

Banking Service Commission so that the needs of officers and all such things can be discussed also. I raised this question that sometimes if you recruit some one from the South and post him to Punjab....

SHRI SONTOSH MOHAN DEV (Silchar) : Think of the national integration.

PROF. RUP CHAND PAL : That is good. But from my own experience I can say that if a man who cannot understand the language of a particular region, how can he understand the needs of the particular people ?

SHRI JANARDHANA POOJARY : Even as per the existing system, it is done on an All India basis. In order to avoid all these things we can have postings made regionwise. Now the power has been taken by this Commission. When these people will be recruited on an All India basis, in order to avoid duplication, we have come up with the centralised Commission. As I have stated, our people, particularly graduates—educated people used to appear before seven, eight or ten recruitment Boards. You can understand the expenditure involved also. They have to pay the entry fee, admission fee and all these things. This is being avoided. There will be one centralised Commission. If some officers are recruited, we can think of posting those people regionwise. (*Interruptions*)

MR. DEPUTY-SPEAKER : The question is :

“That the Bill to provide for the establishment of a Commission for the recruitment and selection of officers for appointment to services and posts in public sector banks and for matters connected therewith or incidental thereto, be taken into consideration.”

The motion was adopted.

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

MR. DEPUTY-SPEAKER ; The ques-

tion is :

“That Clauses 2 to 34 stand part of the Bill.”

The motion was adopted.

Clauses 2 to 34 were added to the Bill.

MR. DEPUTY-SPEAKER : The question is :

“That Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted.

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

MR. DEPUTY-SPEAKER : The minister may now move that the Bill be passed.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI JANARDHANA POOJARY) : I beg to move :

“That the Bill be passed.”

MR. DEPUTY-SPEAKER : The question is :

“That the Bill be passed.”

The motion was adopted.

20.32 hrs.

DELHI RENT CONTROL (AMENDMENT) BILL

THE DEPUTY MINISTER IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAMMED USMAN ARIF) : I beg to move :

“That the Bill further to amend the Delhi Rent Control Act, 1958, be taken into consideration.”

The Delhi Rent Control Act, 1958 provides for the control of rents and evictions and of rates of hotels and lodging houses,

[Shri Mohammed Usman Arif]

and for the lease of vacant premises to Government, in certain areas in the Union Territory of Delhi. Chapter VI of the Act provides for appointment of Controllers and their powers and functions and appeals. Landlords or tenants prefer their cases for redressal of grievances under this Act to the courts of the Rent Controller or the Additional Rent Controller. At present there is one Rent Controller and six Additional Rent Controllers in Delhi. For dealing with the appeals arising out of the orders of the Rent Controller/Additional Rent Controllers, there is one Rent Control Tribunal and every appeal is preferred to the Tribunal under section 38 of the Act. There is no provision for appointment of Additional Rent Control Tribunals.

It had been noticed of late that a large number of appeals are pending in the Rent Control Tribunal; and the single Rent Control Tribunal has not been able to cope with these appeals, which results in delay in the finalisation of the appeals and justice

20.33 hrs.

(SHRI MOOL CHAND DAGA *in the Chair*)

delayed is justice denied. The Delhi High Court has also said that the number of appeals pending with the Tribunal is very large.

Keeping in view the difficulties experienced by the Delhi High Court and to expedite the finalisation of the appeals pending with the Tribunal, it is proposed to amend the Delhi Rent Control Act, 1958 to provide for the appointment of Additional Rent Control Tribunals. Accordingly, section 38A has been inserted in the Act and powers have also been vested in the Delhi High Court for transfer of appeals from one Tribunal to Additional Tribunals etc. under section 38B now inserted in the Act.

Opportunity has also been availed of to amend the provisions relating to the laying of rules before Parliament to give effect to the recommendations of the Committees on

Subordinate Legislation of the Houses of Parliament. It has been recommended by the Committee on Subordinate Legislation that there should be a uniform law relating to the laying of rules before both the Houses of Parliament for a period of 30 days comprising in one session or two or more successive sessions. With these words, I move the Bill for consideration.

