

Reports and Minutes. (Hindi and English versions) of the Committee on Public Undertakings :-

- (i) Sixty-fifth Report on National Fertilizers Limited and Minutes of the sittings of the Committee relating thereto.
- (ii) Sixty-ninth Report on Action Taken by Government on the recommendations contained in the Forty-fourth Report of the Committee on Bharat Heavy Electricals Limited.

12.19 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Reported acquisition of fertile agricultural land of villages nearby Delhi at unreasonably low rate and its sale by DDA at excessively high price

SHRI RAJESH PILOT (Bharatpur) : I call the attention of the Minister of Works and Housing to the following matter of urgent public importance and request that he may make a statement thereon :

The reported acquisition of fertile agricultural land of villages near by Delhi at unreasonably low rate and its sale by Delhi Development Authority at excessively high price causing imbalance in prices of land and leading to great harassment to farmers by depriving them of their only source of livelihood.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS, SPORTS AND WORKS
AND HOUSING (SHRI BUTA SINGH) :
Mr. Speaker Sir, The agricultural lands of Delhi villages are being acquired for the planned development of Delhi so as to meet the demand of growing population in the capital city Under the Master Plan, which was prepared in the late fifties and which came into effect from the 1st September, 1962, the

urbanisable area upto 1981 cover about 1,10,000 acres. The area was expected to accommodate a population of about 45 lakhs people by the year 1981, which figure was subsequently revised to about 53 lakhs by adopting higher density criteria. According to the census of India 1981, the present population of Delhi is estimated to be 62 lakhs which includes an urban population of above 58 lakhs. As per the population projection worked out by the DDA, the Urban population of Delhi is likely to be of the order of 122 lakhs by the year 2001.

With Delhi's population growing at a fast rate, it is incumbent on the Government to find ways and means of providing proper shelter and services for the increasing population.

Under the scheme of large-scale acquisition development and disposal of land in Delhi, the Delhi Administration acquires the land required by the DDA under the Land Acquisition Act and places them at the disposal of the DDA for development purposes. Under the Land Acquisition Act 1894, the amount of compensation is determined in accordance with the provisions of Sections 23 and 24 of the Act which inter alia provides that in determining the amount of compensation to be paid for the land acquired, the market value of the land on the date of publication of the notification U/S 4 of the Act is to be taken into consideration. Over and above, the compensation assessed, 15% is paid as solatium in view of the compulsory nature of acquisition. Besides, interest is also paid in the old cases @ 6% per annum from the date of expiry of three years of the notification U/S 4 till the date of tender of payment of compensation awarded by the Collector. However, with a view to mitigate the hardship, the farmers whose lands are acquired, the Ministry of Rural Development has already introduced the Land Acquisition (Amendment) Bill 1982 in this Sabha on the 30th April 1982. It has already been provided in the Bill that the rate of solatium may be increased from 15% to 30%, and the rates of interest payable on the excess compensation awarded by the Court and on the compensation in cases where possession of the land is taken before payment of compensation are proposed to be

increased from 6% to 9%. I am sure that this august House will have enough opportunity to discuss the various issues when the Bill is taken up for consideration.

Apart from the compensation, the following benefits are also available to the persons whose lands have been acquired :-

(a) A residential plot in an approved colony to the extent of 40% of the land acquired or 250 sq. yds whichever is less at pre-determined rates subject to the availability of land.

(b) to enable the dispossessed landholders to earn their livelihoods, 10% of the shops constructed by the DDA are allotted to them at pre-determined rates by draw of lots.

It is no doubt, true that in a few cases, the DDA has auctioned plots which fetched high rates whereas the cost of acquisition was very low. As per the scheme of large scale acquisition development and disposal of land in Delhi, the general mode of disposal of land is by auction. However, to achieve the social objectives of the scheme, residential plots upto 200 sq. yds. are allotted to low income group and middle income group at no profit no loss rates. The DDA has intimated that the percentage of plots sold by auction is less than 4% of the total disposal of plots by DDA. The income derived from such auction is utilised to sustain cross subsidy for housing and also for institutional uses and social infra-structure apart from a general horticulture programme and other non-remunerative uses. Hence, the gains in auctions by the DDA should not be viewed in isolation but in the totality of the DDA's programme to provide houses to the economically weaker sections at a subsidised rates.

I may also mentioned in this connection that the Farmers Federation of India, New Delhi forwarded a memorandum dated 16th November, 1980 to the Petitions Committee against these acquisition. In its 12th Report submitted to this Sabha on 6th April, 1983, the above Committee after examining the

replies furnished by Ministry of Works and Housing has come to the conclusion that in the light of the factual comments furnished by Ministry of Works and Housing in connection with the proposed acquisition of land by the DDA and the provisions contained in the Land Acquisition (Amendment) Bill, 1982, no further intervention is required in the matter on their part.

I may also state here that the Government is always sympathetic to the needs and welfare of the farmers and the Government will do every thing possible within the provisions of the law to help the farmers. I hope that the proposed amendment to the Land Acquisition Act will go a long way in mitigating the hardships of persons whose lands are acquired.

SHRI RAJESH PILOT : Mr. Speaker, Sir, the hon. Minister is hoping very well that amendment to the Land Acquisition Bill will help the farmers and we only hope that the Bill will ever come.

