massive increase in the demand for land and land values began to rise steeply after 1954. Colonisation in Delhi which was purely in the private sector and at a scale far too inadequate for the growing need for shelter, also had to be banned under the Delhi Control of Building operations Act, 1955. All this led to scramble for land, haphazard construction and encroachment. Time had come for the Government to move to arrest this trend, to take stock of realistic requirements of land for various purposes as also to provide for planned development of the Capital City of a new Nation.

Representatives of the people deliberated in this very House on the gravity of the situation and with a view, to giving a direction to the development of the Capital City enacted the Delhi Development Act, 1957 authorising the creation of a body which would be charged with the responsibility of preparing a master plan and to take all steps

and actions for the development of Delhi in accordance with that plan.

While it would take some time for the Delhi Development Authority to come into being, do the spade work necessary for the preparation of a Master Plan for the next twenty years, it was necessary for the Government to take effective steps to stem the rot which had been set by haphazard growth of buildings and shanties all over the city and the spurt in land prices.

It is in this background that the government laid down a policy which is known as 'the Scheme for Large Scale Acquisition, Development and Disposal of Land in Delhi', for the planned development of Delhi. All the acquisition of land has since then been done under the scheme and strictly according to the provisions of the Master Plan and to cater to actual requirements. That policy still continues to be valid. Government is not only committed but it also bound to cater to land requirements for various purposes and people in a planned way and it will continue to acquire more land, should it become necessary to do so to achieve these objectives.

Government has so far acquired 63,279.37 acres of land for the planned development of Delhi. Out of this, 56,985.71 acres of land has already been handed over to Delhi Development Authority which has used it for the following purposes:-

1)	Residential scheme	17,508.77 acres
2)	Industrial scheme	2,555.37 acres
3)	For development scheme	36.99 acres
4)	Horticultural Department	7,287.40 acres
5)	Slum & JJ Scheme	5,785.14 acres
6)	Commercial, Institutional Government and semi-Government, private agencies	9,758.51 acres
7)	Cooperative Societies	4,805.82 acres
8)	Balance	9,247.71 acres
Total		56,985.71 acres

Compensation for land is paid in accordance with the procedure and the principles approved by the Parliament and as prescribed in the Land Acquisition Act which is applicable to the entire country and Delhi is no exception. It includes not only the market value of land but also additional payment @ 12% and solatium @ 30% of such market value. Those who are deprived of their land are also given alternative plots of various sizes depending upon the area of land acquired, at no profit no loss price which is even less than one tenth of the prevailing market price of land in Delhi. In some cases, shops are also given.

It would thus be seen that while acquisition of land is not only *not* indiscriminate, it is absolutely necessary to ensure the planned development of the Capital City and to cater to the barest minimum requirements as contemplated in the Master Plan and while doing so, it is ensured that adequate compensation is paid to the land owners and care is also taken for their rehabilitation. Government are conscious of the dislocation caused to the owners of land and its cultivators. It has always been our endeavour to contain the requirement of land to the barest minimum, consistent with the demands of building a Capital worthy of our great nation. Simultaneously, Delhi Development Authority and the Government have been compensating the farmers adequately both in cash and kind.

Land has been acquired from time to time in acres adjoining Delhi. The Master Plan of 1962 advocated the approach of developing the Delhi Metropolitan Area comprising the Union Territory of Delhi and the ring towns of Loni and Ghaziabad in Uttar Pradesh, Faridabad, Ballab Garh, Bahadurgarh and Gurgaon in Haryana and Narela in Delhi territory to achieve a rational growth of Delhi. It was considered necessary to plan this whole area as a composite unit for having an integrated and balanced overall programme of development not only to deflect some of the population that would otherwise come into Delhi and jeopardise the planned growth of Delhi but also to help

these towns to grow in a planned way. The development of the ring towns could be ensured by strengthening their economic base which could be achieved by planning industrial development and locating governmental offices in these towns. This approach to the coordinated development of this region was followed over the years by the concerned Governments with varying degree of success. In 1985, the National Capital Region Planning Board Act was promulgated to evolve a harmonized policy for control of land use and development of infrastructure so as to avoid any haphazard development of the Region. The National Capital Region Planning Board has since prepared a Regional Plan for the National Capital Region with 2001 AD as the perspective having the core objectives of balanced and harmonised development of the National Capital Region and achieving a manageable Delhi. This Plan has been approved by the Board and notified under the Act. However, the acquisition of land in pursuance of the above policies is done by the concerned State Governments in their respective jurisdiction.