Sir, I beg to move :

"That the Bill further to amend the Delhi Rent Control Act, 1958, be taken into consideration."

MR. CHAIRMAN : Motion moved :

"That the Bill further to amend the Delhi Rent Control Act, 1958, be taken into consideration."

Shri Sushil Bhattacharyya.

SHRI SUSHIL BHATTACHARYYA (Burdwan) : Mr. Chairman, Sir, the Bill was actually brought in the year 1980 and we are discussing this Bill in the month of May, 1984. It is better late than never.

Section 38 of the Delhi Rent Control Act provides for a single Rent Control Tribunal and that too to be appointed by the Central Government. Since hundreds of cases have been pending much to the distress of the aggrieved parties and there being no provision for appointment of Additional Tribunals, an amendment of the Act becomes necessary. The Subordinate Legislation Committees of both the Houses of Parliament also recommended for the setting up of additional Tribunals.

As the amendment of Sections 38, 39, 40 and 56 imply speedy disposal of the appeals and as there is no extra expenditure, I feel that the proposed Bill, if amended suitably, will help the tenants as well as the house-owners. As such, I support the Bill but with a few reservations.

Firstly, there is no time-limit for the disposal of the cases and therefore the cases may drag on appeal and the main purpose of the Bill will be defeated.

Secondly, the existing District and Sessions judges will be appointed in the Additional Tribunals, as it is proposed in the Bill. But the District and Sessions Judges are already over-burdened with the District and Sessions court cases. So, only their appointment will not help to ease the situation prevailing now.

Thirdly, the cases of small house-owners, who want their houses for self-occupation have been left out but compassion and other human factors demand such consideration.

Now, Sir, rent is connected with housing and the problem of housing is more acute in this capital city of Delhi. There are many industrial and commercial concerns in and around Delhi. As such, a large number of employees of these industries and commercial concerns live in the city. But the industrialists and the commercial concerns do not provide any quarters for these employees. Moreover, the Government itself is not in a position to provide quarters for all its employees. So, in a situation like this, the house-owners take full advantage of shortage of houses. (*Interruptions.*)

20.40 hrs.

(MR. DEPUTY-SPEAKER *in the Chair*)

In a situation like this, the house owners take full advantage of the shortage of house and fix rents at their sweet will. The consequence is disputes arise between the tenant and the house owners that lead them to court thereby increasing in its turn the number of pending appeals.

Moreover, renting a house means remunerative profit at a minimum risk and businessmen are becoming more interested in investing money in building houses than in industry. Money thus invested is beyond the arm of the Government and leads to evasion of income-tax. Such diversion of money which deprives industry and adds to black money, should be curbed by the Government and effective measures should also be taken to stop the prevailing practice or *pagri* or any advance in any form to be paid by the tenants to the house owners at

the time of renting a house.

Before I conclude, I urge upon the Government to restrict business to limited areas and take up the housing projects in a phased manner so as not only to provide quarters to its own employees but also to the people in general as also compel the managements of the industrial and commercial concerns to build houses to provide accommodation for their employees also.

These measures will ease the situation, if not resolve it fully.

श्री मूल चन्द डागा (पाली) : आप हमें यह बतलाइये कि दिल्ली में रेंट कंट्रोलर कितने हैं ? इन कंट्रोलर्स के पास कैसेज कब से पेंडिंग हैं और कितने कैसेज पेंडिंग हैं ? आज दिल्ली में सवाल यह है कि कंट्रोलर्स कम हैं, कंट्रोलरों के पास पेशियां बहुत ज्यादा हैं। एक कंट्रोलर एक केस को डिसाइड करने में पांच-सात साल लगा देता है, जिसके कारण यह परेशानी है। पहले इसका परपञ यह था कि जो किरायेदार होते थे, उनकी रक्षा करता था, लेकिन आज क्या हो गया है— यह खिचड़ी एकट बन गया है, अब यह किरायेदार ही नहीं, मकानदारों की, मकान-मालिकों की भी रक्षा करने लगा है। आपके पास कंट्रोलर कम हैं जिसकी वजह से वे डे-टु-डे हीयरिंग नहीं लेते हैं और जो मालिक हैं उनकी हालत क्या है, इसके आंकड़े सदन के सामने दीजिये। हमें बतलाइये कि कितने कैसेज पेंडिंग हैं और कंट्रोलर कितने महीनों में मामले को तय करता है।