When we, Members of Parliament, raise the Calling Attention the idea is not to call the attention of the hon. Minister to make a statement, but to call the attention of the Government to the fact that this is very urgent and they must do something about it. That is the idea. On this subject I myself have moved two Call Attention motions in the last one year - - - one Call Attention was moved in the last Session and the hon. Minister had promised at that time that 'we will, at least, when we acquire further such type of land, make sure that farmers are not harassed. And to that extent details were given to us, saying, at whatever rate we acquire and at whatever rate we sell off or auction, we will cut the development charge from the farmers and the rest of the money will go to the farmers.' That is the statement given by the hon. Minister at that time, Mr. Bhishma Narain Singh. But, anyway, nothing was done. So, we were forced again to call the attention of the Government on this subject and this time I hope that we are not compelled again after six months to raise the Calling Attention but the Government will certainly pay attention to this subject.

After going through the statement of the hon. Minister, I have a few questions, to ask.

The first question is : As on today at what rate are you acquiring land from the farmers and at what rate are you selling to the citizens of Delhi ? It is because if the rates are seen, you will not even believe, and I did not believe when the farmers complained that land purchased from them at 60 paise per sq. yard was being sold off at Rs. 600 per sq. yard. See the difference. If you are the owner of the land and the land is being acquired in your presence like that and is sold off at Rs. 600 per sq. yard, I do not know whether any person can even feel that he is a citizen of this country and see that things are being pulled away from him by force. And acquiring land in Delhi is something like you arrange an exhibition, people go jostling. And the Government is all out to acquire the land when the land which is already acquired is not utilised.

MR. SPEAKER : You are astonished that they are still living.

SHRI RAJESH PILOT : My first point is that we are just transmitting the feelings of the farmers, the people who have met us and who have complained to us. We want to transmit their feelings to the Governments. I would like to know from the hon. Minister at what rate he is acquiring land as on today, because I am told that the rate at Nangloi is still one rupee per square yard and you can just drive down to Nangloi and see the colonizers and ask them the rate. It is touching between Rs. 600 and Rs. 700 per square yard. If this is the difference in front of the farmer that this land will be acquired at 60 paise or one rupee per square yard and will be sold off there itself at Rs. 600, what will be the feeling of the person ? So, I would like to know very clearly at what rate, with the knowledge of the hon. Minister, the land is being acquired and at what rate it is sold off.

The second point is that whenever the land is acquired, lot of assurances are given that 'you will be re-settled, your families

will be looked after, you will be given employment, you will be given a house plot or you will be given a commercial plot'. I would like to tell the hon. Minister that there are nearly 150 villages in my knowledge - - - it could be more - - - which have been affected by acquiring such lands. Have you monitored till today as to how many people have been affected by this, how many have been settled and how many have not been settled ? If the House could be told that so many people have been affected and they have been able to settle so many, so many are left out....

MR. SPEAKER : Not only monitoring, but there should be guarantee.

SHRI RAJESH PILOT : I will ask about the guarantee in the end.

Have they monitored the implementation of policy of acquiring these lands from the poor farmers ? How much have they been helping them ? The hon. Minister has said in his statement that the population of Delhi is increasing and they have to give them houses. I agree with him. It is the duty of the Government to give them accommodation. When you acquire land for accommodation purposes, it is something different. When you acquire land for commercial purpose, that is something different. When you are to construct commercial flats or markets, does your rate differ ? Your rate remains the same. It may be for commercial purposes or for housing purposes. You acquire @ Rs. 1/- per sq. yd. but you are selling commercial plots at a very very high rate. The interest of the farmer has been neglected. Is there any difference in policy when you acquire for housing purposes and when you acquire for commercial purposes ? You are selling these two at different prices by different procedures.

श्री हरोश कुमार गंगवार (पीलीभीत):

किसानों को दिल्ली में लूटा जा रहा है ।

SHRI RAJESH PILOT : Orders have been issued that lands in such and such villages will be acquired. Nangloi is one such village. Their delegation has met us.

They say that they are being given Rs. 1/- per sq. yd. Government may be getting Rs. 1000/- per sq. yd. Is it a fact that you are acquiring land in Nangloi @ Rs. 1/- per sq. yd.

श्री मनोराम बागड़ी (हिसार): नांगलोई ही रहीं, सारे इलाके में इसी तरह से किसानों को लूट कर खा गये ।

SHRI RAJESH PILOT : In how many villages is land being acquired and for what purpose? Statement has been made that Master Plan compelled us to acquire land. You go round any corner of Delhi. Land has been acquired. You just go to Ghaziabad side. Land was acquired five years ago. There is no planning for construction. There is no construction at all. The very same land could have given us crops, had that not been acquired. Is there any policy? Is there any time limit for the Government to implement the Master Plan? It is a national loss. We are running short of foodgrains.

When you acquire land for commercial purpose, is it the Government policy to share profit on sale with the land owners after deducting development charges? You are supposed to give him commercial plot of 500 sq. yds. In how many cases have you done so? There is a complaint that the poor farmer has not been given plot to earn his livelihood. In how many cases have you allotted such plots and in how many cases has such an allotment not been made?

On 30th April, 1982 a Bill had been introduced in Parliament and so many assurances had been given-till such time that the Bill is passed Government will not acquire land and protect the right and interest of the farmers. If the Bill does not get approval for ten years, will you carry on acquiring land at a lower rate and selling at Rs. 603-per sq.yd? You may please give us an assurance that till the Bill is passed, you will have a procedure by which the interest of the farmer is protected. Or you will give us commitment that by date so and so and year so and so you will get the Bill passed.

