

DELHI MUNICIPAL CORPORATION
(AMENDMENT) BILL

12.531/2 hrs.

THE MINISTER OF HOME AFFAIRS
(SHRI S.B. CHAVAN): Sir, I beg to move for leave to withdraw a Bill further to amend the Delhi Municipal Corporation Act, 1957.

[Translation]

SHRI MADAN LAL KHURANA: (South Delhi): Mr. Chairman, Sir, just now the reasons given for the withdrawal state that when this Bill was moved, the Panchayat Raj Bill was passed through 73rd and 74th amendments to the Constitution, which has increased the scope of Municipal Corporation and which requires to introduce or new Bill. Mr. Chairman, Sir, 73rd and 74th amendment Bills were passed by Lok Sabha on 22nd December and by Rajya Sabha these were passed on 23rd December. First in the Speaker's room and thereafter in this House, this assurance was given by you that it would be brought in the next sessio, i.e. it will be brought and passed in the first week of the budget sessio, which is mon, and election will be held in May, 1993.

Mr. Chairman, Sir, I would like to submit that this assurance was given after passing the Amendment Bill and if they wanted to withdraw this Bill they could have done it that very moment but did they not know this thing at that time? I want to submit that Delhi is being deccited as for the last ten and half year, they have not held the elections. for the last five and half years, I have been witnessing that committee are being formed and they introduced it on the last day of the session and now they are giving false assurances. I want to submit that be it 9th Lok Sabha or 10th Lok Sabha, they are not introducing the Bill regarding Delhi, intentionelly so that elections are not held in Delhi. Due to not holding elections, there is no elected and responsible administrative body in Delhi. There is no past example in the history of India of not holding elections

continuously for a period of ten years. Last election in Delhi was held on 5th February, 1983 and now it is May, 1993. A period of ten and year half year has since been passed and nobody knows when the same will be held? Therefore, I want that at least a new Bill should be presented.

Mr. Chairman, Sir, what is happening to whom should we approach for the redressal of our problems regarding water and electricity. There is uproar in whole Delhi. I am grateful to you for calling a meeting, but I want to tell you a startling fact that 30 per cent electricity is being pilfered in Delhi and in some areas it is to the extent of 43 percent. These are official data and nobody is responsible for it.

Mr. Chairman, Sir, the basic problem of Delhi that it does not have any elected body which is causing all sort of mismanagement. Therefore, through you, I want to request the Government to withdraw this Bill, I do not have any objection, but before that you should give an assurance that a new Bill, which was promised in the meeting held at Prime Minister's residence will be presented and when you are going to fulfil this assurance? When it will be prepared and presented I need assurance in this regard.

Mr. Chariman, Sir, if you are not holding elections in Delhi. An Act has been passed delimitation has been done, as per Election Commission, electoral rolls are ready and an order from Ministry of Home Affairs in this regard is awaited. Therefore, if there is delay in holding corporation election then you should go for Assembly polls so that the people of Delhi may feel satisfied in repect of their democratic rights. With this assurance, if you want to withdraw the Bill you can but before that I need that assurance. (Interruptions)

SHRI TARA CHAND KHANDELWAL (Chandni Chowk): Mr. Chairman, Sir, there has been no elections in Delhi for the last ten years and it was assured that a new Corporation Bill would be brought, but the new Bill has not been brought forward. I cannot express in words the

prevailing corruption and redtapism in Delhi and the problems faced by the Members of Parliament from Delhi in the absence of elected local Government.

Mr. Chairman, Sir it was assured in the meeting held with the Prime Minister that a new Bill would be brought but the same has not been brought and the old one is being withdrawn. I think now only two days are there in the current session of the House and as also pointed out by Shri Madan lalkhurana, this Bill was introduced in the House on the last day of the previous session and the same thing is being repeated to day also. There seems to be a conspiracy in it. Now the current session is going to end after two days and the Bill is being withdrawn without bringing a new Bill, so how there can be a discussion on it. It means the matter is being again deferred for another six months. Therefore, I would like to request that before withdrawing this Bill, a new Bill should be brought, a discussion should be held and then it should be passed and an assurance should be given by the Government for holding elections in Delhi.

[English]

SHRI RAM NAIK (Bombay North): Sir, I am opposing the Motion basically because the statement which has been circulated to us says that it is being circulated under Direction No. 36 of the Directions of the Speaker. Direction No. 36 reads like this:

When a Bill pending in Lok Sabha is sought to be withdrawn by Government, a statement containing the reasons for which the Bill is being withdrawn shall be circulated to Members by the Ministry concerned sufficiently in advance of the date on which the motion for withdrawal is sought to be made."

