

15:36 hrs

REQUISITIONING AND ACQUISITION
OF IMMOVABLE PROPERTY
(AMENDMENT) BILL

THE MINISTER FOR WORKS AND HOUSING AND SUPPLY AND REHABILITATION (SHRI SIKANDAR BAKHT): Mr. Deputy-Speaker, Sir, after a marathon wait, this very simple business has really come up. I am conscious of the fact that the House has to dispose of a lot of business before it adjourns tomorrow. Therefore, I am going to be very brief.

This Bill which has been before the House is a very simple one and I hope the hon. Members will support this.

I beg to move* :

"That the Bill further to amend the Requisitioning and acquisition of Immovable Property Act, 1952, as passed by Rajya Sabha, be taken into consideration."

Under the Defence and Internal Security of India Act, 1971, the Ministry of Defence requisitioned lands at various places for the purposes connected with the defence of the country. With the revocation of the promulgation of the Emergency, the validity of the Defence and Internal Security of India Act, 1971 would have ceased after six months, i.e., on the 26th of September, 1977, and all the immovable properties requisitioned or purported to be requisitioned under the said Act and the rules made thereunder, would have, therefore, to be released on or before the 26th of September, 1977. Since the Ministry of Defence considered it necessary to retain these properties under requisition beyond that date for purposes of the defence of the country, and the Parliament was not in session, the Requisitioning and Acquisition of Immovable Property (Amendment) Ordinance, 1977 was promulgated on the 23rd September, 1977 until such time as it could be replaced by suitable legislation in the following session of Parliament. The Ordinance amended the Requisitioning and Acquisition of Immovable Property Act, 1952, to provide that the afore-mentioned properties shall be deemed to have been requisitioned under that Act. Accordingly, the present Bill seeks to replace the afore-said Ordinance.

With these words, I commend the Bill for the consideration of the House.

MR. DEPUTY SPEAKER : Motion moved:

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, as passed by Rajya Sabha, be taken into consideration."

15:38 hrs.

{SHRI M. SATYANARAYAN RAO
in the Chair}.

MR. CHAIRMAN : Mr. Banatwalla, are you moving your amendments ?

SHRI G. M. BANATWALLA : My point is that this is not the stage for moving the amendments.

MR. CHAIRMAN : All right. Mr. Jagannathrao.

SHRI JAGANNATH RAO (Berham-pur) : Mr. Chairman, Sir, I agree with the hon. Minister that this is a simple Bill.

This Bill seeks to replace the Ordinance which was promulgated on the 23rd or 26th of Sepber, 1977 because the Defence of India Act, 1971 expires six months after the revocation of emergency. Some properties were acquired during the emergency which was proclaimed because of war with Pakistan. The purpose for which these properties were acquired during the emergency should continue so that the Government may continue to have the properties in their possession. Then, what was the purpose for which those properties were acquired or requisitioned. I do not know why during the war time these properties were requisitioned and whether the purpose for which they were requisitioned was served or not. I do not know this.

If the purpose during the war time ceases to exist, it is not correct nor is it legal for the government to continue possession of the requisitioned properties. That is what the High Courts and the Supreme Court have held. What is happening ? I have previous experience of this. Properties were requisitioned during the Second World War. They were not released even in 1960. The reason given by the Government was that the Government was not in possession of properties to give accommodation and therefore they had to continue in possession of requisitioned properties. That is not valid as per decision of the courts. During war time you have to meet aggression and you requisition certain properties. There is no war now. We are living in peaceful times. It cannot be said that the purpose for which the properties were requisitioned continues.

SHRI SIKANDAR BAKHAT : I am not saying it ; Defence Ministry says it.

*Moved with the recommendation of the president.

SHRI JAGANNATHA RAO : The purpose now would not be the same because we are not at war with any other country. I have also experience of the government; Government has always been saying: we have no accommodation and therefore we should continue it. How can a poor citizen stand up against government which is so powerful. He cannot go to a court. How many can afford to go to the Court and get a legal remedy? Therefore, I request the government not to stand on technicalities.

Secondly, I should like to know the list of properties that were acquired. What were the properties that were requisitioned during war time in 1971 under the Defence of India Act. Are all the properties required by the government? Your argument is: Government has no accommodation; it has no resources to build their own rooms or whatever it is; that argument is not valid to continue to be in possession.