These are the few questions. But I would request the hon. Minister to give a firm commitment on this. It is a very important subject for the farmers. That is the only property they have got. Once land is acquired, nothing is left with them. When the land is acquired, money is also given in instalments and not lump sum. People have no livelihood and ultimately they become bad characters. Ultimately, it affects the national character. I would request the hon. Minister to give a very firm commitment and give us assurance that he would not let us feel the necessity to have any more call-attention on the subject.

MR. SPEAKER : You mean, categorical assurance?

श्री मनोराम बागड़ी : आपने बहुत अच्छी बात रखी है। ये जो बिरला, टाटा और मोदी के फार्म हैं, इनको आप लेते नहीं हैं और किसानों को मार रहे हैं ।

SHRI BUTA SINGH : Sir, I am very grateful to my hon. friend. Shri Rajesh Pilot on having raised the matters of vital importance for the farmers.

But as I mentioned in the main statement, there are certain regulations under the existing law and those regulations are in force. Beyond that, it will not be possible for the Government to make a commitment as he has tried to seek from me. I will try to answer the queries that he has raised through his supplementaries.

श्री मनोराम बागड़ी : इस पर अमेंडमेंट आना था ।

श्री बूटा सिंह : अमेंडमेंट है ।

श्री मनोराम बागड़ी : सारे हाउस ने विश्वास किया था ।

अध्यक्ष महोदय : वह जब भी बिल लाने की बात थी, लेकिन बिल आया नहीं अभी तक उस बिल में से निकल कर ही आयेगा ।

(व्यवधान)

SHRI BUTA SINGH : I am sorry, my sister Ministry is not here. That is Rural Development. As advised by you, I have requested them,...

MR. SPEAKER : As Mr. Rajesh Pilot is after you, you should be after the Ministry of Rural Development.

SHRI BUTA SINGH : In your very presence, I asked my colleague and I also tried to persuade him that it should be expedited as quickly as possible. I would have gone on an athletic speed had it been with me. You know my speed, Sir.

MR. SPEAKER : Yes, you are an athlete.

SHRI BUTA SINGH : Various issues are raised by my hon. friend, Shri Rajesh Pilot. First question was what was the rate when the land was acquired and what was the rate when the land was disposed of. The information was relating to the rate at which the land was acquired in Delhi during 1978, 1979, 1980, and 1981 varies from Rs. 270 to Rs. 84000 per bigha. I may further explain that one bigha contains 1,008 square yards. This is the rate at which the land was acquired.

I will now tell you the rate at which the land was sold during 1978 to 1982. For the residential plot, the minimum per square metre was Rs. 176.81 and the maximum was Rs. 3768.68. It is in square metre now.

SHRI RAJESH PILOT : Sir, the hon. Member is telling us that he has acquired the land per bigha. When he is selling, it is per sq. metre. So, the intention is very clear.

SHRI BUTA SINGH : Sir, the pilots are always having ready recokner. Pilots are used to conversion from one frequency to the other.

We were able to sell the commercial plots and the minimum was Rs. 401 93 per sq. metre floor space and the maximum was Rs. 7396.86. The industrial plot was sold

and its minimum was Rs. 200 and the maximum was Rs. 2609.54.

Sir, the DDA has reported that the development cost varies from year to year. As it goes with the cost of various materials which are required for developing a particular area. As the prices of the materials that we have to use for development go on rising, the cost of development also keeps on varying.

According to the information that I have with me, during August, 1981 the development cost was Rs. 120 per sq. metre of the gross area which today works out to roughly about Rs. 480/-.

The second point is about the land so far acquired. According to the information supplied by the Delhi Administration and the DDA, the Delhi Administration have intimated that up to 28-2-83, the land measuring about 50,059 acres has been acquired.

About 45,469 acres of land has been transferred by the Delhi Administration to DDA for development.

The Delhi Administration could not take possession of the remaining land as they are built up and are under stay orders and hence it is not feasible to lay down any time-limit.

Out of 45,469 acres of land placed at their disposal, the land has been developed for various schemes as indicated below :—

<i>Purpose for which allotted.</i>	<i>Acres of land developed.</i>
Residential	13,900
Residential (Resettlement)	7,180
Industrial	2,700
Commercial and institutional and Governmental	6,050

Commercial and institutional, which has been directly allotted by the Delhi Administration to various institutions also.	2,420
Recreational	7,110
<i>Under unauthorised use</i>	2,290
<i>Vacant land available for development.</i>	3,819
<i>Total</i>	45,469

There is a regular monitoring system with the DDA and also with the Delhi Administration. They keep on getting the returns from various localities where the lands are acquired and at what stage the development is. Sufficient care is taken that the people who are settled in the villages and whose lands are acquired are not put to hardship and they are allowed to grow their crops. Various crops are allowed to be grown till the land is actually developed. There is no apprehension on this account whatsoever. We are also equally concerned as my friend is to see that the farmers are not put to hardships.

(Interruptions)

A general notification is also published. Whenever the acquisition proceedings are to be started, there is a general notification which gives broadly the details of the various areas where the notification will be effected. I have given the break-up of various prices in the residential areas, in the commercial areas, in the industrial areas, in the recreational areas and also in the institutional areas.

The very very important question that he has raised is the passing of the Amendment Bill in the House. I have already mentioned and you are very well aware that I will again sit with my colleague, the Minister for Rural Development and see that these amendments which are so vital in the interests of the kisans in Delhi are taken into consideration preferably in this week.