SHRI VIJAY N. PATIL (Erandol): Mr. Speaker, Sir, while agreeing with the Minister about the two events which affected Delhi's population profoundly, one, that it acquired the status of capital of independent India, and two, the influx of people from Pakistan because of partition, but there is no denial of the fact that there are other factors also which are responsible for the very large population of Delhi.

Only a few centuries ago, it was being said that '*Delhi bahut door hai*'. Those who tried to come to Delhi either failed or perished on the way. Even kingdoms could not reach Delhi; it was very difficult at that time. Now, Delhi has so much attraction even to common man. Everything is done from Delhi. Many things are for Delhi only. That is why everybody tries to come to Delhi. By everything I do not mean political power, but things like allotment of industrial licences, distribution of quotas, distribution of public essential goods like food and other things. Everything

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is decided from Delhi. Also, we are giving a lot of concession to people staying in Delhi with regard to transport and other facilities. We also passed an Act in Parliament that officers who retired from Government service can take possession of their houses, which were given on rent earlier, almost immediately on their retirement. It is only for Delhi and not applicable to other metropolitan towns. There is also a lot of industrial growth and possibilities of investment in and around Delhi. And that is why, Delhi is growing very fast.

What you have stated in para three of your statement is that the population of Delhi was 9.17 lakhs in 1941 and it rose to 17.4 lakhs in the next census; the increase was 90 per cent in a period of ten years. Now, let us consider the increase in the last four years. If you see the population of Delhi in 1982, it was 64 lakhs and it has increased to 86 lakhs or more than that by now. It is 34 per cent increase in about four years. Why is it so? It is not because of the people in Delhi giving birth to more children, but it is because of influx from outside. If you compare the birth rate of children in Delhi, it is below the nation average. It is 27 per thousand as compared to 33 per thousand national average. That is why, you have to think about it very seriously. Even Ghaziabad will not be sufficient; you will have to go to Meerut if this influx continues. What is our projection by 2000 A.D.? It is one crore. But if you take the rate of growth of population in the last four-five years, it has grown by 22 lakhs. That means that the population of Delhi will be about two crores by 2000 A.D. All your planning regarding water supply, electricity supply, sewerage, providing alternative accommodation of jhugis, which are at present in 600 clusters will be a failure. So, it is not only the problem of land acquisition, it is a problem of overall planning. You are thinking of national capital region. If anybody wants to have a house or a flat in Delhi, he will try to measure the distance of that house from Connaught Place and he will not like to go to Ghaziabad or Gurgaon suburban areas. This

trend has to be changed. We have to think in some concrete terms about the future problems that will crop up.

The first problem is about the agricultural production. Five years ago Delhi was able to get vegetable just from the surrounding areas but because of large scale acquisition of land there is a decrease in the agricultural land. Have you conducted a survey? It is mentioned in some report that we are developing agriculture and on 200 hectare land floriculture has been developed. What is the use of floriculture? It is only for the beautification of our gardens and the result of this is that Delhi has to depend for its food requirement on other parts of the country. Long distance transport will be required even for getting vegetables. We are not considering this point. Because of large scale acquisition scheme that has been undertaken you are acquiring the land without any proportion and without any expansion plans. That is why this problem has come up.

Madam, we see that the problems in Delhi are not limited to the transport alone. Even the sewerage water problem is assuming an alarming proportion. You have not been able to develop the Sewerage Water Plants to the extent they are required. Today 325 million Gallon of sewerage water is poured every day and within 4 or 5 years it will be doubled or even more than that. You have not been able to maintain the water supply. Just 4 days ago under 377 I raised the matter about water supply and I had given the details.