My next point is about compensation or rent. You pay to the owner a nominal sum. Here again a poor citizen has to fight a government. Even ordinary tenants, once they get possession of the house, do not leave the house and a poor landlord has to go to the court to evict him. Here there is no question of vacating. The rent that you were paying in 1971 would not be adequate now. Therefore, you should reconsider and see that the compensation you pay during the continuance of the requisitioned building or property is adequate.

I request the hon. Minister to enlighten the House on the points I have raised. The Government should not insist that the Defence Ministry wants the properties to be in their position. They will continue to want because you do not want to build your own buildings, because you do not have resources. That is not a valid ground and hence I should request the government to release the properties.

SHRI SHYAMAPRASANNA BHATTACHARYA (Uluberia) : I support this Bill because it serves a national interest for defence purposes. For national reconstruction you will be requiring this power to acquisition or requisition properties. The only thing that you should be careful about is that the person who is losing his property should get adequate payment and he should be properly rehabilitated.

If he is a poor man and if his means of livelihood or avocation is affected, he should be properly rehabilitated.

With these words, I support the Bill.

SHRI G. M. BANATWALLA (Ponnani) : Sir, this amending Bill, which seeks to amend the requisitioning and Acquisition of Immovable Property Act, 1952, provides that all those properties which were requisitioned under the Defence of India Act should be deemed to have been requisitioned and deemed to be in requisition under this Act of 1952 because the Defence of India Act lapsed six months after the revocation of the proclamations of emergency. As already pointed out, the minister should enlighten the House with respect to certain important information, namely, the number of properties that had been requisitioned under the Defence of India Act. We must also have a glimpse at the nature of these properties that were requisitioned, whether they were residential premises and if so, whether they were occupied by the owners themselves. These are the various information that we must have before we are in a position to make up our mind about continuing the requisition of the premises.

However, it is well known that the Defence of India Act was a purely temporary measure. It was passed in order to meet the exigencies of war. We had the proclamation of emergency in 1971. Thereafter, there has another proclamation in 1975 and both of them have been referred to under the Defence of India Act. Solemn assurances were given to this House that the measures sought to be taken under the Defence of India Act would be purely temporary in nature. It was said on the floor of the House that there was no intention whatsoever on the part of the government to interfere with the life, properties and avocations of the ordinary citizens. I may quote the then Prime Minister from this debate when the Defence of India Bill was under consideration—Lok Sabha Debates (Third Session) Vol. IX 3rd session, 1971, col. 38 :

“This Bill only seeks to provide the necessary legal sanction as a consequence of the proclamation of emergency made by the President. We have tried to interfere as little as possible with the normal avocations of our citizens.

Further, at the end of the debate, another assurance was given to the House because the House was agitated about several points and the Minister of State in the Ministry of Home Affairs, Shri K.C. Pant, said—I quote from the same volume, col. 74 :

“While support came from almost all sections of the House, certain points were raised in the course of the discussion. One of these was that this measure should not extend beyond the period of Emergency. In a democratic country, the sentiment

[Sri G. M. Banawalla]

is natural, and I respect it. I can say that our intention is that this should not extend beyond the requirements of the Emergency."

Now, Sir, the solemn assurances given on the floor of this House do carry some meaning and significance. It is rather disappointing to see that the measures that have been taken under the Act are now sought to be vested with some sort of permanence. This is specially more shocking when it comes from the Janata Party Government. The Janata Party had totally opposed emergency and had promised that the aberrations of the emergency will be done away with; and it is rather shocking that this government of the Janata Party has now come forward with this bill to invest the measures taken under the Defence of India Act with regard to requisitioning, with a sort of permanence. Is it their attitude, to condemn Emergency and the measures taken under it on the one hand, and at the same time to continue to reap the benefits and advantages of the Emergency which have accrued to the Government at the expense of the poor citizens? I hope, therefore, that this particular attitude would be amended; and that aberrations, whether they are of pre-Emergency, Emergency or post-Emergency variety, are done away with.

This Bill seeks to create a post-Emergency wrong, injustice or aberration, by giving permanence to the measures taken under the Defence of India Act during the period of the two emergencies. Here also, we must know the number of properties requisitioned and acquired under the first proclamation of Emergency and again, the number acquired after the second proclamation of Emergency. I hope the House will be enlightened on this.