SHRI RAJESH PILOT : The Hon. Minister has forgotten to give the information about the deputation from Nangloi village. They got only one rupee.

MR. SPEAKER : You can give sector-wise information.

SHRI BUTA SINGH : About this particular village, I will collect the information.

अध्यक्ष महोदय : आपके पास शायद कोई डेपुटेशन आया था। उसका क्या हुआ?

SHRI RAJESH PILOT : He has forgotten about this Nangloi village.

SHRI BUTA SINGH : About this particular village I will check up.

अध्यक्ष महोदय : उनको तो पता ही नहीं कि 12 आने या कितना दिया है ?

SHRI RAJESH PILOT : One rupee.

SHRI BUTA SINGH : I get the information from the hon. Member.

अध्यक्ष महोदय : इस तरह का बन्दोबस्त करे ताकि डबलपमेंट भी हो सके। That is the problem.

SHRI BUTA SINGH : All right, Sir. I will request the hon. Member to pass on that memorandum to me. I will check up.

SHRI RAJESH PILOT : My request is that the Minister is a sportsman and he is Minister for Sports also and he should not take this question as a sportsman but should take it very seriously.

MR. SPEAKER : Nowadays even sportsmen are very serious—I tell you. Otherwise, they cannot win.

SHRI BUTA SINGH : Sir, we do serious things smilingly.

अध्यक्ष महोदय : जो रोते हुए जाते हैं, वे मुर्दों की खबर लाते हैं। इसलिए हंसते रहना चाहिए।

श्री कृष्ण प्रकाश तिवारी (इलाहाबाद) : अध्यक्ष जी, आपकी अनुमति से मैं निर्माण और आवास मंत्री जी से दो तीन प्रश्न इस कार्लिंग अटेंशन पर पूछना चाहता हूँ। इन्होंने वक्तव्य दिया है कि भूमि अर्जन अधिनियम 1894 के अन्तर्गत धारा 23 और 24 के अनुसार मुआवज़ा निर्धारित किया जाता है। मैं यह जानना चाहूंगा कि 1894 के इस एक्ट को अभी तक इस आज़ाद भारत में क्यों लागू किया हुआ है। धारा 23 और 24 क्या हैं? उनके अनुसार आज देश की बदली हुई परिस्थिति में किसानों की या किसी की भी ज़मीन ली जाती है तो उसका मुआवज़ा क्यों निर्धारित होता है? यह भी कहा गया है कि जिस दिन सैक्शन चार के अन्तर्गत नोटिफिकेशन होगा, उसी तारीख को मुआवज़ा दिया जाएगा। दिल्ली में 34 हजार एकड़ ज़मीन के लिए सैक्शन चार के अन्तर्गत 1959-60 में नोटिफिकेशन हुआ है। लेकिन 1977 और 80 में उनको मुआवज़ा मिल रहा है। मार्किट वैल्यू उनको मिल रही है। 1959-60 में जब नोटिफिकेशन हुआ है, वह किसानों के साथ और जिनकी ज़मीन ली गयी है, उनके साथ बहुत बड़ा अन्याय है। नोटिफिकेशन के 20 वर्ष बाद आप जानते हैं कि ज़मीन के मूल्य किस गति से बढ़ते जा रहे हैं। उनको 6 या 9 परसेंट ब्याज देकर संतुष्ट नहीं किया जा सकता। मैं समझता हूँ, यह उनके साथ न्याय भी नहीं है। जिस दिन किसानों को मुआवज़ा मिले उस दिन जो मार्किट वैल्यू हो, उस मार्किट वैल्यू से मिलना चाहिए तभी यह न्याय-संगत होगा। जो समाजवादी समाज की स्थापना करने का इरादा हम लोगों का है, वह तभी उसके अनुकूल होगा।

दिल्ली डेवलपमेंट अथॉरिटी का 1982-83 का तीन अरब एक करोड़ और 76 लाख का बजट है उसमें से केवल चार करोड़ 75 लाख रूपए शहरी गांवों के पर्यावरण के सुधार के लिए खर्च करने का प्रावधान किया गया है। जबकि, शहरी गांवों में पूरी दिल्ली की 62 लाख की आबादी है जिसमें 58 लाख नगरीय आबादी और चार लाख ग्रामीण क्षेत्र की आबादी है। इस अनुपात को आप देखेंगे तो यह पायेंगे कि जो चार करोड़ 75 लाख रूपए शहरी गांवों में खर्च करने का प्रावधान किया गया है, वह बहुत कम है। आबादी के अनुपात से तो बहुत ही कम है;

12.44 hrs.

(MR. DEPUTY SPEAKER *in the Chair*)

डवलपमेंट चार्ज 480 रूपए पर स्क्वेयर यार्ड है और दो वर्ष पहले 80 रूपए और 120 रूपए पर स्क्वेयर यार्ड था। मैं यह जानना चाहता हूँ कि दो वर्ष में डवलपमेंट चार्ज इतना कैसे बढ़ गया? मैं माननीय मंत्री जी से निवेदन करूंगा कि अगर वे अधिकारियों के साथ बैठकर जोड़ें तो पायेंगे कि यह जो 480 रूपए डेवलपमेंट चार्ज दिखाया जा रहा है, वह बहुत ज्यादा है। इतना डेवलपमेंट चार्ज होता ही नहीं है।