There is an increase in the cost of land because today development costs of the acquired land are going higher and higher. If in 1983 a housing society got the land at the cost of Rs. 135 per sq.m. it is estimated that it will cost more than Rs. 500 per Sq.m. for the new housing society which has registered itself as early as 1983. You have not been able to give land in Papparkalan area because whatever land you were able to acquire a lot of encroachments have come on that. You are not able to contain that encroachment and now you are trying to

remove them. So, in this process or removal a lot of delay is taking place because of which you are not able to give land to the people who have formed the Cooperative Housing Society and registered themselves in 1983. So, on the one hand you are not able to maintain properly whatever land you have acquired because of the encroachments that are coming up and on the other hand you are spreading your tentacles towards Ghaziabad and Gurgaon.

Have you ever thought of the transport system that will be affected by the large scale population growth in Delhi? 14,000 vehicles were there on the roads in the year 1952 now it is more than 1,50,000. It is estimated that from now onwards about 1 lakh vehicles will be registered per year; that means about 25 lakh vehicles will be there on the road by the year 2000 A.D. You just imagine the pollution that will be created; the traffic congestion that will be there. What solution do you have for that? Are you going to stop this large scale acquisition and then convince the people to stay in the places where they are and not to rush to Delhi? We have to find out as to why they are rushing towards Delhi.

Why are you allowing growth of industries in Delhi? It is all right as far as satellite towns are concerned. Because, they should be economically viable. Now, near Delhi, NOIDA is coming up. Beyond NOIDA, there is a very big residential area, with a very large population. So there industrial pollution of NOIDA, Okhla, Ghaziabad, Bahadurgarh and so on will be there.

Delhi should be divided into two rings...inner ring and outer ring. The inner ring should include Connaught Circus, Greater Kailash and so on. The other ring should include all industrial area and the residential area should be kept separate. If you do that, it will affect only the outer cover. If you do not have a perspective plan or if you do not consider all these things and just go on acquiring these lands without rehabilitating these people, then what will happen? The National Commission on Urbanisation

had made some suggestions. Are you going to implement them?

Madam, we have got a Delhi Development Act of 1957. Now, we have combined the Delhi Development Act and the DDA together. Because of this *dadagiri* is going on. You are also not declaring the market price. You had declared market price earlier. Are you going to declare the market price before acquiring the land as suggested by the National Commission on Urbanisation? So, it is very necessary. It should be made public.

And the next thing is that whatever you acquire, are you going to do the development work within the time frame that you will stipulate or haphazardly are you going to say that for future expansion, it is required? You should also tell us as to how much land you acquired; what compensation you paid; and whether the people who were displaced from their land were given proper jobs and also proper houses. You have mentioned that you are giving them flats. To some people you are giving shops also. We welcome that. But what about our farmers? They don't have sufficient money with them. Every year, they used to get some money from the agricultural produce and they live on that money only. Even if they get Rs. 1 lakh or something like that as one time compensation are you able to train them or you able to give them an idea as to how it should be invested? So, training is required. It is also suggested by the National Commission on Urbanisation—the compensation which are received by the displaced persons—how it should be invested. I would like to ask you whether you are going to give them training. It is very much required. Even if you train them in this respect, it is also necessary that they should be given training for the jobs also.

If a farmer who is educated upto fourth standard and if his son who is educated upto seventh standard if they go to a nearby Bharat Electronics Ltd or some public sector or private sector company, they will not be able to get jobs. Whatever compensation or

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some such thing he gets, whether it is Rs. 1 lakh or Rs. 2 lakhs, he sometimes spends it in the form of *Jua* with the result, he becomes a pauper. I would like to know from you, what policy you have got in this regard. This is a very serious problem. It should be tackled very urgently. It is not only the problem of acquisition but it is also a problem of rehabilitation. There is a problem of planning.