We must look at the issue on the basis of certain broad principles. Requisitioning is temporary by its nature; and acquisition is permanent by its nature. If the needs of the Government are to continue, it is wrong to continue to have the property under a type of temporary requisition, because such a requisition is a wrong and an injustice to the common citizen, and it puts him to hardships. If the needs are to continue, the requisition should be turned into an acquisition. It is also a point that must be seen on the basis of broader principles.

However, Government should try to cater for its needs by causing the least possible expenses to the citizen. If more and more accommodation is wanted for Defence purposes, there can be no grade-

ing it, but at the same time there is need for proper and adequate measures to be taken with respect to them.

I may say that when the properties are required under the Defence of India Act, the measures are very sweeping in nature. There are certain built-in safety measures in the Requisitioning and Acquisition of Immovable Property Act of 1952—which are not available to properties requisitioned under the Defence of India Act. For example, under the 1952 Act, such properties which are residential in character and are occupied by the owner himself, cannot be requisitioned. And in the case of other residential premises, alternate accommodation has to be provided to the tenant. These safety measures, protecting the interest and the rights of the citizens, are not to be found under the Defence of India Act. Therefore, any measure to continue the requisitioning of the premises under the Defence of India Act, by an amendment of 1952 Act should be a very unwelcome measure. I hope these points will be duly considered by the Government.

There is one more pertinent issue that I have to raise. Under the Defence of India Act, a property is requisitioned for a variety of purposes, other than also the defence of the country. Section 23(1) says that the property can be requisitioned for purposes of public order, defence of India, civil defence, public safety, internal security, efficient conduct of military operations, for maintaining supplies and services essential for the life of the community and so on. We, therefore, find that under this broad category of public order, maintenance of internal security and maintenance of civil supplies also a property can be requisitioned under the Defence of India Act. But this is not so in the case of our normal legislation which goes under the title of Requisitioning and Acquisition of Immovable Property Act of 1952. According to section 3(1) of the Act of 1952, a property can be requisitioned only for a public purpose, being a purpose of the Union. The statement of objects of our amending Bill that is before the House says that these properties should continue to be under requisition for purposes of defence of the country. I would draw your attention to the statement, where the specific words are "for purposes connected with the defence of the country these premises are to be requisitioned."

However, we find that the properties have been requisitioned under the Defence of India Act for a variety of purposes, for a wider list of purposes, and therefore it would be unfair to include them within the meaning of "premises requisitioned"

under the 1952 Act. It is a serious aberration. I would have understood if only such properties which were basically required for purposes of defence had been sought to be kept under requisition. But here there are other properties under the Defence of India Act, which have been requisitioned for other purposes, like maintenance of civil supplies, public order and maintenance of internal security, a very obnoxious term these days. They have been requisitioned for these purposes. Am I to understand from the Government that they have now adopted all those obnoxious terms as very good in character, and they continue to reap the benefits of the same?

Sir, I have placed these points before you and before the House, not in any spirit of confrontation with the Government on this particular issue. That there must be a proper strengthening of the defence of the country is a point on which no body can have two opinions. But, then, this amending Bill has raised several issues, and it is in the spirit of understanding of all these issues that I have placed my views before the Government and this House. I hope these will receive serious consideration at the hands of the Government.

1430 hrs.

SHRI VALAYAR RAVI (Chirayinkil): I fully support the sentiments expressed by Shri Banatwalla who raised certain relevant points.

First of all, I would like to know from the hon. Minister whether he has brought forward this Bill on the recommendations of the Defence Ministry, because they have to recommend that it is necessary for defence purposes that the properties requisitioned in 1971 should continue in their possession. If they have so recommended, it is necessary for him to have a thorough discussion with the Defence Minister and then also use his own discretion because the Defence Minister might simply have forwarded the recommendation of his officers. When the properties were requisitioned under the Defence of India Rules the people might not have been able to raise any protest, but today the situation is normal and we are living in a peaceful atmosphere. Is it necessary still to think in terms of enemies around us?

In this connection, the hon. Minister might have received a representation that one of the friendly countries has confiscated properties in the name of enemy property. This has happened in Bangladesh. I am only saying that we cannot

take the same attitude. So, it is necessary that there should be a reconsideration of the approach.

No doubt he would have discussed it with the Defence Minister, that is inevitable, but nobody, whether it is the Government or an individual, wants to give up a property once it has got hold of it. Everybody wants to hold on to it. That is the natural tendency, and that may prevail even in the Defence Ministry. So, it is a very serious matter.

