

MR. SPEAKER : I hear all the things. I discuss all the things and then only I can allow a discussion.

श्री हरशकुमार गंगवार (पीलीभीत) :
अध्यक्ष जे. यह इस से अलग बात है ।
मैंने एक मोशन दिया है । मैं एक मिनट
से अधिक नहीं लूंगा । पाकिस्तान कः
जेलों में 10 हिन्दुस्तान 8 साल से बिना
मुकदमा चलाए बन्द हैं ।** ...

(व्यवधान)

MR. SPEAKER : Not allowed.

(Interruptions)**

अध्यक्ष महोदय : क्या फायदा जब
मैं एलाऊ नहीं कर रहा हूँ ।
I have not allowed him.

(व्यवधान)**

अध्यक्ष महोदय : मेरी समझ में नहीं
आता कि माननीय सदस्य कः पता नहीं क्या
जिद् हो जातः है । झगड़ा क्या है इस बात
का । मैंने उस पर 377 एलाऊ किया
है ।

श्री आर. एन. राकेश (चैल) :
377 में कोई कार्यवाही होती ही नहीं है ।

** ... (व्यवधान) ... **

MR. SPEAKER : Nothing goes on
record. I have not allowed a single
word.

(Interruptions)**

12.12 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC
IMPORTANCE

REPORTED ILLEGAL BUILDING ACTIVITY
IN DELHI

SHRI RATANSINH RAJDA
(Bombay South) : 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 large scale illegal build-
ing activity in Delhi."

THE DEPUTY MINISTER IN THE
MINISTRY OF WORKS AND HOUSING
(SHRI BRAJA MOHAN MOHANTY) :
Sir, The incidence of encroachments on
public land and unauthorised construc-
tions in the Union Territory of Delhi
is a source of concern to the Government.
With a view to curbing such activities,
the Delhi Administration have taken
the following steps :—

- (i) Instructions have been issued to
all the concerned agencies viz. the
Municipal Corporation of Delhi,
New Delhi Municipal Committee
and the Delhi Development Autho-
rity to take necessary action to en-
sure that no unauthorised construc-
tions take place and to take suitable
preventive action.
- (ii) Instructions have been issued to the
concerned agencies that all encroach-
ments and unauthorised structures
which have already come up should be
dealt with accordance with the
provisions of Law.
- (iii) All Station House Office rs have been
held responsible for detecting and
taking appropriate steps for removal
of unauthorised structures/encroach-
ments on public land in their res-
pective areas.
- (iv) Instructions have been issued for
disallowing water and electric connec-
tions to new constructions raised with-
out the requisite approval or sanc-
tion of the Competent Authority.
This does not, however, apply to
resettlement colonies/Jhuggi Jhon-
pries colonies and village abadi
within the Lal Dora.

(v) Necessary guidelines regarding the steps to be taken for expeditious disposal of court cases and vacation of court stay orders obtained by the parties engaged in unauthorised construction activities, have been issued to all the concerned agencies.

(vi) The programmes for demolition of unauthorised structures are chalked out by the concerned agencies in consultation with the Police Department. The implementation of these programmes is monitored by periodical meetings held by the Chief Secretary, Delhi Administration, with senior officers of the concerned agencies.

(vii) A special Cell headed by the Deputy Commissioner of Police has been set up to deal with land racketeers.

2. The Government have also decided to bring forward legislation to amend the relevant status to deal more effectively with the offences relating to encroachment on public land and unauthorised constructions.

SHRI SATISH AGARWAL (Jaipur): Also please make it clear—with your permission I am speaking because I am not entitled to speak.

AN HON. MEMBER : How can he participate ?

SHRI SATISH AGARWAL : The Statement is incomplete. Let him make it clear whether the instructions have been issued by the Ministry staying these demolitions, just like these instructions.

एक माननीय सदस्य : अग्रवाल का नाम नहीं है।

श्री सतेश अग्रवाल : नहीं, मैंने पहले कह दिया। (व्यवधान)

अध्यक्ष महोदय : किसी और से पुछवा लेना।

SHRI RATANSINH RAJDA : Mr. Speaker, Sir, this matter has assumed serious proportions of great public importance in the sense that the reply that I have heard from the hon. Minister adds insult to injury.

Sir, the question of unauthorised constructions on such a large scale in this Capital city of Delhi and walled city has assumed such serious proportions that one is led to suspect whether there is any authority to regulate or whether there is any law prevailing as far as the building construction is concerned in the walled city.

Sir, recently, in *Blitz*, an article appeared and it highlighted the whole thing, I mean, the entire racketeering that is going on under the heading "Rape of old Delhi". It has given all the details, but I am not going into all those details. But certain basic facts which have come to light give a very sordid story as to how people who are concerned with this problem of maintenance of these civic laws are hand in glove.

Unauthorised and illegal constructions have taken place in various parts and building bye-laws and Master Plan had been completely flouted. There is the Bombay Municipal Corporation Act. The same Act has been made applicable to Delhi and all other metropolitan cities. Now we have got civic authorities who have to work. There are building bye-laws and accordingly all the plans for buildings are approved and sanctioned by the Committee. Here, in spite of the development plans in spite of the building bye-laws, unauthorised constructions are springing up on a very large scale day in and day out. About 20,000 of them have cropped up and pagri for them varies from Rs. 1 lakh to Rs. 5 lakhs, and in this matter some people are hand in glove. This is a very serious matter and the hon. Minister should take it very seriously. In the reply he has stated :

"Instructions have been issued to the concerned agencies that all encroachments and unauthorised structures which have already come up should be dealt with in accordance with the provisions of Law.

All Station House Officers have been held responsible for detecting and taking appropriate steps for removal of unauthorised structures etc."

This is how it adds insult to injury in the sense that prior to your issuing these guidelines or instructions, the question is whether any authority was looking after this building construction and whether anybody cared to see that no unauthorised construction crops up in the walled city of Delhi

12.19 hrs.

[MR. DEPUTY SPEAKER—in the Chair]

The various areas in which this unauthorised construction has come up are all main areas of Delhi where markets have sprung up. Apart from this, these unauthorised constructions have sprung up in different by-lanes in the commercial areas, and many of them have sprung up near the shopping centres and this has been going on for a long

[Shri Ratan Singh Rajda]

time. Now, the question arises : Who has connived or who is colluding in this regard ? And that is a very relevant point.

I make bold to say that this unauthorised construction on such a large scale in the open day light cannot go in unless there is connivance with the civic authority. That apart, other authorities who are hand in glove with this sort of nefarious activity are racketeers or builders. They can do it if the Municipal Councillors of the area or the elected representatives of the area are involved in it. It is a very serious matter. If elected Members get themselves involved in unauthorised or illegal activities, then we shall have to think how to deal with such a serious matter.

In this matter I have come across one or two serious incidents to which I would like to draw the attention of the hon. Minister.

The land bounded by Ring Road, DESU staff quarters and Barapullah Nallah is DDA land. This land was notified under Sections 4 and 6 of the Land Acquisition Act and was placed at the disposal of the Delhi Development Authority *vide* notification No. F.19 (53)/63-L&H dated 2-11-1963 and F.9(42)/72—L&B dated 6-12-1973. A portion of the land was under unauthorised cultivation and they were allowed to cultivate on this land till October, 1981. This land is required by the Delhi Development Authority for housing complex for which the layout etc. have been prepared and tenders have been called. The land which was under unauthorised cultivation was taken over by the DDA long ago and the development work was started in November, 1981. This land required considerable filling. As soon as the filling of the land was commenced from the eastern side of the land, close to the Ring Road, the members of Gurdwara Bala Sahib put a steel gate on Ring Road on the 15th November, 1981. A report was lodged with the local police on that very day in which it was stated the land belonged to the Delhi Development Authority. There was no religious structure on this land till date. This land has been with the DDA for the last about 20 years.