SHRI M. RAMANNA RAI (Kasaragod) : Mr. Deputy-Speaker, The problem in Delhi and suburban areas is lack of residential facility for the people. In view of that, many people came forward and constituted a cooperative group housing societies and now they are waiting for the allotment of land by the Government. My request to the hon. Minister in particular is, in order to give facilities to the people in this city and to help them build and own their own houses, the Government should expedite allotting land to the Cooperative Group Housing Societies.

With these words, I conclude.

श्री अटल बिहारी वाजपेयी (नई दिल्ली) : कम से कम मंत्री जी इतना तो बतलायें कि जो बिल 1980 में आता था, वह 198- में क्यों आ रहा है ? यह देर-आयद-दुरुस्त-आयद वाली बात नहीं है। आप पालियामेंट सेशन को जिम तरह से काम करते जा रहे हैं, यह उसका नतीजा है कि लेजिस्लेशन पड़े रहते हैं, पालियामेंट के सामने नहीं आते, उन पर विचार करने का समय ही नहीं मिलता। आप फंसला कीजिये कि पालियामेंट के सेशन को बढ़ाया जायगा, घटाया नहीं जायगा।

दूसरी बात अकेले ट्रिब्यूनल बढ़ाना काफी नहीं है। यह सही दिशा में एक कदम है लेकिन रेंट कंट्रोल पर फिर से विचार करने की जरूरत है। जो आदमी अपना मकान बनाता है और किराए पर दे देता है, अगर वह खुद रहने के लिए मकान चाहता है तो उसे नहीं मिलता। यह ठीक है कि जब उसने मकान बनाया तो वह उसका मालिक था, लेकिन किराए पर देने के बाद अगर वह खुद मकान में रहना चाहता है तो उसके लिए इसमें कोई व्यवस्था नहीं है। मामले बहुत लम्बे लटक रहे हैं और जो कानून किराएदार की मदद के लिए बना था वह सबको परेशान कर रहा है। दिल्ली में तो यह गम्भीर समस्या है। यह तो आप पास करा लेंगे लेकिन एक पूर्ण और ब्योरेवार विवरण के साथ बिल लाने की आवश्यकता है, ऐसा हो तब तो बात समझ में आ सकती है।

संसदीय कार्य, खेन तथा निर्माण और आवास मंत्री (श्री बूटा सिंह) : उपाध्यक्ष जी, वाजपेयी जी ने कहा कि बहुत देर से अमेंडमेंट आ रहा है, लेकिन जो कारण उन्होंने बताया है, ऐसा नहीं है। पालियामेंट के सत्र कम नहीं हुए हैं। जितने सत्र पहले होते थे उतने ही अब होते हैं। एक दो दिन इधर उधर हो सकता है।

श्री अटल बिहारी वाजपेयी : हफ्तों का फर्क है।

श्री बूटा सिंह : ऐसा नहीं हुआ है। एक दो बार शायद बढ़ाया ही गया है। यह कहना कि हम पालियामेंट से डरते हैं और पालियामेंट को कम