As Mr. Banatwalla and Mr. Jagannath Rao have pointed out, assurances have been given on the floor of the House that this was only a temporary measure and that when the time came, the properties would be returned to their owners, but by bringing this amendment, we are making it a permanent measure.

There is reference here to properties requisitioned before 21st March, 1977. That date refers to the revocation of the emergency. But is it a fact that many other properties had been requisitioned before that date for other purposes also? He must know what happened in Delhi, for instance. I know his views and he knows my views on the subject. I do not support what happened in Delhi in those days. I am only raising a doubt, he can correct me. By this law are you not going to perpetuate whatever had been requisitioned in those days, depriving the right of property of poor people who had a few square metres of land in the name of beautifying the city or maintaining law and order? For example, in the Jama Masjid area not only were people thrown out, properties were also requisitioned. So, if in Delhi and some other parts of the country properties had been requisitioned for such purposes, why do you want to legalise it? Why can't you look each case on merit? Why can't you look each case with a purpose? The purpose should be looked into: the merit should be looked into. It should be looked into whether it is for a national purpose, whether it is useful for the society or the community or whether it is a superfluous thing, some kind of a thing, to please some affluent sections of the society. If it is so, I would urge upon the hon. Minister not to agree to that. He should not be a party to that. All the time, the decisions are taken by the bureaucrats at the official level. That is why I would request the hon. Minister to have his personal discretion in the matter. By making this enactment, there is some kind of an infringement on the right of the citizen which they have already surrendered. A temporary thing is being made into a permanent measure. With these words, I would request the hon. Minister to reconsider this matter.

SHRI SAUGATA ROY (Barrackpore): Mr. Chairman, Sir, this Bill is a routine Bill which has been forwarded to the Ministry of Works and Housing by the Ministry of Defence and they are going through the process of passing it.

As has already been pointed out, the Bill is a continuation of the process that was started from 1962 when the first Emergency due to external aggression was there and the Defence Ministry took over certain houses and certain properties for use of defence purposes. Now, when the Emergency lingers longer than usual, its powers also degenerate. That had also happened to Emergency due to external aggression. Firstly, this Act was used to acquire property which was absolutely necessary for defence purposes. Then, what happened was that some Colonel wanted a house in some posh area and as he could not get it normally, he used this law to acquire that house and to stay in that house. Then, some General wanted another house in another posh area and he also used this Act to acquire that property.

Now, we are guaranteeing by this Bill the right of property to high military officers to occupy any civilian property, may it be for residential purpose, may it be for luxurious purpose, and to continue to have it. As you will see, in all big cities there is not sufficient accommodation available for the army. For example, in Calcutta in my own city, I know that there are many houses which have been acquired by the army in order to house their officers because there is insufficient accommodation for defence people in Calcutta. In Bombay also, a large number of houses have been acquired. In all places wherever there are big military establishments, a large number of houses have been acquired. The defence is a good pay master. They pay on the first of the month. I am not for the property owners who may be thinking that they are getting less money. But what should happen is that the defence people also, when they are operating in the civilian field, should be prepared to take recourse to the normal law of the land in getting the property. They should compete in the rents, like any other organisation because no such exigencies exist at the moment. The Government should draw up a plan for five or ten years, that they will not take any private property any more and that there will be a flat for every military personnel staying in any city or an area which is congested. This is a thing which I want to convey to the hon. Minister.

The problem of defence accommodation is a big problem. For the army, it is a very big problem because there is the question of family postings and non-family postings and there is insufficient accommodation

for the army personnel. So, I want to bring it to the notice of the hon. Minister that it has some bearing on the problem of insufficient accommodation in big cities where a large number of houses have been taken over by the army people. It is very difficult to change the rents. You get your rents all right but it is very difficult to change the rents and there is a lot of bureaucratic redtape there. The competitive rents are not there. A plan should be drawn to have houses in the main cities for defence personnel so that for residential purposes the properties of ordinary citizens are not requisitioned.