As most of the land was low lying, cultivation on licence fee basis was allowed as per Government policy till it was required for implementation of the development schemes of the DDA.

President of Gurdwara Parbandhak Committee, S. Sulakan Singh, had met

the Vice-Chairman in February, 1982. They represented that if the DDA puts a housing complex in this area, it might obstruct the view of the Gurdwara. A joint visit was arranged with the Engineer Member. After the visit to the site and after explaining the layout plan, it was made clear to the representatives of the Gurdwara Parbandhak Committee that the housing complex in no way would affect the view of the Gurdwara which was quite at a distance and was standing magnificently from the main Ring Road. On this, the representatives stated that they were interested only in an approach road to be given to them from Ring Road because the existing approach road by the side of the Sidhartha Enclave passed through a congested area of Sunlight Colony. As I considered this as a reasonable demand, I asked the Engineer Member to modify the layout plan with a view to providing wide approach from Ring Road. The layout plan was accordingly modified and explained to them. In addition, parking space was also carved out in front of the Gurdwara. President of the Gurdwara Parbandhak Committee appeared satisfied and he told that as far as he was concerned, they were satisfied with the revised layout plan which now provides an approach road from Ring Road in addition to the existing approach through the Sunlight Colony.

However, the local representatives of Gurdwara have continued to entertain some of their designs. It became very clear on the 19th March, 1982 when they put up tents and started holding an 'Akhand Path'. This is the device commonly known to us for starting unauthorised construction by holding religious ceremony and collecting people to prevent any action of the authorities for removal of the unauthorised constructions.

As soon as the activities/designs of the Gurdwara Parbandhak Committee were known, steps were taken to inform the local police authorities.

"In addition, attempts were made on the 25th November, 27th November, 29th November and 1st February, 1982 to remove the unauthorised steel gate on Ring Road but all these operations could not take place on account of the inability of the local police in providing police assistance to the Delhi Development Authority."

MR. DEPUTY SPEAKER : I think, it is not November, 1982. Please see, 1982 or 1981. It must be 1981.

SHRI RATANSINH RAJDA : The dates, I have given.

"In addition attempts were made on the 25th November, 27th November, 29th November, 1981 and 1st February, 1982. ..."

MR. DEPUTY SPEAKER : Now, you put your question.

SHRI RATANSINH RAJDA : I have raised a very serious matter. My point is that the law of jungle prevails. People who have big force, who are racketeers, are minting money in crores of rupees. Whether they should be allowed scot free? Whether there is any law, building bye-law which can be implemented? Whether all these laws, rules and building bye-laws on the statute book are for implementation or merely for chatting in the meetings of the Municipal Corporation?

Now, I am very much pained and I am really very much constrained to state the allegations which have been made in Blitz. Certain names have been cited. It is stated that certain municipal councillors and elected representatives, especially those belonging to the then Jan Sangh are also involved in this. If that is so, there are also names of some councillors and elected representatives of the Congress (I). They are also involved in this. I am not concerned, because I do not want to put a blame on anybody. But if it is a fact, then it becomes a serious matter, and then all the respective Parties themselves must take action against such people who are hand in glove with the anti-social elements. From this view point, I would like to put certain questions.

MR. DEPUTY SPEAKER : You have not yet put your question. Make it very short. Your background was too long.

SHRI RATANSINH RAJDA : This is a very burning topic.

MR. DEPUTY SPEAKER : That is why, it has been allowed in the Call Attention.

SHRI RATANSINH RAJDA : We all are concerned.

Whether it is a fact that hundreds of buildings in and around Sadar Bazar, Mori Gate, Kashmiri Gate and Walled City have been converted into commercial shopping centres against the DDA, Municipal Corporation rules and bye-laws and their policies and also in violation of the Master Plan? Whether the Government would set up a high-powered enquiry committee to find out how without proper sanction of plans, these builders were allowed to come up, and

from where the cement was made available for construction of these unauthorised buildings? (Interruptions) What action, the Corporation has taken or the Delhi Administration or DDA and the Government has taken as far as these unauthorised constructions are concerned?

SHRI M. RAM GOPAL REDDY (Nizamabad) : I also want to put one question.

SHRI RATANSINH RAJDA : Your turn will come and you are free to raise it. 1100 shops were built in three months unauthorised at DDA area in Sarai Hafiz in Sadar Bazar. This has been admitted before a responsible committee of Parliament. That is why, I am referring. Since, it is not out, I may not make further comments on it. What action has been taken against this? How many shops have been demolished? Have you taken any action for demolition, because there is a provision for demolition also? When unauthorised constructions are going on, our Administration, is completely armed with full provisions of law to get it demolished then and there. But no action has so far been taken.

My last question is, whether the Government would appoint a high-powered committee to inquire into this entire scandal which is going on? If all those political parties and their leaders who are involved in it, they may be Jana Sangh people; they may be Congress-I people.

DR. SUBRAMANIAM SWAMY : (Bombay North East) : There is no Jana Sangh.

SHRI RATANSINH RAJDA : B.J.P. Because that has been named here. I do not want to shield anybody. If I am a social worker, an elected representative and if I indulge in anti-social activities, I have no right myself to call an elected representative. From this view-point, I would like the Government not to shirk their responsibility but to expose such elements and to take stern action, according to law, against these elements.

I would further like to know whether any action against any Government or any municipal servant has been taken for dereliction of duty in connivance with these elements in regard to these unlawful activities that are going on.

DR. SUBRAMANIAM SWAMY : The Minister should clarify whether there is any secret collusion between him and Mr. Rajda...

MR. DEPUTY SPEAKER : You leave it to the Minister and Mr. Rajda. You

[Mr. Deputy Speaker]

don't interfere. He has asked questions and the Minister will reply.

SHRI BRAJAMOHAN MOHANTY : Mr. Deputy-Speaker, Sir, at the outset, I want to make it clear that the Government also shares the concern of the hon. Member and we are very much determined to see that Delhi is kept free from unauthorised construction.

DR. SUBRAMANIAM SWAMY : In what way are you determined ?

SHRI BRAJAMOHAN MOHANTY : I am coming to that. We are determined to see that Delhi is built up as a beautiful city as a national capital and as an international centre of collaboration. With that end in view, the Government is working.

Sir, the problem must be properly analysed. It is not purely a problem of some unauthorised occupation of land. The problem has different angles and different aspects. It has a historical aspect ; it has a political aspect; it has a humanitarian aspect and then it has a legal aspect. I am going to take up one by one and explain to you all the different aspects of the problem, facts and place them before the House. There is no hide and seek about it.

I will give you one instance, In 1962, in 1967 and in 1977, in all these years, the resolutions were passed that all the illegal constructions be regularised by the municipal authorities. This is one aspect of the problem. Another aspect is the humanitarian aspect. I would like to place before the House some broad facts which will throw much light as to how the problem is being dealt with. About 2 lakh families, about 1 million people belonging to J.J. colonies have been rehabilitated in re-settlement colonies and about 25,000 families await resettlement. Upto March, 1977, all the people who have encroached upon the land have been rehabilitated. Out of them, about 25,000 families still remain to be rehabilitated and they have to be rehabilitated. The scheme is under process. !