Lastly, in Delhi we are constructing houses of two storeys or at the most four storeys. Why are we constructing like that? Because, Delhi comes under the seismic belt. Then, why are you allowing the Five Star Hotel people to construct 10 storeyed or 15 storeyed buildings. There also people stay and sleep during nights. If they are allowed to construct like that, why not other people? Why can't we build ten storeyed houses? Why should there be a lot of transport? There are a lot of two-storeyed buildings in R.K. Puram. There are people who are leaving this place and are going to very long distant places. There are people who are coming from 20 miles or so to their offices. If you allow by having a new policy of construction of multi-storeyed houses, then to some extent the problems will be solved. In Bombay, there are many multi-storeyed buildings. There is a Thirtyfive storeyed Oberoi Tower. Here, we have got a two-storeyed Italian Embassy. But the Taj Mansingh is a 10 or 15 storeyed building. I want to ask you whether only the Italian Embassy is going to be affected by the earthquake and whether it is the Italian Embassy which comes under the seismic belt area. No. That is why you have to review this policy.

Secondly, the NRI investment is more in Delhi. We should encourage them to invest their funds in other State capitals. We have to make a review of the industry; if we review the situation, the large-scale unscrupulous acquisition will also stop, and the problem will be mitigated. Otherwise we have seen how the population has grown. We thought there would be a population of 100 crores by 2,000 A.D. in Delhi; i.e. one out

of every 100 persons in India will be staying in Delhi. But with the present growth, two out of every 100 persons in India will stay in Delhi. What can we make available to them then? Even if we bring drinking water from Ganga, it will not be sufficient for drinking purposes. Now we are bringing it from Jamuna. So, this is a serious problem, and I would like to have answers for these questions.

SHRI SHANTARAM NAIK (Panaji): I quite understand the reply that has been given by the hon. Minister. We do not dispute that, specially when we say that Delhi has acquired a new status as the capital of an independent country, destined to play an important role in world affairs.

We do agree; but the question is, at what cost? The manner in which things are going on, the manner in which farmers, specially the small farmers are just thrown out, without appropriate compensation—I will say what compensation means—without looking to the fate of their families, children and their education etc. is not the manner in which we would like our capital to grow or develop. And it is precisely because of this that the Committee on Petitions, upon receiving a petition from a citizen of this county, went into this aspect in detail; and they have made certain observations which I humbly request you to consider in due course of time. There is one relevant paragraph at the beginning of the Committee's report, wherein the points made by the petitioner in his petition have been quoted. I quote:

"Between 1951 and 1980 the Delhi Administration and the DDA acquired over 484 million square yards of cultivated village land. Since then another 111 million square yards have been acquired or are in the process of being acquired. Over 287 million sq. yards are earmarked for acquisition in the inviolate Green Belt by the revised Master Plan (1981-2000). The so-called 'socialisation' of lands in Delhi has helped not peasants or other less privileged strata of society but the urban rich. It has

reduced 150 villages to urban slums, and deprived over 200000 villagers of both livelihood and dignity."

This summarizes the substance of the planning that is proposed by DDA and other authorities. It is not that our law, viz. the Land Acquisition Act is silent on this point. It gives the right, to those whose land is acquired or proposed to be acquired by the Government, to put in their grievances or problems before Government. It has a valuable section known as Section 5A, under which any person whose land is proposed to be acquired can file a petition, so that he can say that the value apart—the value will come in subsequently—the land should not be acquired...for such and such reasons; and he can show in that petition that his inconvenience will be greater than the probable benefit to the society etc. He can point them out.

What is happening today is that: the petitions under Section 5A which are filed before the Land Acquisition Officers are not taken seriously. Nobody hears them, because there is a man who has got written some petition from somebody and comes. Sometimes no hearing is given. Therefore, the first thing I would like to request you, in general terms, is to issue instructions that these petitions under Section 5A which come from people, specially farmers of the area wherever lands are acquired—farming lands—their problems and their grievances should be considered under that Section 5A; and only if the land is very much essential for a public purpose, to use the correct term, the land should be acquired; and that that man should be compensated accordingly.

Accordingly, the compensation would be so much. Supposing a man has been deprived of his land and you are giving him this much compensation. If he is asked to choose between the two proposals regarding compensation put forward by you, if he is willing to accept that, then it is a real compensation; then it is a correct measure followed in the payment of compensation.