कर रहे हैं, यह गलत है। इसमें सच्चाई नहीं है। हम पालियामेंट का पूरा सम्मान करते हैं। जितने सत्र हैं उतने ही चल रहे हैं। जितना बिजनेस इस पालियामेंट में हुआ है, शायद पहले इसके मुकाबले में नहीं हुआ होगा। यह मैं मानता हूँ कि इसमें देर हुई है, इस पॉइंटिकुलर अमेंडमेंट में, बहुत छोटा सा अमेंडमेंट है। जैसी मांग की गई है कि एक कंफ्रेंसिव बिल, रेंट कंट्रोल बिल फार दिल्ली, आना चाहिए, इससे मैं बिल्कुल सहमत हूँ। आज जो स्थिति हाउस ओनर्स की है, उसको देखते हुए इसमें बहुत संशोधन की जरूरत है। बहुत कुछ करने की जरूरत है। उसके लिए एक बिल बिल्कुल कम्प्लीट तैयार है। उसको जल्दी से जल्दी लाया जाएगा। इसमें हाउस ओनर्स की जितनी दिक्कतें हैं, उनको ध्यान में रखा जा रहा है। यह तो छोटा सा अमेंडमेंट है। केसेज बढ़ रहे हैं, ट्रिब्यूनल कम है, इसके लिए सक्षेप में अभी इसको लाया गया है। मैं सोचता हूँ कि इसके ऊपर कोई आपत्ति बहीं होगी।

MR. DEPUTY-SPEAKER : One more information. Out of the total time available with us, we spend only 35 per cent on legislative business. If all the leaders sit and increase it to 50 per cent and devote the other 50 per cent to other matters, it would be better.

SHRI BUTA SINGH : Thank you very much, Sir, for giving this information. Mr. Vajpayee should also be happy to know that particularly in this Session we have been able to accommodate as many points or subjects suggested by the Opposition as we could. We would have liked to have more. At the cost of legislative business we have been accommodating the Opposition point of view because we also think that the points raised are of national importance and we must have them discussed in the House. That was also one of the reasons why the whole business got squeezed at the end. I am very thankful to the House for showing me this indulgence that at my request the House has been extending its sittings beyond normal hours.

SHRI MOHAMMED USMAN ARIF : Sir, I am thankful to the hon. Members that

they have given support to this Bill. I would, first of all, like to answer to the queries made by hon. Member Shri Daga. He has asked how many Rent Controllers and Additional Rent Controllers are there. There are one Rent Controller and six Additional Rent Controllers. The cases pending as on 30-9-1983 are 15,667....

SHRI ATAL BIHARI VAJPAYEE : Since how long are those cases pending ?

SHRI MOHAMMED USMAN ARIF : The hon. Member can very well understand that in courts time is taken ; for years, they must be pending.

But at present I cannot say from which period these cases are pending. That information is not available. That would be collected. ...

MR. DEPUTY-SPEAKER : Advocates like Mr. Daga ask for adjournments and hence delays occur.

SHRI MOHAMMED USMAN ARIF : With regard to the suggestions made by the hon. Members, I must say that a comprehensive Bill is coming in which all the suggestions given by the hon. Members will be considered.

The present amendment is so simple. It is only regarding the Rent Control Tribunal because one Tribunal could not cope with the appeals pending before them. We have made a provision for other Tribunals. About the other points, I may assure the hon. Members that a comprehensive Bill is coming.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Delhi Rent Control Act, 1958 be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 1—Short Title

Amendment made :

Page 1, line 4, —

for "1980" substitute "1984" (2)

(Shri Buta Singh)

MR. DEPUTY-SPEAKER : The question is :

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made :

Page 1, line 1, —

for "Thirty-first" substitute "Thirty-fifth" (1)

(Shri Buta Singh)

MR. DEPUTY-SPEAKER : The question is :

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

**THE DEPUTY MINISTER IN THE
MINISTRY OF WORKS AND HOUSING
(SHRI MOHAMMED USMAN ARIF) :**
I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

20.52 hrs.

MERCHANT SHIPPING (AMENDMENT) BILL

**THE MINISTER OF SHIPPING AND
TRANSPORT (SHRI K. VIJAYA BHASKARA REDDY) :** With your permission, I would like to say a few words while mov-