SHRI RATANSINH RAJDA : Kindly allow me to draw your attention to one thing....

MR. DEPUTY-SPEAKER: Please don't interrupt him.

SHRI RATANSINH RAJDA : This does not pertain to JJ colonies, those re-settlement colonies.

SHRI BRAJAMOHAN MOHANTY : I am placing the total picture about the problem of Delhi before the House.

SHRI RATANSINH RAJDA : We are on the civic problem. Please don't mix up the issues and don't mislead the House.

MR. DEPUTY-SPEAKER : Please do not disturb the Minister in the middle. If you want any clarification, I will allow later on.

DR. SUBRAMANIAM SWAMY : He must be relevant.

SHRI BRAJAMOHAN MOHANTY : This is very much relevant to the background as to how the problem has developed from the humanitarian aspect.

From March, 1977 upto January, 1980, another 55,000 people have encroached upon the land. Now, one thing we have to see that the present encroachment. The unauthorised constructions are estimated to be 29,872. Out of that during 1977 and 1978 and 1979 calendar years, 19,901 unauthorised constructions tookplace.

From 1977 to 1988, the number of houses demolished is 5,347. DDA have demolished 11,966 unauthorised constructions.

Only in 1980 and 1981, DDA reported that 452 cases are under stay.

I am placing the various aspects of the problem before the House.

1,800 people have been arrested by Special Cell constituted during 1980.

(Interruptions)

MR. DEPUTY-SPEAKER : Please don't get diverted.

DR. SUBRAMANIAM SWAMY : Why is the Hon. Minister talking about unauthorised colonies? I am not in talking of them .

MR. DEPUTY-SPEAKER : They are not authorised persons! The Hon. Member is not in one of them!

SHRI BRAJA MOHAN MOHANTY : I expect some enlightenment from the Hon. Member.

Under Delhi Land Transfer Act, 366 case have been booked. As regards the conversion of plots from residential to commercial, I would place the figures before the House—DDA figure is not available—I am giving the general figure—2,297

cases were booked and 1,538 cases are pending before the court.

My submission would be that the local bodies which are in charge of keeping the City of Delhi free from encroachment and unauthorised constructions, are very active. But, they have certain constraints which I have placed before you.

So far as DDA is concerned, as a preventive measure, they have fenced 1,500 hectares of land and upgraded it.

I have received reports that out of total land under the management of Delhi which is 61,000 acres, the encroached land which is not cultivable consists of 1,500 acres.

The main problem is to be understood.

In regard to demolition, I would like to place before the House that from 1977 to 1981, the percentage of demolition was 5 to 7%.

In the year, 1981-82, the percentage of demolition is 27%.

So, my submission would be that the local bodies are very much active and they are doing their level best to meet the challenge of the situation. But, there are a number of constraints, as I told you.

So far as Gurdwara is concerned—Shri Ratansinh Rajda has very emphatically stressed the point—and I would only like to place before the House that as a matter of fact there has been some attempts to encroach upon and DDA had planned a Housing Complex in the area now and this was objected to on the ground that this might obstruct the view of Gurdwara, as the Hon. Member has said. Subsequently, some tents were pitched at the site and the construction of the boundary wall was started and work was commenced and Nishan Sahab was installed in the site. The Delhi Administration held discussions with the leaders of the Delhi Gurdwara Prabandhak Committee and have reported that in deference to the religious sentiments of the followers of the Gurdwara Khalsa, it has been agreed to provide clear approaches to the Gurdwara besides parking space and a park in front of the Gurdwara. The DDA has modified the lay-out plan accordingly. He knows everything. Does he advise the Government to precipitate the situation and create a law and order problem?

SHRI RATANSINH RAJDA: No, Sir,

SHRI BRAJAMOHAN MOHANTY: Then I am very happy and I would request for cooperation to see that this problem is solved amicably. We are in touch with them and we have found out the way, and I am sure the DDA will take over the remaining portion of the land, the portion which will be kept open so that the sight of the Gurudwara is not obstructed. The rest of the construction will start and the DDA will take it up.

MR. DEPUTY-SPEAKER: Mr. Harish Chandra Rawat.

SHRI RATANSINH RAJDA: Sir, you told me that you would allow me at the end.

MR. DEPUTY-SPEAKER: Only one clarification; it should be very short.

SHRI RATANSINH RAJDA: The Minister has made the confusion worse confounded from this viewpoint that this Call-Attention pertains to unauthorised constructions which have cropped up on a very large scale in the walled city of Delhi, but instead he has talked about *jhuggi-ihompris* and he has given statistics what action was taken and how many structures were demolished. The Government comes out heavily on poor people and demolish their hutments. But these racketeers are hand in glove with them. That is why, Government is dragging their feet and are not taking action against such people who are anti-social elements. I want to know what action Government would take against these elements.

SHRI BRAJAMOHAN MOHANTY: I shall be very much grateful if any specific allegation is made... (*Interruptions*) against any of the employees of the local body. Allegations against some political leaders have been specifically made. If you so like, I can. I thought that on some other question I would place all the facts relating to the allegations. Are you interested in knowing that?

DR. SUBRAMANIAM SWAMY: Have you investigated into that story?

SHRI BRAJAMOHAN MOHANTY: Yes; it has been investigated (*Interruptions*).

SHRI RATANSINH RAJDA: I have demanded a high-powered Committee to be appointed to go into the entire thing. (*Interruptions*)**

MR. DEPUTY-SPEAKER: There is not a general discussion. Please do not record it. He is replying only to Mr. Rajda. (*Interruptions*)**

SHRI BR AJAMCHAN MOHANTY :
The Municipal Corporation, Delhi, has reported that Shri Manoharlal Kumar generally played in the background like other builders by entering into an agreement with the....

SHRI RATANSINH RAJDA: Who is that Manoharlal Kumar ?

SHRI JAGDISH TYTLER (Delhi Sadar): Is he not an office-bearer of the BJP Party in Delhi ? Is he or is he not ?
(Interruptions)

SHRI BRAJMOHAN MOHANTY:
Yes. In the Deed itself it is categorically mentioned that he is a leader of the BJP in Delhi. He has generally played in the background like other builders by entering into an agreement with the original owner of the building.....

(Interruptions)

MR. DEPUTY-SPEAKER: Only Mr. Rajda can ask for clarification, not everybody else. Mr Tytler, please leave something for your colleague, Mr. Rawat.

SHRI BRAJAMOHAN MOHANTY:
... by entering into an agreement with the original owner of the building making huge changes.....(Interruptions)

SHRI M. RAM GOPAL REDDY:
There are other members also. Let them speak and you can reply.

MR DEPUTY SPEAKER : He has replied. Now Mr Harish Rawat.