Secondly, our Land Acquisition Act requires an amendment in the sense that it should mention as to when a land can be acquired for public purpose. After the land is acquired, the Collector and the Land Acquisition Officer take their own time in scrutinising applications they roughly deal with the matter and scrutinise applications. Therefore, this Act requires an amendment. Then the policy should be not to grab the land but acquired it. If you do it in this manner, then it is called as bad as grabbing the land. You acquire the land for the good of the public. So, if this policy is adopted, then all the corrective measures which are there, automatically, they can be taken care of. Secondly, the acquisition of land should be done within a stipulated time. Today, supposing a Government Officer goes somewhere and sees a particular land which is a green land, a good pasture land. If he wants to take that land for expanding the city further, then it is not good. But, today, it is happening like that. They don't think for a moment about the green land, a good pasture land. They don't think for a moment what is meant by converting this green land into urbanisation. They will immediately apply Section 4, although there is no plan for its development ready nothing is ready. As soon as they apply Section 4, everything will be stalled. So, what you have to take into consideration first is this. Unless an appropriate plan is prepared and readily available with the Government, this Section 4 should not be made applicable; and people should not be harassed unduly. I am laying stress on green land, especially the agricultural land.

Suppose a particular land is acquired and a particular party is given so much of compensation. Normally, that compensation is not adequate. They fix it on the basis of some imaginary figures. Then the party has to go to a Tribunal. If the Tribunal assesses the value of the land according to the market price at the relevant time, then the man gets an appropriate compensation. Suppose some compensation is given. But the Collector or the Land Acquisition Officer will not consider that value. I think after the Tribunal has given its Award or fixed the

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price for compensation, the same method should be followed for subsequent cases or similar cases. The Land Acquisition Officer or the person who determines the price for compensation should consider that value. But he does not do it; he will again arbitrarily fix some price which is a low price. So, that makes that person again to go to a Tribunal. So, at least this aspect should be considered by the Collector.

I would venture to say that when we acquire land for housing, only that land which is available under the Urban Ceiling Act should be acquired, as far as possible. Now, you may say that under that Act how much land can be acquired. So, first of all, please try to get that land; please try to implement that Act and not just go somewhere and acquire the land; whether it is green land or good pasture land or some other land. No. You please try to acquire the barren land, rocky land. If it is not available, if it is not possible, then you go to acquire green pasture land. Is this principle ever followed? Is this the way the Land Acquisition Officer tries to get land for urbanisation? Obviously, not. If the green land is there near the city, if the good pasture land is there near the city, and if they want to expand the city, they acquire it; they do it for the expansion of the city only. But it is possible that a few kilometres away there may be land which is not used for agriculture or it is not used for agriculture to that extent. If so, then, why not clear that land and leave this greenery?

Regarding prices, when the prices are fixed all these problems come up, when compensation is paid. When land is acquired for public purposes these aspects have to be considered. As far as the prices are concerned some cheats are there but the real value is not estimated. The actual sufferings of the man, his future, the future of his children and their education, all these have to be considered, while assessing the value of the land. It is very difficult. Madam may say solarium of one per cent is paid. But that, I would say, does not mean real compensa-

tion and the authority concerned, the Land Acquisition Officer, should try to assess the real value and he can easily recognise what can be the real compensation.

Also, the loss of profession, especially agriculture, the future of the owner, the likelihood of the prospects of the owner in that land, all these aspects have to be considered and they should be examined. I am also not quite sure of it when I am making this submission. I am admitting frankly. When you pay a certain price to a person, say, 'A', he may be a man of meagre means, and another persons, 'B' may be a man of higher means. The land acquired from both may be the same. While paying the compensation, whether you will consider this aspect or not is another point to be considered. If a man of higher means has got more lands, paying a little less compensation does not harm him. But it does harm a man of a lower income, his family may be affected. I am not sure of this aspect, whether it has to be considered or not. But this is relevant when you think of compensating a person. So kindly examine this aspect.

Some times DDA also derives some profit in the process. Just for Rs. 3 or Rs. 4 some square yards of land is purchased and subsequently the same land is sold by DDA for Rs. 8,000 or Rs. 9,000 or Rs. 10,000. You may say that it happens only with a few acres of land, and ultimately it is given for shops, etc. But most of the lands are not like that. I knew that some such answer would come from the Government, as I could see from the report. But some times, DDA does profit by it. When you pay only Rs. 5/- to a farmer and subsequently you sell it for Rs. 5,000, it is something, which is not understandable.