Secondly, with regard to the defence requisitioning of properties on which refugees have settled, the hon. Minister has to do something about it since he looks after supply and Rehabilitation also. In Calcutta, there are many lands which during the last war were to be requisitioned by the Defence. After the World War, when the use for them was over, the refugees came and settled there; and they had been living there for a long time. In the last three or four years, what has been happening is that the rent of land has been going up, and these owners sometimes have lodged cases in High Courts to ask the Defence to de-requisition the property. Or, in some other cases, the Defence people think as to why they should keep these lands which are occupied by the refugees and which are not occupied by Defence People. I know of two cases where the Defence people forcibly tried to evict the refugees in Alipore and Dhakuria, the Defence forcibly tried to evict them from the land which was requisitioned by the Defence, the old barracks, in which refugees were living in sub-human conditions; they said that they would bring bulldozer and everything and get these refugees out of that place.

My appeal to the Works and Housing Ministry is that all Defence properties which have been requisitioned by the Defence Ministry and which the Defence Ministry wants to give up and in which there is refugees settlement now, should be acquired by the Central Government directly so that the refugees get permanent ownership or some right on the land on which they have been living for the last 30 year and to which their economic well-being and living is connected. This is a very big problem in Calcutta because, I know, in Defence areas, some 50,000 people are living; they are living in those barracks which belong to Defence and which were acquired by Defence. While passing this Bill, I would say, effort should also be made to see that the refugees are given permanent rights, so that the Defence cannot all of a sudden decide 'We want to give up this land; we want to de-requisition the land; let the refugees go to

Hell, let them be thrown on the streets'. The Central Government should take over these lands so that this does not happen.

As I have already mentioned, a long-term programme for having houses for Defence personnel in big cities like Calcutta, Bombay, Hyderabad, etc., should be taken up, so that the Defence people, for their residential purposes or for having their NCC units, do not take recourse to this law which is an Emergency law for acquiring the properties of ordinary citizens. That is all.

SHRI SIKANDAR BAKHT : I thank the hon. Members for having shown interest in this Bill, and I would like to dispel some of the misunderstandings with regard to this Bill. Primarily, there were no residential buildings which were acquired during this period, there were only some lands which had been acquired. I would like the hon. Members to know that this Bill seeks to amend the 1952 Act. The 1952 Act contemplates that requisitioning of properties is done for a maximum period of ten years. As far as the compensation part is concerned, I am happy to let the hon. Members know that this compensation will be reviewed after every five years. Due consideration is paid to the primary difficulties which arise on account of requisitioning of land.

I wish to assure the hon. Members that Government would not have considered retaining these lands if it had not been considered imperative by the Defence Ministry. These lands are required to be retained for purposes of Defence alone. It is really a very delicate matter for me to dilate on, but I do really hope that all of us are concerned, so far as our Defence necessities and requirements go, and that you would not like to subject these to a very minute surgery asking why, what sort of Defence requirements are they, and all that. I assure the House that it was considered to be absolutely necessary to retain these properties for the defence of the country. After all, there are extraordinary circumstances during aggression, but there are certain circumstances which do continue throughout, and the Defence Ministry considers that, in accordance with the permanent measures which the Defence Ministry has to undertake, this retention of lands is absolutely necessary.

My hon. friend, Mr. Banatwalla, said something about the aberrations of Emergency. I want to avoid referring much to what happened during Emergency. But, certainly, I am sure, the requirements of the Defence Ministry cannot

be categorised or placed in the same category as Emergency things or the aberrations committed during the Emergency. It is entirely of a different type. All the aberrations of Emergency which my hon. friend referred to, related to things happening inside the country, whereas this particular thing is required for some other purposes.

Some hon. Member wanted to know the list of the properties. I have already stated that this list does not include any residential houses, so the question of displacement of the occupants and their consequent rehabilitation does not arise. I would like to tell the House that the lands acquired are at Umed Bhawan, Kota (September, 1976), Ganganagar (May, 1977), Suratgarh (May, 1977), Udaipur (May, 1977), Amritsar, Barmer, Jassaiah, Mitorikhurd Barmer, Banar and Jodhpur. This is the list of places where the lands have been acquired. No residential place is there.

My friend, Shri Roy mentioned something about the refugees because of the land which has been acquired for defence purposes in Calcutta. Unfortunately, it does not concern this Bill. He is welcome to give me the full particular, and I would certainly look into the matter.

The House will appreciate that the Government does not at all intend to create any difficult situation for our citizens. We are doing this under absolute requirements and it is necessary for the defence of India. Therefore, I am sure, this will not call for much of a dissection and I hope, the Hon. Members will pass this Bill unanimously.

MR. CHAIRMAN : Mr. Vinayak Prasad Yadav.