श्री हरीश रावत (अलनोडा) :
माननीय उपाध्यक्ष जी, मुझे बड़ा तक-लाफ हुई जब माननीय मंत्री जी ने, जो असली विषयवस्तु कॉलिंग अटेंशन की थी, उसका कोई जवाब नहीं दिया। हमारी मंशा इस कॉलिंग अटेंशन के जरिये सरकार का ध्यान, इस सदन का ध्यान और इस सदन के माध्यम से सारे दिल्ली को जनता का ध्यान उस अवैध कब्जों को और दिलाना था जिन्होंने दिल्ली के दिल, चांदनी चौक को एक स्लम बनाकर रख दिया है। हाल में ले० गर्वनर का एक बयान हमने अखबारों में पढ़ा जिसमें उन्होंने कहा कि अवैध कब्जे हटाये जायेंगे। कुछ अवैध कब्जे

हटाये भी गये लेकिन ये वहाँ लोग थे जोकि खामचे लगाते थे, जाकि फुटपाथ पर थे या जो रेहड़ी लगाते थे। ऐसे लोगों को ही हटाया गया लेकिन जो असली लोग हैं, जो बड़े-बड़े रेवेटोरिस हैं, उनके खिलाफ कोई भी कार्यवाही नहीं की गई। अभी यहाँ पर हमारे दोस्त राजदा साहब को कांग्रेस को पुरानो संस्कृति ने हो प्रेरित किया जो उन्होंने यहाँ पर असल बात को कहा लेकिन हमारे मंत्री जी ने उसका कोई स्पष्ट उत्तर नहीं दिया। (व्यवधान) 1967 में जब दिल्ली में जनसंघ शासक दल था, तबसे यहाँ पर अवैध कब्जों को शुरूआत हुई। 1977 से जनता पार्टी के नाम से जनसंघ का यहाँ पर कब्जा रहा। मुझे तो ऐसा प्रतीत होता है कि आज भी वहाँ पर दिल्ली को जो एजेंसोज है--डो०डो०ए०, दिल्ली एडमिनिस्ट्रेशन और दिल्ली नगर निगम -- उनमें बा० जे० पी० के लोग घुसे हुए हैं और वे उनमें मिलकर अवैध कब्जों का निर्माण करते हैं। मैं यहाँ पर कहना चाहता हूँ कि अकेले चांदनी चौक में तीन हजार से ज्यादा ऐसे अवैध निर्माण कार्य किये गये हैं। पांच मंजिली इमारतें तक बनाई गई हैं। ये लोग करते क्या हैं? वास्तव में वे लोग पहले मकान मालिक से मिल लेते हैं और सस्ती कीमत पर मकान खरोद लेते हैं या फिर मकान मालिक से कोई सभझौता कर लेते हैं और फिर रातों-रात ऊंची बिल्डिंग बनाना शुरू कर देंगे। आप जानते हैं कि चांदनी चौक में छोटे-छोटे कमरों के लिये भी दो-तीन लाख रुपये की पगड़ी मिल जाती है।

उपाध्यक्ष जी, सरकार ने जो पब्लिक प्रेमिसेज ऐक्ट बनाया, जिसके द्वारा अवैध कब्जों को रोकने की कोशिश की, उसके लिये ये बंधाई के पात्र हैं। लेकिन यह जो दिल्ली में अवैध कब्जों

की बाढ़ आई हुई है उनको रोकने के लिये क्या आप कानूनों में कोई संशोधन करने की बात सोच रहे हैं ? यह जो ऐक्ट है—दिल्ली म्युनिसिपल अमेंडमेंट ऐक्ट दिल्ली डेवलपमेंट ऐक्ट, पंजाब म्युनिसिपल ऐक्ट, 1911—यह बहुत ही पुराने हैं। आज जिस अनुपात से दिल्ली बढ़ती जा रही है, हम समझते हैं, इस शताब्दी के अन्त तक दिल्ली की आबादी 1 करोड़ 25 लाख हो जायेगी। इस बढ़ती हुई आबादी की आवश्यकताओं को देखते हुए, आज जिस प्रकार से अवैध कब्जे बढ़ते जा रहे हैं, उनको रोकने में यह ऐक्ट नाकाफ़ी लग रहे हैं। मैं मंत्री जो से जानना चाहता हूँ कि वे उन ऐक्ट्स में कोई ऐसे संशोधन करेंगे, कोई ऐसे प्रावधान लायेंगे और इस प्रकार से इनको माडी-फाई करेंगे कि जिससे दिल्ली की वर्तमान तथा आगे बढ़ती हुई आबादी की आवश्यकताओं को पूर्ति की जा सके ?

उपाध्यक्ष महोदय, मैं यहां पर कोई छाटाकशी नहीं करना चाहता लेकिन इतना जानना चाहता हूँ कि जो मोरी गेट में, वाल्ड सिटी में, डी० डी० ए० की जगह थी, वहां मास्टर प्लान के सारे बाई-लाज को वायलेट करके मल्टी-स्टोरी कामर्शियल शापिंग सेन्टर बनाया गया उसको बनाने के लिये पैसा कहां से आया ? बनाने के लिये सीमेंट कहां से आया, क्या डी० डी० ए० को समय पर इसकी जानकारी नहीं हो पाई थी या जो भी एजेंसी काम कर रही थी, उसको समय पर जानकारी नहीं हो पाई थी ? जैसा कि मेरे दोस्त, श्री टाइलर, ने सही कहा—उसको बनाने वाला व्यक्ति श्री मनोहर लाल कुमार है। जिसको कि दिल्ली का हाजी-मस्तान भी कहा जाता है, जैसा कि अखबारों में छपा

है,। वह व्यक्ति एक राजनीतिक दल बी. जे. बी. का है, जैसा कि श्री राजदा जी ने कहाँ और वाइस-प्रेसीडेंट है। सदर डिस्ट्रिक्ट का पदाधिकारी है। उसने मिलकर इसको बनाया है। डी० डी० ए० के लोगों ने पी० ए० सी० की कमेटी में इस बात को कबूल किया है। आफिस जो कि सदर बाजार क्षेत्र में है, वहां कुछ ही महीनों के अन्दर 1500 अवैध दुकाने बनी हुई हैं। मेरी समझ में यह बात नहीं आती है कि किस तरीके से मनोहर लाल इस काम में सक्षम हो पाया है कि वह इस तरह के अवैध कामों को कर दे। क्या वहीं दिल्ली का सर्वेसर्वा है, क्या वही दिल्ली का लेफ्टिनेंट गवर्नर है, और क्या दिल्ली की सरकार वही है ?

मान्यवर, नम्रता तो समझ में आती है। मैं मानता हूँ कि श्री भीष्म बाबू बहुत विनम्र हैं। सारा सदन उनकी विनम्रता की सराहना करता है। मैं भी मानता हूँ कि वे राजनीतिक नेता हैं और ईमानदार व्यक्ति हैं, लेकिन केवल उनकी ईमानदारी से क्या होगा ? उसकी नाक के नीचे....

SHRI JAGDISH TYTLER: Sir, sorry for interrupting him. After the DDA won the case in the Supreme Court, it has not been able to touch a piece of his land. That is the major difficulty.