Sir, we have received this Motion only today, in the morning. Naturally, when we received it today morning, we did not get sufficient time and we want to oppose it basically under this Direction. Sir, why the bill is being withdrawn has not been

stated clearly. If the Bill is to be withdrawn and if it is to be withdrawn because of the Seventy-Third and Seventy-fourth Constitutional Amendment Bills which were passed in December, then what was the Government doing for the last four months? why are they coming so late, why are they depriving the citizens of Delhi of their right to have their own self-government?

Sir, from that point of view, there is not specific assurance from the Minister that a new Bill is coming.

13.00 hrs.

If the new Bill is not coming, why should we allow him to withdraw the old Bill, particularly when there is no sufficient notice? so you have to decide whether there is sufficient notice or not. If there is no sufficient notice it cannot be that it just informs us today morning and it can be treated as sufficient notice. On these two technical points, that sufficient notice has not been given and the statement does not say as to when the new bill will be brought before the House. I oppose it and request the Minister to come with specific reasons, with a new bill and then seek the permission of the House to withdraw it.

SHRI S. B. CHAVAN: It is a very strange phenomenon that the hon. Members who had participated in a discussion with me on 10th March have raised this issue. Delhi MPs were called specially by me in order to find out their reaction because the Government was thinking in terms of excluding all the rural areas and thereafter for the rest of Delhi we can think of having a corporation. But all the hon. Members who had assembled there said that they were interested in retaining rural areas and they would not like this to be excluded. Thereafter we were thinking whether in the present Bill this can be incorporated. Everybody came to the conclusion that it will require drastic changes and unless the whole Bill is redrafted it will not be possible for us to do it. Thereafter a meeting was called at the Prime Minister's level wherein all the hon. Members also participated. They are aware of

[Sh. S.B. Chavan]

the fact that we will have to withdraw this Bill.

This evening we have the meeting of the Cabinet where the decision about the new Bill will be taken. If the hon. speaker were to waive certain rules, I can assure the hon. Members that either on 13th or on 14th we will be able to introduce the Bill.

[*Translation*]

SHRI MADAN LAL KHURAJIA: Please tell us when the elections will be held in Delhi.

SHRI S.B. CHAVAN: It does not relate to elections.

SHRI MADAN LAL KHURANA: The Bill has been passed and the Voter's list has been prepared. The Chief Election Commissioner has said that he will hold elections as and when the orders are issued by the Home Ministry. You should at least hold elections in Delhi.
(*Interruptions*)

[*English*]

SHRI RAM NAIK: I have raised a point of order Sir.

MR. CHAIRMAN: You did not say it is a point of order. You said that the Minister should reply. If it is a point of order, I rule it out because the word sufficient has not been defined anywhere in the said direction. The statement about withdrawal is not such a serious thing that more than this notice is required. Under the circumstances giving notice given in the morning is sufficient. Now I put the motion to the vote of the House.

The question is:

"That leave be granted to withdraw a Bill further to amend the Delhi Municipal

Corporation Act, 1957."

The Motions was Adopted

SHRI S.B. CHAVAN: I withdraw the Bill.

MR. CHAIRMAN: The House shall now take up Matters under Rule 377. Shri Vasant Pawar.

13.04 hrs.

MATTERS UNDER RULE 377

(i) **Need for widening of Bombay Nasik Pimpalgad Baswant portion of National Highway No.9**

[*English*]

DR. VASANT NIWRUTTIPAWAR (Nasik): Nasik, a pilgrimage centre of Kumbhmela is growing in the field of industry and agriculture. The holy place of Shirdi Saibaba is about 90 kms. away from here. Hence there is tremendous traffic by road and rail. I request the Central Government to undertake widening of National Highway No.4, from Bombay-Nasik-Pimpalgach Baswant. The construction of four lane of the National Highway is necessary. The Government of Maharashtra has also requested the Central Government in this regard.

I, therefore, request the Central Government to undertake the work for widening of Bombay-Nasik Pimpalgaon Baswant National Highway No.4.

(ii) **Need to sanction more funds for early commissioning of Thermal Power Plant at Suratgarh Tehsil of Sriganganagar district, Rajasthan.**

[*Translation*]

SHRI MANPHOOL SINGH (Bikaner): Mr.