SHRI VINAYAK PRASAD YADAV (Sahasra) : I beg to move.

That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952, be referred to a Select Committee consisting of 7 members, namely :—

1. Shri S.S. Das 2. Shri Ramapati Singh 3. Shri Sikandar Bakht 4. Dr. B. N. Singh 5. Shri Chandradev Prasad Verma 6. Shri R.L.P. Verma; and 7. Shri Vinayak Prasad Yadav, with instructions to report by the last day of the first week of the next session. (4)

MR. CHAIRMAN : Now, I shall put the amendment moved by Shri Vinayak Prasad Yadav to the vote of the House.

The amendment was put and negotiated

MR. CHAIRMAN : The question is :

"That the Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1953, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted

MR. CHAIRMAN : Now, we shall take up clause by clause consideration. Clause 2.

SHRI G.M. BANATWALLA : In view of the assurance given by the hon. Minister, I do not want to move my amendment.

MR. CHAIRMAN : The question is :

"That clause 2 stand part of the Bill"

The motion was adopted

Clause 2 was added to the Bill

MR. CHAIRMAN : There are no amendments to Clause 3. So, the question is :

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

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

SHRI SIKANDAR BAKHT : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : Motion moved :

"That the Bill be passed"

Dr. Ramji Singh

डा० रामजी सिंह (भागलपुर) : सभापति जी, सचमुच यह बहुत छोटा बिल है, 25 धाराएँ इसमें पहले थीं, अब एक धारा इन्होंने इस में जोड़ी है। मैं समझता हूँ कि मंत्री महोदय इस संशोधन विधेयक को लाने से पहले मूल विधेयक पर भी कुछ नजर डालें और उस को कुछ आवश्यक धाराओं का भी संशोधन कर दें, तो ज्यादा अच्छा होता। 1968 में जब इस बिल को लाया गया

और इस को पास किया गया, तब से अब तक यह हमारे सामने अस्थायी रूप से था, लेकिन इस विधेयक के द्वारा इसको स्थायी रूप प्रदान कर दिया गया है। वस्तुतः हमारे कुछ माननीय सदस्यों ने ठीक ही कहा है कि जो काम एमर्जेंसी के लिये किया जाये, उसको बिल्कुल सामान्य रूप में न रखा जाय। जैसे एक बात मैं धाप के द्वारा माननीय मंत्री जी से कहना चाहूँगा—क्या कारण है कि प्रतिरक्षा के लिये कोई जमीन या कोई भूकान 15 वर्षों से अस्थायी रूप से कब्जे में लिये हुए है। यदि प्रतिरक्षा विभाग को उच्च भूकान या जमीन की स्थायी रूप से जरूरत है—प्रतिरक्षा के लिये किसी भी चीज की जरूरत भारतवर्ष के लिये प्रथम जरूरत है—तो उस को स्थायी रूप से एक्वायर क्यों नहीं कर लिया जाता। इस तरह से उस को अंध में लटकाने रखने की क्या जरूरत है, उस को स्थायी रूप से ले लीजिये, तब इस में हम लोगों के कुछ कहने की आवश्यकता नहीं रहेगी।

दूसरी बात—बहुत सारी जमीनों को, जो इस कानून के अन्दर सरकार के कब्जे में है, कहीं-कहीं उन को दूसरों को दे दिया जाता है। जैसे बनारस की जमीन है, बनारस में जो जमीन सरकार के कब्जे में थी, उस को हरिजनों को दिया गया, उन को उस पर सैटिल किया गया, लेकिन उन से 20 गुना अधिक रेंट लिया गया, यह कौन सी सौदेबाजी है? मैं चाहूँगा कि इस प्रकार का काम न हो। इसी लिये, सभापति महोदय, मैंने एक छोटासा संशोधन बहुत सोच-विचार के बाद रखा था कि अगर ऐसी जमीन धाप के पास फाइल है तो उस में हरिजनों और अनुसूचित जातियों को सैटिल कर दिया जाय। राज्य सभा की बहुत से भी मंत्री महोदय ने देखा होगा—कहाँ भी यह बात स्पष्ट रूप से लाई गई थी कि ऐसी जमीनें जो सरकार के अधिग्रहण में हैं, वे हरिजनों को बीस-गुना ज्यादा रेंट पर दी गई हैं।