श्री हरीश रावत : मुझे जानकारी है उस व्यक्ति के पैरोल में न केवल हमारे कुछ कर्मचारी हैं, बल्कि राजनीतिक दलों के कार्यकर्ता भी हैं। यह मुझे ज्ञात हुआ है कि जब कभी भी डी० डी० ए० उन के खिलाफ कोई कार्यवाही करने की कोशिश करता है या दिल्ली एड-मिनिस्ट्रेशन कोई कार्यवाही करने की कोशिश करता है, तो धरना देने की धमकी

[श्री हरीश रावत]

दी जाती है। तमाम राजनीतिक दलों के कार्यकर्त्ताओं को लेकर लेफ्टिनेंट गर्वनर या वाइस प्रेजिडेंट, डी०डी०ए० के वहां हल्ला-गुल्ला मचा दिया जाता है। वह व्यक्ति यह सोचकर कि हम पर कोई छिटा न आ जाये, चुप रह जाता है। मैं आपसे जानना चाहता हूँ कि क्या आप श्री मनोहर लाल जैसे व्यक्ति के लिये अपनी विनम्रता को तोड़ेंगे? आपकी नाक के नीचे इस तरह से हाजी मस्तान पनप रहा है, जिसने हजारों इल्लिगल कन्स्ट्रक्शन कर विये हैं, जिसने करोड़ों रुपया इल्लिगल कन्स्ट्रक्शन द्वारा बनाया है, उसके खिलाफ आप क्या कार्यवाही करेंगे? आपके पास एक्ट है, एन०एस०ए० है, आप उसके खिलाफ कार्यवाही करने में सक्षम हैं। इसलिये आप इस संबंध में कार्यवाही करिये।

श्री हरीश कुमार गंगवार (पीली-भीत) : प्योर-ड्रिक्स के खिलाफ भी कार्यवाही होनी चाहिये।

श्री हरीश रावत : मान्यवर, डी० डी० ए० को केवल झुग्गी-झोंपड़ी गिराने वाला पहलवान न बनाइए। ऐसे पहलवानों से भिड़ाइए, उनके अवैध कब्जों को गिराइए।

मान्यवर, एक जगह है, जो कि पहले ग्रीन-बैल्ट एरिया था। उसमें बिना लैण्ड-यूज को चेंज किए एक बिल्डिंग बनाई गई जिसका कि जिक्र श्री टाइटलर ने किया है। महेन्द्र इन्कलेव के नाम से, वह व्यक्ति सुप्रीम कोर्ट में हार गया, लेकिन उसको "स्टे" मिल गया। उसको क्यों स्टे दिया गया? कहां से उसको स्टे मिल गया? उसने अपने एन्कलेव में एक व्यक्ति को फ्लैट दे रखा है, योगेन्द्र जैन, जोकि बी० जे० पी० का जनरल सेक्रेटरी है, वैसे वह पंजाब नेशनल बैंक का कर्मचारी है। बार-बार

उन लोगों के द्वारा धमकी दी जाती है। मुझे जानकारी है कि डी० डी० ए० ने कई बार उनके खिलाफ कार्यवाही करने की कोशिश की, लेकिन हर बार उनको कार्यवाही करने से रोक दिया गया।

मान्यवर, इसी प्रकार और भी कई उदाहरण हमारे पास हैं। अवैध कब्जा राजनीतिक दल विशेष कार्यकर्त्ताओं के द्वारा मिलकर, डी० डी० ए० को धमका कर, हमारे एडमिनिस्ट्रेशन को धमका कर किया गया है। मैं माननीय मंत्री जी से जानना चाहता हूँ कि ऐसे अवैध कब्जा को गिराने के लिए डी० डी० ए० के द्वारा या दूसरी-तीसरी एजेन्सी के द्वारा क्या कार्यवाही की गई है? मुझे जानकारी है, जब भी हायर-लैवल पर कार्यवाही करने की कोशिश करते हैं, तो नीचे के लोग उन व्यक्तियों को बता देते हैं... और वे व्यक्ति कोर्ट से स्टे ले लेते हैं। मैं जानना चाहता हूँ—एसे कितने केसेज में आपने कार्यवाही के नोटिस दिये और कितने केसेज ऐसे हैं जिनमें कोर्ट के द्वारा स्टे दिये गये? यह प्रोसेस रुके, इस दृष्टि से कानून में कोई अमेंडमेंट करने के लिये क्या सरकार विचार कर रही है?

..... (व्यवधान)

मैं आपके माध्यम से मंत्री जी से जानना चाहता हूँ—इन सारे केसेज में हमको ऐसा प्रतीत होता है कि एक राजनीतिक दल के कार्यकर्त्ता, डी० डी० ए० के कुछ कर्मचारी, कुछ पुलिस के अधिकारी—ये सारे लोग मिले हुए हैं, यहां तक कि फाइलों को, रिकार्ड्स को बदल दिया गया है, जमीन किसी के नाम है उसके मालिकाना हुकूक को बदल दिया गया है। क्या आप इस सारे मामले की उच्च-स्तरीय जांच करायेंगे, क्या इसकी जांच सी० बी० आई० के द्वारा करवाने को तैयार हैं? क्या ऐसे आफिसर्स, जिनके साथ मिल कर यह अवैध निर्माण किया गया है, उनको पिन्-प्वाइन्ट करके क्या आप कोई सजा देंगे? ... (व्यवधान)

कितने लोगों को डी० डी० ए० के द्वारा नोटिस दिये गये तथा कितनों को कोर्ट द्वार स्टे दिया गया—कृपा कर यह भी स्पष्ट कर दें ताकि मालूम हो सके कि कभी-कभी विकास कार्यों में न्याय-पालिकाएँ भी बाधक बन जाती हैं।

आपने 1980 में एक स्पेशल सेल बनाया था, जिसका इन्चार्ज एक एस०पी० को बनाया था। इस सेल के बनने के बाद कितने अवैध कब्जे रुके तथा क्या यह सेल कोई कार्यवाही करने में इफेक्टिव रहा है ?

ऐसा प्रतीत होता है कि जो अवैध कब्जे किये जाते हैं और उनमें जो कोर्ट से स्टे मिल जाते हैं—इसका कारण कानून में इसका नान-कागनिज़िबिल आफेन्स होना है। क्या इस आफेन्स को कागनिज़िबिल आफेन्स बनाने की दृष्टि से आप कानून में कोई संशोधन करेंगे ताकि डी० डी० ए० सही तरीके से कार्यवाही कर सके ?

आवास-विकास एक सामाजिक समस्या है और साथ ही आर्थिक समस्या भी है। दिल्ली आज जिस तरह से बढ़ रही है, मैं यह समझता हूँ कि डी० डी० ए० ने बहुत सराहनीय काम किया है, बड़ा उल्लेखनीय काम किया है और वे निश्चित रूप से इसके लिये बधाई के पात्र हैं ! इस शताब्दी के अन्त तक दिल्ली की आबादी 1 करोड़ 25 लाख हो जायेगी और यदि हमने इफेक्टिव तरीके से सारे लोगों को अभी से बसाने की कोशिश नहीं की, उनके आवास-विकास की कोई योजना नहीं बनाई, तो दिल्ली एक स्लम बन कर रह जायेगा, जो आज सुन्दर नगर है, वह गन्दा नगर बन जायेगा। मैं जानना चाहता हूँ—दिल्ली की भविष्य की आवश्यकता को देखकर क्या कोई नया मास्टर प्लान बनाने का विचार है ? आज दिल्ली में जन-संख्या का कन्सेन्ट्रेशन बढ़ता चला जा रहा है—इसलिये आप ऐसा क्या प्रयास करने जा रहे हैं जिससे उसकी

सुन्दरता को बनाये रखा जा सके, दिल्ली की जो ग्रीनरी है उसको बनाये रखा जा सके ?