शर्मा इस सम्बन्ध में अपना अनुभव इलाहाबाद का बताना चाहता हूँ कि वहां इलाहाबाद डेवलपमेंट अथॉरिटी ने ऐसे ही डेवलपमेंट चार्ज बहुत ज्यादा दिखाया था और उस समय के मुख्य मंत्री जो सौभाग्य से सदन में बैठे हुए हैं कामर्स मंत्री की हैसियत से जब उनकी चैम्बर में जोड़ा गया था तो केवल 7 रु० प्रति स्क्वायर यार्ड आया था, लेकिन उन्होंने 52 रु० लगाया था। अगर यहां भी पूरा खर्चा काट कर के जोड़ा जाय तो 480 रु० प्रति वर्ग गज बहुत ज्यादा है और इसको निश्चित रूप में

कम किया जा सकता है जिससे जिन लोगों को फ्लेट या ज़मीन मिली है उनको राहत मिल सकती है।

मुख्य रूप से डी०डी०ए० मुमि में मुनाफ़ाखोरी रोकने के लिये बनाया गया था, लेकिन आज डी०डी०ए० या राज्यों में इसी के समक्ष जो भी अथोरिटीज़ हैं वह सबसे ज़्यादा मुनाफ़ाखोर साबित हो रही हैं जब कि व्यक्तिगत लोग इतना मुनाफ़ा नहीं ले रहे हैं, जितना कि डी०डी०ए० ले रहा है अपने डेवलपमेंट का खर्चा बढ़ा कर के। इसलिए मेरा मत है कि 480 रु० प्रति वर्ग गज डेवलपमेंट का खर्चा बहुत ज़्यादा है, इसको जोड़ कर के सही डेवलपमेंट चार्ज रखा जाना चाहिये।

अन्त में मेरा निवेदन है कि संसदीय लोक लेखा समिति ने अपनी पिछली रिपोर्ट में दिल्ली विकास प्राधिकरण के कार्यकलाप की आलोचना की थी। लोक लेखा समिति ने सवाल उठाया था कि दिल्ली विकास प्राधिकरण ने व्यावसायिक प्लानों की नीलामी कर के न केवल ज़मीन की कीमत बेतहाशा बढ़ाता है, बल्कि मास्टर प्लान में जो जगह खाली छोड़ी गई थी, रिहायशी क्षोत्र माना गया था वहां पर 5 वर्ष में 14 हजार उद्योगों को चालू कर दिया है जो प्राधिकरण के अधिकारियों की मिलीभगत से ही सम्भव हो सकता है। रिहायशी मकान जहां दिखाये गये थे, जो जगह आवंटित की थी वहां इंडस्ट्रीज़ बन गई और इससे भी बहुत ज़्यादा मुनाफ़ा डी० डी० ए० ने कमाया है।

जैसा मैंने पहले कहा था विकास का खर्चा 120 रु०, 180 रु० से 480 रु० हो गया, लेकिन किसानों को जो मुआवजा दिया जा रहा है वह जब नोटिफिकेशन हुआ 1959, 1960, 1961 में उसी दर से आज भी दिया जा रहा है।

इस कानून में परिवर्तन किया जाय और किसानों को मुआवजा उस समय की दर से दिया जाय जब उनको वास्तव में मुआवजा दिया जा रहा हो। नोटिफिकेशन की तारीख से मुआवजा देना उनके हित पर कुठाराघात है।

श्री बूटा सिंह : उपाध्यक्ष जी, माननीय सदस्य ने कहा कि इस 1894 के पुराने कानून को अभी तक क्यों नहीं बदलागेया? मैंने इससे पहले कहा कि इस सदन के सामने एक अमेंडमेंट बिल आ रहा है जिसमें कि बहुत सीधे तौर पर इसमें संशोधन आ रहे हैं जिस पर माननीय सदस्यों को अपने विचार व्यक्त करने का मौका मिलेगा। अपने सहयोगी से बात कर के अति शीघ्र इस सदन में उस अमेंडमेंट बिल को लाने की कोशिश करेंगे।

माननाय सदस्य ने पूछा है कि लैंड एंक्वी-ज़ीशन ऐक्ट दिल्ली का जो है उसकी धारा 23, 24 और 4 में क्या है? मैं बताना चाहता हूँ कि धारा 4 के अन्तर्गत है प्रीलिमिनरी इन्वेस्टी-गेशनस :

Section 4 (1) of the Land Acquisition Act, 1894 says :

“Whenever it appears to the appropriate Government that land in any locality is needed or is likely to be needed for any public purpose, a notification to that effect shall be published in the Official Gazette, and the Collector shall cause public notices of the substance of such notification to be given at a convenient place in the said locality.”

4 (2) Thereupon it shall be lawful for any officer, either generally or specially authorised by such Government in this behalf, and for his servants and workmen,-

to enter upon and survey and take levels of any land in such locality ;

to dig or bore into the sub-soil ;

to do all other acts necessary to ascertain whether the land is adapted for such purpose ;

to set out the boundaries of the land proposed to be taken and the intended line of the work (if any) proposed to be made thereon ;

to mark such levels, boundaries and line by placing marks and cutting trenches ;

and, where otherwise the survey cannot be completed and the levels taken and the boundaries and line marked, to cut down and clear away any part of the standing crop, fence or jungle :

Provided that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling house (unless with the consent of the occupier thereof) without previously giving such occupier at least seven days' notice in writing of his intention to do so.)