Now, the entire problem has come up because of the Master Plan for Delhi as many villagers and farmers will be displaced. The earlier Plan was expiring in 1981. No attempts were made to prepare a Master Plan for the next 20 years. If the Plan had been prepared earlier, from 1981 onwards that Plan could have been systematically implemented with a cool mind. For eight to

nine years now things have not been moving in a proper manner, Lands are acquired from the farmers and they are suffering. They have got their own grievances. Therefore, such plans have to be prepared in advance and the society should also be educated. I would say that it is not only the poor people who do not understand. The society should be educated about this Plan, and they can be educated, they can be told, and only if proper compensation is paid, if the owners are properly settled by giving money or house-plots or whatever it may be, then only society will understand it. And here, when we are acquiring land for a city, for the expansion of the Capital, where urbanisation will come up, for greater purposes, then we have to see what we are doing with respect to those persons who will be displaced.

With this angle in view, I would request the Government to consider the Master Plan of Delhi, especially with this perspective in mind.

[*Translation*]

MR. SPEAKER: Madam, you should reply the points raised, after careful consideration, taking into account the plight of the villagers living in these villages of Delhi, whose land has been acquired. You should not simply go by what is written in the statement. Before replying, you should think about the future of the inhabitants and their children who are bound by the 'Laldora'. They can't violate this Laldora. It will not be proper to suffocate them. So land should be acquired taking into account all these things. Laws need to be amended to a great extent, for which serious thought should be given. Some people are being settled displacing others. Being a lady, you can well understand their suffering and right step should be taken in this regard. This matter requires your serious attention.

[*English*]

This is a very serious question which we have to deal with. In that context, the policy

makers do not understand what they are doing.

[*Translation*]

Before taking a decision you will take into account all these points.

[*English*]

It is something very serious for the village people.

[*Translation*]

because they will have no place place to go to. Land is like mother to them. Before acquiring their land, some alternative arrangements have to be made for feeding them. You should think about it.

SHRIMATI MOHSINA KIDWAI: Mr. Speaker, Sir, many-many thanks to you. I am grateful to those hon. Members who called the attention of the Government through this Motion and participated in the debate on it. Work is being done in accordance with the policy chalked out and approved by the Government. So far as the question of acquisition of land is concerned, I totally agree with you. The person whose land is acquired, has to face lot of difficulties, Land is acquired from the farmers for development work and public purposes such as construction of residential buildings, hospitals, schools, roads and implementation of other big projects. Most of the land which is acquired belongs to rural farmers. Land belonging to a very small number of urban people is acquired. No one takes pleasure in acquiring land of other and the Government is no exception to it. It acquires land on compulsion. It is always our endeavour not to acquire land as far as possible, but no development work can be undertaken without resorting to it. Figures pertaining to old acquisition of land have already been given.

As this question pertains to Delhi, so I will confine myself to Delhi only. I am fully in agreement with Shri Patil that the population of Delhi and its neighbouring areas, is in-

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creasing very fast. Delhi was planned to accommodate 12 lakh people only, but today its population is 80 lakh and by the turn of this century, it is likely to be more than 1 crore. According to yet another estimate, it may touch the figure of 112 lakh or as high as 132 lakh. But it is certain that population of Delhi will cross the figure of ten million.

Delhi is also facing the problem of migration from other places. There are some problems of delhities also. Land belonging to villages situated in and around Delhi can be acquired. It has been the endeavour of the Government that agriculture land or green-belt land in Delhi is not acquired. Only such land, which is not fertile or which is barren, is acquired but it is not always practicable to take only the barren land, leaving the patches in between.

As regards the point raised by Shri Patil, I would like to submit that I agree with him but has not given any suggestions with regard to the course of action to be taken by us. All these problems are of Delhi only. He mentioned the transport problem. In this regard I would like to submit that there are no other cities in the world except Delhi which has only one mode of transport i.e. road. There is no other mode of transport whether one travels by bus or car or three-wheeler, they are all road based modes of conveyance. Metro or other systems are not available. In order to lessen the congestion in Delhi and check migration of people to Delhi, National Capital was set up. It comprises territories of three States. Efforts have been made to settle the people of Delhi in places beyond its limit and people have now gone upto Ghaziabad and Meerut. Meerut has also been included in the National Capital Region Plan.