हमारे काल-एटेंशन का जो वास्तविक मंशा है—अवैध कब्जों को रोकने के लिये आप क्या कार्यवाही कर रहे हैं। ऐसे लोग जो एक राजनीतिक दल के कार्यकर्ता हैं जो कुछ अन्य लोगों के साथ मिल कर डी० डी० ए० और दिल्ली एडमिनिस्ट्रेशन को मैलाइन करने की कोशिश कर रहे हैं उनके खिलाफ सख्त कदम उठाये जायेंगे या नहीं उठाये जायेंगे—यह बतलाने की कृपा करें ?

SHRI BRAJAMOHAN MOHANTY: Mr. Deputy Sepeaker, Sir, the hon. Members are very much interested to know about Mr. M. L. Kumar's part of the story which I am going to tell to the House.

13.00 hrs.

I have the report that the building constructed by M.L. Kumar opposite, the fire brigade station on Kutab Road is still under stay. (Interruption) The 3-storeyed building which has 136 shops in Sabji Mandi, Mori Gate area has been stayed by the court of law. The original owner is Smt. Vimla Rani Gupta

श्री जगदीश टाईटलर : रुई मंडी में पिछले हफ्ते बहुत सी बिल्डिंगें खड़ी हो गई हैं।

I think that somebody has given you some wrong information. This man has all along been a very big racketeer; and no one has been able to stop him at all. It is my constituency. I know the position; I may tell this to you; it is on record, because, 2 years ago I had gone there; the whole colony has come up there.

श्री हरोश कुमार गंगवार : इसके लिए एक हाई पावर कमेटी बना दी जाए।

SHRI JAGDISH TYTLER: I can give you the particular names of officials who are involved in this.....

(Interruptions)

MR. DEPUTY SPEAKER: Please listen to him.

SHRI BRAJAMOHAN MOHANTY: I am telling this to you on the basis of the information which I have got with me. I

[Shri Brajamohan Mohanty]

do not have information on all the cases of racketeering; we don't have the information in all cases. Whatever information I have, I am placing it before you. *(Interruptions)*

MR. DEPUTY SPEAKER: It is not general discussion. Only these who have given Calling Attention Notice should put questions.

SHRI BRAJAMOHAN MOHANTY: On the basis of the information which I have, I am stating the position.

(Interruptions)

MR. DEPUTY SPEAKER: You reply to Mr. Harish Rawat.

AN HON MEMBER: You personally go there; it is very near.

SHRI BRAJAMOHAN MOHANTY: Not only M.L. Kumar is involved; there are others like Shri Atma Prakash Kaushik, Shri Sukbir Saran Agarwal, Shri Iswar Das Nigam, Mrs. Ram, Jewellers, Shri Surinder Gupta etc. They are there they are the kingpins of these conversion gang; they are organising all sorts of racketeering. So far as M.L. Kumar is concerned, he has himself built a 3 storeyed building. That was demolished during the Janata regime and subsequently.....*(Interruptions)*

AN HON MEMBER: He has rebuilt it now.

श्री हरीश रावत : 50 मार्केटिंग कॉम्प्लेक्स बनाए हैं ।

.....*(व्यवधान)*.....

SHRI BRAJAMOHAN MOHANTY: Subsequently there has been a resolution in the MCD. It said that all illegal constructions should be regularised. In pursuance of that, during Janata regime, it was again reconstructed. Now, the stay is operative. Each case has its own story. This is one story of violation and how it has been done. In some cases political parties are involved; in some cases big personalities are involved; there is no doubt about it. As far as we are concerned we are taking determined steps so as to see that irregular constructions are removed. As far as amendment of the statue is concerned, the position is this. It has been mentioned by hon. Members that the existing laws are not adequate for the purpose. There have been protracted litigations which have been going on. So, as a matter of policy the Law Ministry has decided that the statue should be amended. Our purpose is to see that Government should have enough power; the local body should have enough power; they should be in a

position to effectively deal with the situation. That is why the Law Ministry is now drafting the Bill. In this Session itself, we will try to bring forward a Bill before this House. Our sole purpose is to make the Statute more effective.

MR. DEPUTY-SPEAKER: Supposing somebody constructs a house and he goes to the court and gets a stay order. Why should not the Delhi Corporation try to vacate the stay order for a long time?

SHRI BRAJAMOHAN MOHANTY: The Court has to vacate.

MR. DEPUTY-SPEAKER: Who has to take up this matter with the Court?

SHRI BRAJAMOHAN MOHANTY: The Corporation takes it up.

MR. DEPUTY-SPEAKER: Why have MCD or the NDMC not taken any action?

SHRI BRAJAMOHAN MOHANTY: The M. C. D. or the other concerned Local Bodies are very much alert and they also go to the Court and try their level best to vacate the stay order. But everyone knows that the Court procedure is a time consuming process.

SHRI JAGDISH TYTLER : Why have they not taken any action in this case?

SHRI BRAJAMOHAN MOHANTY: About the Mahindra Enclave, the position is this. The problem here is that originally it was a refugee property. Those refugees were going to Pakistan. So the Rehabilitation Ministry put the land to auction and Mr. Darshan Singh, Mr. Balwant Singh and some such name were the purchaser. Subsequently, the Delhi Administration wanted to acquire the land and those lands were brought under Notification, under Sections 4 and 6. After that, they challenged before the High Court and the Supreme Court. They lost their case. Accordingly the acquisition proceedings started and when the acquisition proceedings started, again they went to the Court. Again they lost, the case. There are three clauses pertaining to this under Articles 351, 352 and 353. So far as the Articles 352 and 353 are concerned, we are not taking possession of the land.

SHRI JAGDISH TYTLER : With due respect to the hon. Minister, I may state that the officers are misleading the Minister.

(Interruptions)

Today also it has come in the paper.

SHRI BRAJAMOHAN MOHANTY:
Do I deny that ? It does not mean that today, yesterday or day before yesterday, new constructions had not come up. I do not say so. (*Interruptions*)

श्री हरीश रावत : जब कोई इल्लगल कंस्ट्रक्शन होता है तो क्या उसके डिमोलिशन से पहले डी० डी० ए० द्वारा नोटिस देना जरूरी होता है ? क्या ऐसा नहीं हो सकता कि जैसे ही इल्लगल कंस्ट्रक्शन हो जैसे ही डी० डी० ए० उसको जा कर तोड़ दे ?

SHRI BRAJAMOHAN MOHANTY:
Sir, there are various things given in the Statute. They must be given notice and certain period will have to be given and in between whenever they go, sometime the law and order problem is created. The Local Body and the Police Administration also try, as far as possible, to avoid any law and order situation which will not be desirable. Various factors are there. These persons in this particular Mohindru Enclave have repeatedly tried to have their plans passed, but they did not succeed. The entire thing is illegal, and unauthorised constructions are existing there. As I said, it involves three plots. Out of these three plots, we have taken possession of only half of plot No. 351. We have not taken possession of plots No. 352 and 353 because constructions exist on them. Naturally, our effort would be to take over the entire thing. The people who are staying there have directly made a representation to the Ministry indicating their grievances and requesting for considering the same. That is under our consideration, and we will take effective steps as required.

SHRI JAGDISH TYTLER: Why did they go to the Supreme Court ? (*Interruptions*). Officers are involved.. (*Interruptions*) where did they get cement and other things from ?

SHRI BRAJAMOHAN MOHANTY:
So far as the distribution of cement is concerned, as the hon. Member knows, that is not handled by us. Cement is made available only on legal basis, not otherwise.

As I said, this problem is a complicated one, and we have to approach it in its totality.

SHRI M. RAM GOPAL REDDY:
Mr. Deputy-Speaker, Sir...