Sir, these are the contents of Section 4. Now, I would like to quote Section 23 :

“23 (1) In determining the amount of compensation to be awarded for land acquired under this Act, the Court shall take into consideration-

first, the market-value of the land at the date of the publication of the notification under Section 4, sub-section (1) ;

secondly, the damage sustained by the person interested, by reason of the taking of any standing crops or trees which may be on the land at the time of the Collector's taking possession thereof ;

thirdly, the damage if any sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land ;

fourthly, the damage if any, sustained by the person interested, at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immoveable, in any other manner, or his earnings ;

fifthly, if, in consequence of the acquisition of the land by the Collector, the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change ; and

sixthly, the damage if any *bona fide* resulting from diminution of the profits of the land between the time of the publication of the declaration under section 6 and the time of the Collector's taking possession of the land.

(2) In addition to the market-value of the land, as above provided, the Court shall in every case award a sum of fifteen *per centum* on such market-value, in consideration of the compulsory nature of the acquisition.

Now, I will read out Section 24 :

“24. But the Court shall not take into consideration-

first, the degree of urgency which has led to the acquisition ;

secondly, any disinclination of the person interested to part with the land acquired ;

thirdly, any damage sustained by him which, if caused by a private person, would not render such person liable to a suit ;

fourthly, any damage which is likely to be caused to the land acquired, after the date of the publication of the declaration under section 6, by or in consequence of the use to which it will be put ;

fifthly, any increase to the value of the land acquired likely to accrue from the use to which it will be put when acquired ;

sixthly, any increase to the value of the other land of the person interested likely to accrue from the use to which the land acquired will be put, or

seventhly, any outlay or improvements on, or disposal of, the land acquired, commenced, made or affected without the sanction of the Collector after the date of the publication of the notification under section 4, sub-section (1)"

Sir, these are the various provisions contained in three sections of the Land Acquisition Act on which the hon. Member has kindly asked me to inform him. He mentioned that the price which should be paid to the farmer should be the price, on the day of payment, that is the market price.

I am afraid that after having read in detail, the provision of the Land Acquisition Act, the date is to be taken as the date on which the Notification was issued for the purpose of fixing the market price of that particular area. When we determine the market price of a particular plot, it is to be seen that it is in comparison with the plot of land of the same quality. You cannot say that a particular plot is situated nearby an industry or a plot is situated near a market and if the market rate of that particular area on that particular date, that is, on the Notification date, is at variance with the price which has been fixed by the collector then it has also to be taken into account that the plot which is put for determining the price is to be of the same quality. If it is an agricultural land, it has to go with norms fixed for determining the price for agricultural land and if it is described as non-agricultural land, it is to be considered in a different manner for the fixation of its price. The situation of the area is also taken into account for determining particular piece of land at the given date. But it is the date of Notification and not the

date of taking the possession of that particular plot which is taken into account for fixing the price of that particular plot.

माननीय सदस्य ने कहा है कि दिल्ली डेवलपमेंट एथारिटी में डेवलपमेंट के लिए केवल 4 करोड़ रूपया रखा गया है। मैंने अभी डीटेल में यह अध्ययन नहीं किया है कि दिल्ली डेवलपमेंट एथारिटी में किस किस एक्टिविटी के लिए कितना कितना पैसा रखा गया है, लेकिन मैं माननीय सदस्य को कह सकता हूँ कि दिल्ली डेवलपमेंट एथारिटी को डेवलपमेंट के लिए जितना पैसा चाहिए, उतना उसके पास उपलब्ध हैं। लेकिन वह डेवलपमेंट का काम फ़ेज़िज़ में करता है। ऐसा नहीं होता है कि अगर आज 500 या 5000 एकड़ ज़मीन एक्वायर की जाए, तो उस पूरी ज़मीन पर डेवलपमेंट शुरू हो जाए। देखना पड़ता है कि कौन सी ज़मीन इसके लिए उपलब्ध है। मैंने माननीय सदस्य, श्री पायलट, के प्रश्न के उत्तर में कहा है कि बहुत सी ऐसी भूमि है, जो स्टे आर्डर के अधीन आ चुकी है, जिसपर हम लैंड एक्वीज़ीशन के तहत कार्यवाही कर चुके हैं, लेकिन उसपर डेवलपमेंट नहीं हो सकता, क्योंकि उसके बारे में अदालत का हुक्म हमारे सामने है। जब तक स्टे आर्डर ख़त्म नहीं हो जाता, तब तक उसका डेवलपमेंट नहीं हो सकता।

इसके अलावा और भी बातें हैं। जैसे रोड डेवलपमेंट है, स्युअर है। अगर कनेक्टिंग स्युअर न मिले तो हम आइसोलेशन में स्युअर कायम नहीं कर सकते, उसके लिए फुलस्केल स्टक्चर और लिंकिंग सर्विसिज़ होनी चाहिए। यह कोशिश की जा रही है कि जो एरिया एक्वायर किया जाता है, उसके फ़ेज़िज़ में जल्दी से जल्दी डेवलप किया जाए। सदन को यह जान कर खुशी होगी कि जिस स्केल पर और जिस गति से दिल्ली डेवलपमेंट एथारिटी

ने दिल्ली में हाउसिंग के लिए अरबन लैंड ऐवेलबल की है खासकर पिछड़े लोगों के लिए, कमजोर वर्गों, इकानोमिकली वीकर सेक्शनज़, के लिए, उस स्केल पर और उस गति से देश के किसी भी मेट्रोपालिटन सिटी में नहीं हुई है। इस बारे में माननीय सदस्यों को किसी प्रकार की शंका और चिन्ता नहीं होनी चाहिए।