SHRI VIJAY N. PATIL: They will reach Moradabad.

SHRIMATI MOHSINA KIDWAI: It will be expanded ever further. It has been our endeavour that heavy industries are not set up here as they adversely affect the environ-

ment. We want to construct a ring road or ring railway, so that people living in far off places, such as Meerut, Faridabad and Ghaziabad etc., return home in the evening. With a view to checking the rapid expansion of Delhi, we want to bring about some changes in our policy so that land belonging to farmers may not be acquired.

Mr. Speaker, Sir, you will agree with me that if the Government does not acquire their land, private colonisers will purchase their land. In this very august House, demand is made to provide land to cooperative societies, we are taken to task for not providing land to them. If we do not acquire land, from where we will provide it to the cooperative societies. I do accept that the compensation paid to them is very meagre. Mr. Speaker, Sir, you might recall that at the initiative of late Shrimati Indra Gandhi, Land Acquisition Act of 1894 was amended in 1984. It is a fact that prior to that the farmers were given compensation for their acquired land at the rate of 4 annas per sq. yard. All of us have been its victim. My land was also acquired and the people purchased it at throw away price of 4 annas per sq. yard. It is a fact that if anyone agrees to part with this land, he wants good return for it. It gives satisfaction to us also, if the land is sold at reasonably good price. But it is fact that the farmers have been exploited a lot. I think that their land had been acquired 15-20 years back but no compensation was paid to them. Their cases could not be decided. The farmers are feeling relieved consequent upon the recent amendment in the Land Acquisition Act of 1984. I do not mean to say that they are getting a good amount as compensation but it is an improvement upon the previous rate of compensation. Earlier the land used to be acquired 15-20 years in advance. During that period the land was kept vacant without setting up a project on it or without any use. Now it has been made obligatory on the part of the District Collector that as soon as a declaration is made in respect of the acquisition of a particular land, entire amount of compensation should be given to the party after the settlement of claim within a period of two years of such a declaration. In case

the farmers are not paid the compensation, it will automatically stand denotified on the expiry of 2 years. For example if the land was acquired 3 years ago and its case is still pending then it stand denotified. then the land will be acquired at the current market price. Besides, the Government has also increased the earlier rate of interest which was 10 to 12 per cent and also the rate of solatium which was 15 per cent has been raised to 30 per cent. It implies that if a person purchases lands at the rate of Rs. 100 per square yard then by the time its case is decided i.e. after 3 years, its price will automatically go up to Rs. 242. This provision has been made for the benefit of the poor farmers who are short of funds and resources. Now if, in the case of a poor farmer's land which was sold at a low price, the court gives its verdict that its price is not reasonable and should have been higher, then that higher price would be automatically payable not only in the case of that person who had filed the petition but in the case of all those farmers of the area who were hold similar land, and who could not approach the courts. I am submitting all this the context of the amendment which has been recently made in the Land Acquisition Act of 1984.

Mr. Speaker, Sir, I agree with you. I have talked to the officers of my department also in this regard. We are not interested in providing housing to the people at the cost of ruining the farmers but at times we acquire a particular land only when there is no other alternative. We want that such farmers should be so attractively paid for their land that they may leave a substantial amount for their future generation and adequate assistance is provided to them so that the housing problem is faced at least by their families upto three children. I am just expressing my views before you. We have to acquire only small pieces of agricultural land falling in between measuring upto one acre. However it has been the effort of the Government to provide a shop or something else to the farmers having small pieces of land, so that they may earn their livelihood.

13.00 hrs.

SHRI G.M. BANATWALLA (Ponnani): Thousands of people living near the Jamia Millia are being rendered homeless as their land is under acquisition which has created lot of trouble for these people.

SHRIMATI MOHSINA KIDWAI: Shri Banatwalla, when the people, who have encroached upon the land, are asked to vacate it, the problem arises.