MR. DEPUTY SPEAKER: His questions will be sugar-coated.

SHRI M. RAM GOPAL REDDY:
The Minister has made a comprehensive statement and there is nothing left over. Shri Rajda is a very balanced and reasonable man, but unfortunately, he has lost his balance today. (*Interruptions*)

MR. DEPUTY SPEAKER: That is his version.

SHRI M. RAM GOPAL REDDY:
Shri Rajda stated that it was confusion worse confounded in this case. Unfortunately, he himself is confused today.

SHRI RATANSINH RAJDA: He is answering like a Minister.

MR. DEPUTY SPEAKER: He is preparing the ground to put his questions.

SHRI M. RAM GOPAL REDDY:
Shri Rajda said that it was a burning problem. The hon. Ministers are very cool-hearted and cool-minded and they can extinguish any burning thing, and naturally it will cool down. I hope, Shri Rajda will also be cooled down.

Delhi has been a great city. Now it has become almost one of the finest cities of the world. Only the old Delhi is over populated; it is very thickly populated. New Delhi is very thinly populated. I want the Minister to see that the beauty of the city is maintained. The Minister while replying has said very correctly that in the years 1962, 1967 and 1977, Jan Sangh, now BJP, came to power, and they were occupying the seats of power in Delhi Municipal Corporation, and the metropolitan city. During that period not on account of their love for the people, but for their votes, they brought so many people and got them settled here, so that they get their votes. It was purely done for votes. If out of humanitarian considerations, they had done this, I would have agreed to this.

MR. DEPUTY-SPEAKER: How were you elected? Only on vote.

SHRI M. GOPAL RAM REDDY: I got very good majority; 2.5 lakhs, and from rural areas.

These three names have been constantly mentioned. One is Mr. Manohar Lal, one Shri Yogendra Jain and the third is Mr. Kumar.

I want the Minister to constitute a high-powered commission to go into the antecedents of these three persons and take necessary action.

About 216 illegal structures and colonies have come up. Once the Government takes a decision; they should not give any time for the person to go to the court and

[Shri M. Ram Gopal Reddy]

they should immediately demolish these structures. After all, it is the Government property and I hope the Janata Party will not come in the way and again start saying that this Government has demolished so many things. Previously when Mrs. Gandhi wanted to make this city very beautiful and they have taken advantage of it. Now they have forgotten this. On account of their enmity with the BJP they are making speeches. Otherwise they would not have made such speeches.

SHRI JAGDISH TYTLER: Sir, Mahindra Enclave still remains. This Parliament gives legality to this unauthorised construction. I would say this only.

SHRI M. RAM GOPAL REDDY: Sir, I would like to know whether Parliament is in a position to pass a law to prevent the man to go to the court if anybody constructs a house unauthorisedly? If this is not possible, whether the Government will use National Security Act against such person? If the Government does this I think most of the things can be stopped.

It has been said several times that the cement was given by the Officers concerned. But as you know plenty of cement is available outside the permits. Then why unnecessarily blame the Officers? After all, Officers are here to serve the country and to serve the Government and they have nothing to grind. If we say Officers are hand-in-glove, I think we are not doing justice to our Officers, our own persons and are preventing them to do their duty properly.

SHRI BRAJAMOHAN MOHANTY : Sir, My submission would be that the Hon. Member has very much appreciated the problem. I am very grateful to him. We are very much serious and are very actively pursuing the matter to see that unauthorised constructions are removed and that Delhi becomes a beautiful city. Perhaps the Hon. Member has not taken notice of the fact that 80 to 100 people have been arrested. I have placed this information before the House. Special cells have been set up to check illegal conversions from residential into commercial. I have placed before the House 2,297 cases have been booked by only one Agency so far as the DDA land is concerned. I have placed before the House that 11,900 illegal constructions have been demolished. I am sure that these are certain political elements which stand in our way. They are very powerful elements also. They are not only individually powerful, they also have certain political parties' support behind them.

MR. DEPUTY-SPEAKER : But they cannot be more powerful than the Government.

SHRI BRAJAMOHAN MOHANTY : The problem is now that the matter has been shifted to the courts.

For the information of the Hon. Members, in the case of Mahindra Enclave, there has been some stay order from the High Court, because there are a number of high people, who have filed the case in the courts.

(Interruptions)

SHRI JAGDISH TYTLER : It is not right.

SHRI BRAJAMOHAN MOHANTY : One set of stay orders has been vacated, but some new people have moved the courts. Suppose in a particular unauthorised colony, there are 400 people and 150 went to the court and lost the case, then others come up... (Interruptions) So, the problem is that. (Interruptions)

MR. DEPUTY SPEAKER : It is for the Government to reply.

SHRI BRAJAMOHAN MOHANTY : Government is taking note of the anxiety of the hon. Members. (Interruptions) Government also shares the concern of the House that the people who are indulging in unauthorised construction, should not be given any laxity.

MR DEPUTY SPEAKER : Now Mrs. Kishori Sinha.

SHRIMATI KISHORI SINHA (Vaishali) : I do not want to blame any party-BJP, Janata Party or, for that matter, Congress (I)—for the illegal activities of the individuals who are responsible for such a big racket in the capital of the country. It appears to me that the desire to become rich quickly brought together a group of persons, irrespective of party affiliations.

The main point is that large scale building construction work against the rules and regulations of the Corporation, or, even against the Master Plan was going on in Sadar Bazar, Chandni Chowk and other areas like Pahar Ganj and nobody brought it to the notice of the appropriate authorities.

AN HON. MEMBER : Windsor Place. (Interruptions)

SHRIMATI KISHORI SINHA : Even four-storey-high buildings came up without attracting the notice of the officials of the Corporation, DDA and even of the police.

I am glad that Government had come with a statement detailing the various steps to prevent such unauthorized construction ; but Government have not said a word about the proposal, if any to take action against officers responsible for negligence or connivance. For instance, the Municipal Commissioner is directly responsible for ensuring that rules and regulations are followed in constructing any building.

Therefore, I would like to ask this question : did the Municipal Commissioner who is an IAS officer come to know of this illegal construction ? If so what action did he take? What other steps does Government propose to take to deal with those who have actually made a huge amount of unearned profits ? I would like to suggest that the Government should set up an enquiry committee in order to fix responsibility on the erring officers. (Interruptions).

My demand is that they should be removed, if they have erred. (Interruptions)

Secondly, Government proposes to bring a legislation to amend the statute, to make it more effective. Will Government consider taking powers, under the law, to acquire constructions which cannot be demolished ?

MR. DEPUTY SPEAKER : Now the Minister. (Interruptions)

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND WORKS AND
HOUSING (SHRI BHISHMA NARAIN
SINGH) : I am thankful to the hon.
Members who have drawn the attention
of the Government to such a complex
problem of Delhi. Government is very
much concerned; and as my colleague has
stated, this Government is committed to
a planned development of Delhi.

My colleague has given facts as to what was the position earlier, and how this problem has come up. We have got old laws. In cases of land acquisition, that Act is so old. It is an Act of 1894. The Act to deal with this problem is also old. If you see those Acts, some are of the year 1911. Therefore, the main problem is that we have to amend this law. Earlier, Delhi was not facing so much of influx of population. It was not like that. You have seen that the population growth is so much high that we have started thinking on national capital region to disperse the pressure on Delhi. We have provided Rs. 10 crores in the Sixth Five Year Plan

though it is token amount but because of the reason that Delhi is growing so fast such type of problems are bound to come.