माननीय सदस्य ने पूछा है कि डेवलपमेंट चार्जिज़ में बढ़ोतरी क्यों हुई है, जो आज से तीन चार साल पहले 120 रूपए थी और अब 480 रूपए है। मैंने 480 रूपए नहीं कहा है। माननीय सदस्य शायद कहीं से गलत खबर लाए हैं। मैंने शायद 418 रूपए कहा है। मैंने कहा है कि सीमेंट और लोहे की कीमतें बढ़ी हैं, लेइंग आफ़ रोडज़, पुटिंग दि स्युअर्ज और हास्पिटल्ज़ बनाने में ज़्यादा खर्चा होता है।

The cost of material is increasing and we have to keep in mind the market prices of all these materials. That is why the cost of developing the land for housing is also increasing. It is not abnormal. When you study the general price situation in Delhi, you will find the difference. You cannot compare Delhi with Allahabad. When I say this, it does not mean that I do not like that place. I like very much Allahabad. I have respect for that place. It has got rich cultural heritage and it is a historical place. But the cost of living standard in Allahabad cannot be compared with that of Delhi. It is much less than what it is in Delhi.

इलाहाबाद में एक रूपए के कितने ही किलो अमरूद आ जाते हैं जबकि दिल्ली में वे 6, 7 रूपए किलो भी नहीं मिलते हैं। आप इलाहाबाद को दिल्ली से कैसे कम्मेयर कर सकते हैं? इलाहाबाद का अमरूत दुनिया भर में मशहूर है। वह बड़ा सुर्ज और मीठा होता है।

(व्यवधान)

तिवारी जी लाते तो नहीं हैं लेकिन सुना है बड़ा जूस निकलता है उसमें।

The cost of land in Allahabad has to be at variance with that in Delhi because Delhi cost is increasing for so many reasons. It is the capital city; the concentration of population is increasing and the people are making alternative uses of land in Delhi. Therefore, this cannot be compared with Allahabad.

जैसा मैंने अर्ज किया, यह बढ़ोत्तरी जो हो रही है वह प्राइस इंडेक्स के साथ साथ हो रही है। फिर भी जैसा आपने आदेश दिया है, मैं अफसरों के साथ बैठ कर देखूंगा कि अगर इसमें किसी किस्म की कोई असंगति हुई है तो उसको दूर करने की कोशिश की जाए।

आपने कहा है कि डी डी ए मुनाफाखोरी बहुत करती है लेकिन मैं इसको मानने के लिए तैयार नहीं हूँ। सिर्फ इतना ही नहीं है कि डी डी ए हाउसिंग के लिए प्लॉट डेवलप करके दे दे बल्कि जब डेवलपमेंट हो जाता है तब पार्क्स, स्कूल्स, हास्पिटल्स और जन सुविधा की दूसरी चीजें भी बनानी होती हैं लेकिन इन चीजों को कभी किसी ने जोड़ा नहीं। डी डी ए जो राहत के काम करती है उनको भी अगर एकायुन्ट में लिया जाए तो मैं नहीं समझता डी डी ए कोई मुनाफाखोरी कर रही है बल्कि वह बहुत अच्छे तरीके से दिल्ली की जनता की सेवा का काम कर रही है।

आपने यह भी जिक्र किया कि पब्लिक एकाउन्ट्स कमेटी ने डी डी ए की कुछ आलोचना की है। पी ए सी ने अपनी 104 वही रिपोर्ट में लैंड एक्वीजीशन के सम्बन्ध में जो कहा है (चूंकि यह कार्लिंग अटेशन इसी विषय पर है) उसी के ऊपर अपना जवाब सीमित रख रहा हूँ।

पब्लिक एकाउन्ट्स कमेटी ने अपनी आलोचना में तीन मुद्दे पेश किए हैं :

(a) Some specific period not exceeding two years within which the acquisition proceedings should be finalised right from the date of first notice.

(b) Market price of land should be paid to the owners on the basis of the prevailing price in the same or adjoining areas on the date of acquisition order.

(c) At least one plot at the pre-determined rate in the same area or in the vicinity should be given to the owners whose land has been acquired.

(d) At least one member of the family whose land has been acquired be provided with suitable employment.

जैसा कि मैंने कहा है, इस सदन के सामने लैण्ड एक्वीजिशन ऐक्ट में अमेन्डमेन्ट पेंडिंग है। मैं रूरल डेवलपमेन्ट मिनिस्टर साहब से चर्चा करके कोशिश करूंगा कि 30-4-82 को जो संशोधन विधेयक यहां पर पेश किया गया था उस पर जल्दी से जल्दी विचार किया जाए ताकि किसानों को राहत देने का काम हो सके।

पब्लिक एकाउन्ट्स कमेटी का जो पहला रिपोर्ट है उसके सम्बन्ध में मेरा इतना ही अनुरोध है कि लैण्ड एक्वीजिशन इसलिए भी हम करते हैं क्योंकि बहुत से जो दमर्यानी लोग हैं, प्रापर्टी डीलर्स हैं वे प्राइस स्पेकुलेशन करते हैं उनको रोकने के लिए भी एडवान्स नोटिफिकेशन फार एक्वीजिशन करना पड़ता है ताकि लैण्ड के लेनदेन का जो काम है उसको फ्रीज कर दिया जाए, रोक दिया जाए वरना जो समाजविरोधी मिडिलमेन हैं वह उस एरिया में चले जाते हैं और किसानों को लूटते हैं। उनको इसके लिए मौका देना जनहित में नहीं है। हम कोशिश करेंगे कि पब्लिक एकाउन्ट्स कमेटी ने जो