मेरी इस सम्बन्ध में मंत्री जी से दो बिन्दु हैं—यदि प्रतिरक्षा विभाग को किसी

भूमि की आवश्यकता है तो प्रतिरक्षा विभाग के लिये भारतवर्ष का कोई भी व्यक्ति भड़गा नहीं बास सकता है, उस जमीन पर भकान का अधिग्रहण स्थायी रूप से कर लिया जाय, लेकिन उस को इस तरह से अन्न में न रखा जाय। यह बात आर्थिक दृष्टि से भी ज्यादा अच्छी होगी। दूसरी बात—यदि प्राय के पास कोई जमीन ऐसे ही पड़ी हुई है, उस पर प्राय को कोई काम नहीं है तो प्राय उस को हरिजनों और अनुसूचित जातियों को बीस-गुना किराया लेकर नहीं, बल्कि सामान्य रूप से दे कर उन को सेंटिल कर दें।

MR. CHAIRMAN : Now, the question is :

"That the Bill be passed."

The motion was adopted.

16.38 hrs

BETWA RIVER BOARD (AMENDMENT) BILL

THE MINISTER OF STATE IN THE
 MINISTRY OF AGRICULTURE AND
 IRRIGATION (SHRI BHANU PRA-
 TAP SINGH.)

Sir, I beg to 'move'

"That the Bill to amend the Betwa River Board Act, 1976, as passed by Rajya Sabha, be taken into consideration."

वह जो विधेयक प्रस्तुत है वह एक मामूली सा विधेयक है। बेतवा नदी उत्तर प्रदेश और मध्य प्रदेश के क्षेत्र से गुजरती है और उस क्षेत्र से गुजरती है जो डाट प्रोन इलाका कहलाता है। मध्य प्रदेश और उत्तर प्रदेश की सरकारों ने मिल कर यह निश्चय किया कि राजघाट में एक बांध बना कर इसके पानी का उपयोग सिंचाई के लिए किया जायेगा। उस समय केवल सिंचाई के लिए यह योजना बनी थी। बाद में दोनों राज्य सरकारों ने मिल कर यह निश्चय किया कि जो बांध बनेगा, जो पानी इकट्ठा होगा, उसका उपयोग बिजली पैदा करने के लिए किया जायेगा और जैसे पानी के बटवारे के लिए सहमति हो गई थी, उसी प्रकार से बिजली के बटवारे के लिए भी दोनों राज्य सरकारों में सहमति हो गई है। अब क्योंकि बिजली बनने की बात है, इसलिए कुछ संशोधन पुराने एक्ट में लाये जा रहे हैं जिनमें बिजली का यह काम भी कवर हो सके।

बोर्ड के गठन में केन्द्रीय सरकार के बिजली मंत्री या उनके कोई नामीनी और राज्य सरकारों के बिजली मंत्रियों को बोर्ड

में केवल इन्हीं दो बातों की ओर माननीय मंत्री जी का ध्यान आकर्षित करना चाहता था। इस बिल का समर्थन मैं इस लिये करता हूँ कि अथवा बार बे फिर इस को जिन्दा नहीं करेंगे और जो एमजेंटों की चीजें है उस को एजेंटों तक ही रखेंगे।

श्री सिकन्दर बख्त : सभामपति जी, मैं बहुत शुक्राञ्जार हूँ—सम्माननीय सदस्य ने इस बिल का समर्थन किया है। लेकिन उनकी इतिला के सिधे मैं सिर्फ इतना ही कहना चाहूँगा कि हमारे मिनिस्टर आफ स्टेट फार डिफेन्स इस वक्त यहाँ मौजूद हैं। अगर वह मौजूद न होते तो जो कुछ माननीय सदस्य ने फरमाया है, वे बातें उन तक पहुंचाने की कोशिश करता।

जहाँ तक हरिजनों की बात है—यह कम से कम इस बिल के परब्यू के बाहर की बात है। इम्पूबेबिल प्रापर्टीज सिर्फ पब्लिक परपज के लिये ली जाती है। दूसरे उस मकसद के लिए वह जरूरत अथर बाकी नहीं रही, तो वह प्रोपर्टी रिलीज हो जाती है। गेड्यूल्ड कास्ट्स और गेड्यूल्ड ट्राइन्स के लिए इस बिल के मातहत जमीन को रोकना मुमकिन नहीं है। यही मुझे अर्ज करना था।

*Moved with the recommendation of the president.