MR. SPEAKER: The Government acquires land well in advance but it is encroached upon by others since it is not in use. It would be appropriate if you acquire it at the time when you need it as per the requirements of your plans.

SHRIMATI MOHSINA KIDWAI: Mr. Speaker, Sir, you are very right but we do not get the land when we need it. If it already sold out and the people occupy it. However, it is our effort that suitable compensation is paid to the person whose land is acquired, and some such arrangements are made to provide him something in exchange of his life-long to enable him to lead a comfortable life.

So far as Delhi, Bombay and Calcutta are concerned, I feel that if the land of the surrounding areas is not acquired, private parties will construct their buildings on it and in fact they are already doing it. Whereever the farmers sell their land, it is purchased by the private parties and buildings are constructed on it.

SHRI MOHD. AYUB KHAN (Udhampur): It can be notified well in advance.

SHRIMATI MOHSINA KIDWAI: In spite of notification, land is encroached upon. When a notification is made under section 4 it implies that the Government is going to acquire the land. As regards the implication of section-5 as mentioned by you, it is only on paper that the concerned individual will be given an opportunity of hearing. But in how many cases does it take place? If somebody

[Smt. Mohsina Kidwai]

tries to acquire my land with my permission I will never be prepared for it. How can we negotiate with the farmer regarding the acquisition of his land. This is not practical. Therefore in respect of the high-rise buildings of which you have made a mention, new guidelines have been introduced even in Delhi. You referred to Bombay where earlier 60 dwelling units could be constructed on a one acre piece of land but now they propose to construct 100 dwelling units on it. Construction of high rise buildings is allowed under rules but as regards the construction of basement and parking place, provisions have been made in that respect in the new guidelines for Delhi. Mr. Speaker, Sir, I would like to submit that it does not give us pleasure when we acquire the land of farmers. So far as the D.D.A. is concerned, the Government has acquired another 63 thousand acres of land out of which 56 thousand acres have already been handed over to the D.D.A. after developing it, where various projects are under progress. The projects of Papankalan, Narela and other places are also under progress. I think that D.D.A. proposes to build a small town with a population of 10 lakh at Papankalan. They envisage to accommodate the co-operative societies, commercial areas and the weaker sections also in it. Whenever Government acquires land on a large scale, its major portion is utilised in the construction of roads, parks and other public places. In fact only a small part of land is left for the residential puposes since huge expenditure is incurred on the peripheral development. As regards the development charges, it is correct that the prices do increase, after all expenditure is incurred on developmental works. In case you intendd to spent on roads, pipeline, water and electricity, the overall expenditure on that account will automatically and constantly increase the prices with the passage of time. When the Government purchases land from the farmers at a higher price, it will have to sell it to the co-operatives or the charitable institutions at a correspondingly higher rate. When

the land meant for the housing colony is sold at exorbitant prices, the weaker sections and those belonging to the middle class have to face lot of difficulties. I feel that all this state of affairs and complexities are due to the increasing population. The 1981 census showed a population of 80 crores and God knows how many more will be added to it by the year 1991. I feel that population explosion is the biggest problem for our country. Unless it is suitably controlled, this problem will continue to haunt us and the Government will be helpless. These problems will continue, so we will have to find out a solution to it. The fact is that very small plots of land are given to the poor whereas they need larger area plots since they live together in a group of 3-4 families at one place. By making the allotment of very small plots of land to these people it seems as if we are creating slums. The hon. Prime Minister has for the first time appointed the Charles Koria Commission. It has brought everything to light including the area of land allotted to these people. If you have gone through the report, you would have noticed the fact that for the first time urban area has been vividly planned so as to illustrate the kind of magnate towns and counter magnate towns to be built up. Regarding the organisation problem I feel that a Bill to that effect will be introduced during the current session. Through this Bill we will acquire some more powers.

So far as acquisition is concerned, I feel that people take their cases to the courts which take years to decide them. The purpose of acquisition is to construct places of public utility and provide certain basic amenities to the weaker sections. The suggestion which you have given here is very significant and I agree with you that we should do something in this regard.

I am grateful to you for raising this matter.