आदेश दिए हैं उनपर हम जल्दी असल करने की कोशिश करेंगे लेकिन जैसा मैंने कहा लैण्ड एक्वीजिशन प्रोसीडिंग्स में हम जल्दी इसलिए करते हैं ताकि उस एरिया में दमर्यानी लोग जाकर किसानों को लूट न सकें।

दूसरी बात आपने मार्केट प्राइस के बारे में कही है। जैसा कि मैंने अभी अर्ज किया है कि

We are governed by the contents of this Land Acquisition Act, under its various sections, Under Section 4, price is to be paid to the farmer and the owner of the land. section 4 is very clear that the price is to be paid on the date of Notification and not on the date of actual acquisition.

तीसरी बात आपने पब्लिक एकाउन्ट्स कमेटी की कही है। एक आदमी को प्लॉट मिलना चाहिए। मैंने पहले ही अपने वक्तव्य में कहा है और अब भी जाहिर करना चाहता हूं कि यह पहले ही प्रावधान है कि जिसका लैण्ड एक्वायर करते हैं, उसी एरिए के आसपास उसको एक प्लॉट देते हैं। प्लॉट पर वह अपना घर बना सकता है और काम कर सकता है। उसका साइज 200-250 यार्ड्स या 40 परसेंट लैण्ड का होता है,

whichever is less is provided.

Similarly, in addition 10% of the shops constructed by the DDA are also allowed to the land owners at pre-determined rates by draw of lots to enable them to earn their livelihood.

The Ministry of Rural Development, as I said, has also introduced an amendment before the House and it is pending. I hope this will be seen through.

The question of providing employment to one Member of the family was also considered, but in view of certain legal implications this has to be given up because

578 dt. 11.4.83 (Statt.)

Rule 377

there are certain Constitutional problems which go against the provision of the Constitution. But by and large the interests of the farmers, specially and of those, whose lands are acquired, are kept in view and we try to see that the minimum dislocation takes place and also that they are given alternative plots and also given some opportunities where they can have dwellings.

The main points raised by the Hon. Member, Shri Tiwari have been met.

MR. DEPUTY-SPEAKER : You have given a very detailed reply.

Shri Brijendra Pal Singh is absent.

13.08 hrs.

Statement Clarifying/Correcting Answer to Supplementaries on SQ No. 578 dt. 11-4-83 regarding allotment of land in Delhi to foreign Citizens of Indian origin.

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS, SPORTS AND WORKS
AND HOUSING (SHRI BUTA SINGH) :

With reference to the discussion in the Lok Sabha on 11th April, 1983 in reply to supplementaries to the Starred Question No. 578, I find after going through the record that an impression is likely to be created in the minds of the Hon'ble Members that the only reason for Government's decision to drop the scheme was the poor response to it. I wish to state that the consideration that allotment of residential plots at Rs. 200/- per sq. yd. to non-resident Indians who are among the affluent sections of the people, when the market price was many times more would not be in the public interest, also weighed with the Government in coming to that decision.

Further, corrections may be made on p. 14936 of the proceedings to substitute 'Government' in place of 'Delhi Development Authority' and on p 14937 to substitute 'August, 1981' in place of June, 1981.

13.09 hrs.

MATTERS UNDER RULE-377

(1) *Restrictions imposed by Haryana Government on the export of grains outside the State*

श्री मनीराम बागड़ी (हिसार) : उपाध्यक्ष महोदय, हरियाण, उत्तर प्रदेश, राजस्थान और पंजाब का वह क्षेत्र जिसमें गेहूं की पैदावार बहुत अच्छी होती है और इस दफा बिजली पानी वक्त पर न मिलने के कारण फसल बहुत अच्छी पहले भी नहीं थी परन्तु उसके उपरांत ओलावृष्टि, भारी वर्षा और तेज हवा ने फसलों को बहुत नुकसान पहुंचाया। फिर भी मीमूली फसल जो किसान के पास बची वही उनकी जीविका का आधार है अभी अधिकारियों ने गैर कानूनी तौर पर किसानों के अनाज को दिल्ली के बाजार में लाने पर रोक लगा दी है जिससे कि वह अपनी फसल की कीमत पूरा नहीं उठा सकता।

इससे मुनाफाखोरों का फायदा हो सकता है, जो किसानों को पूरी कीमत न देकर दिल्ली में ज्यादा कीमत वसूल ले। ये अफसर नेता और व्यापारी मिलकर ऐसा कर रहे हैं। मैं चाहूंगा कि यह गैर-कानूनी पाबन्दी तुरन्त हटे। किसानों को शोषण बहुत दिनों तक किसान बरदाश्त नहीं कर सकते। यही हालत आगरा, मेरठ, उत्तर प्रदेश डिवीजन के किसानों की और भरतपुर, गंगानगर, राजस्थान के किसान और पंजाब के किसानों की है। मैं चाहूंगा कि सरकार तुरन्त संबंधित अधिकारियों को आदेश दे कि किसानों को जो कीमत जहां वह अच्छी वसूल कर सके वहां अपना अनाज ले जाने का उन्हें अधिकार होना चाहिए। स्पोर्ट प्राइस का मतलब लूट-खसोट प्राइस नहीं है, जैसा कि सरकार कर रही है।