श्री हरीश रावत : हरियाणा और उत्तरप्रदेश मान गये हैं आपके प्रपोजल को ?

SHRI BHISHMA NARAIN SINGH: Therefore, for dealing with this problem, this is high time that we must amend the law. Therefore, we have gone to the cabinet. Whatever proposals we have brought before the Cabinet for the amendment of these three laws, the Cabinet has accepted them. The Law Ministry is preparing a Bill. As soon as a Bill is prepared, we will definitely try to introduce it in this Session. As my colleague has said, we will try to introduce this Bill in this Session. At the moment, the Bill is not in our hands: it is being prepared. So, you can very well appreciate the efforts made by the Government. Last year, in this August House, we had amended the public Premises Eviction Act. Why have we amended it when we are not concerned with this problem? we are very much concerned with this problem. The Government has sometimes to take a human approach also. We have a democratic set up. Our local bodies have to function also according to the rules available to them, according to the laws which are available to them. Under that, they have to exercise it. (Interruptions) They are exercising it very well. The courts are also there. As has been mentioned by my colleague, if an officer acts over enthusiastically or they will not act within the frame work of a particular act or law or what ever you may say, then the court will come immediately: then it will be ridiculous on the part of the entire staff of the Government. Therefore, they are trying their level best. About the officers also, I can assure the House that when we get complaints about them, no officer or anybody can be spared by us; we will never spare anybody. My hon. friend, Mr. Rawat has said that we are sweet persons; definitely we are sweet. As you know, this is the culture of Congress (I) (Interruptions) But we are firm people in dealing with the problem: we will deal with this problem very firmly, you should appreciate it. We are not going to spare anybody; he will never be spared. We will do that. We will take care of this problem.

DR. SUBRAMANIAM SWAMY: He has not answered all the questions.

MR. DEPUTY-SPEAKER: He has answered all the questions she has asked, Shri T. R. Shamanna.

DR. SUBRAMANIAM SWAMY : He must answer all questions. How can he evade the questions?

(Interruptions)

SHRI T. R. SHAMANNA (Bangalore South) The Minister has given fantastic figures to show that so many irregular buildings have been dismantled, arrests have been made and cases have been launched against the offenders. He has made BJP and the Jan Sangh responsible for these irregularities. I tell you that I was a Councillor for nearly 17 years; for five terms I was elected. Out of 50 years, except for one term, the Congress was ruling the administration of the city corporation; and during that period, from 1961 to 1981, it was less than 100; but in 1981, 450 slums came up in Bangalore. I am telling you without any exaggeration how 1.15 lakh houses have come up in Bangalore; most of them have come up without authorisation. Therefore, it may not necessarily be the Jan Sangh or the BJP which is responsible for this; the Ruling Party generally helps the unauthorised constructions to come up.

As far as Bangalore is concerned, it was considered a paradise it was considered a garden city, but now the city is going from bad to worse. I am quite sure that unless steps are taken, Delhi, Bombay and Bangalore will go to dogs and the future generations will curse us if we do not stop this unauthorised construction and unauthorised encroachment. Therefore, I strictly appeal to the Central Government to see that not only Delhi but the other Corporations also do their job well. Furthermore, you have got the advantage of the Delhi Administration rule for all this. What prevents you from enacting new legislation and arm the Administration with all the powers and see that unauthorised structures are removed and encroachment is stopped? For a strong government, it is no at all difficult to see that irregular growth is arrested.

Without going further into the details, may I ask you the following clarifications? Is there not a need to have a master plan and well thought out building bye-laws and strong enforcement of the laws to check the unauthorised structures? Is it not necessary to see that each and every building is constructed according to the rules so that unauthorised structures do not come up? These days for each and every thing people go to court and the court's give stay. Therefore the laws must be framed in such a way that it is not easy for the courts to give stay. It will not be difficult for the Central Government to take the necessary measures to see to this. Thousands of buildings are constructed. What is the Government doing? What are the administrators of the Corporation doing? Can they not take any action at the time of construction of buildings. After all, two storeyed and three-storeyed buildings cannot come up in a day or two. It

takes months. Therefore, if they act, it will be very easy for the Government to see that these unauthorised structures are removed.

It is very necessary that we would think properly. You have to see that there is an optimum growth of the cities, because both the cities and the population are increasing. If the population increases at the present rate, it will be very difficult. For example, in a city like Bangalore in 1961 the population was less than nine lakhs and now it has increased to more than 30 lakhs. The area was 26 sq. metres and it is now more than 120 sq. metres. When the city is developing unauthorised structures are also coming up. Therefore, the Government should have satellite towns instead of unauthorised structures. Particularly, the Central Government spends lot of money and New Delhi is fully developed but old Delhi is not and it is a congested city. Therefore, the Government should make up its mind that all the unauthorised structures should be removed. Further, the Administration's rule has not given us any changed circumstances. Therefore, I urge upon the Government to see that the Corporation elections are held immediately so that whatever the ruling Party has done will be brought to the notice of the people. Therefore, it is very necessary that the city administration is passed on to the persons elected by the people.

Next, the urban land laws are not enforced. I am sorry to say that they are not enforced properly now. The Urban Land Ceiling Act should be amended and after such alterations as are necessary to suit the present conditions, it should be enforced.

The next point I want to mention is that the Housing Minister may please call a Conference of the representatives of the States and take their advice and see that everything is done properly. Therefore, may I ask the Minister to take the necessary steps to bring in a comprehensive master plan and also ensure that proper bye-laws are brought into force immediately? Then, the optimum growth of the city should be fixed and steps should be taken to see that the cities do not develop beyond a particular limit in population. There are many problems involved in encroachment. Some of these encroachments are with the connivance of the officials. It is very necessary that the officers concerned should be dealt with sternly. If necessary, a law should be passed to see that further encroachments and unlawful constructions are stopped. It is no good just giving some explanation here. We have

to see that Delhi, which is the centre of the administration of the country, gives a lead to the other cities to see that they also come up according to plan. Therefore, please have a master plan, provide bye-laws and enforce them strictly. Then only it is possible to control these encroachments. Otherwise, the unauthorised construction and encroachment will continue. The Minister in his reply should mention the steps that are being taken in this direction. He should also give a categorical assurance that no more encroachments or unauthorised constructions would be tolerated.

SHRI BHISHMA NARAIN SINGH: The hon. Member, Shri Shamanna, has suggested so many things. I have noted his suggestions. He has asked a question about Bangalore. I do not think that question will arise out of this Calling Attention Motion. Though I would not be able to reply about Bangalore, I can say that it is the general policy of the Government that we will not allow any encroachment in any metropolitan city, rather in any city.

He has alleged that these encroachments are taking place with the collaboration of the local bodies and their officials. This is not a fact. In fact, no Government will allow such things to happen in a city. But as I said in every city be it Bangalore or Delhi, the population is growing. Therefore, in the Sixth Plan we have provided sufficient money for the development of the small and medium towns. We are going to select more than 230 small and medium towns to develop so that the attraction towards the metropolitan cities is lessened. This is a difficult problem. We are taking the necessary steps. So far as the city of Delhi is concerned, I assure you that we will take every necessary step to see that encroachment does not take place even by amending the law, if that is warranted.

13.38 hrs.

ELECTION TO COMMITTEE

Committee on Official Language.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR): Sir, on behalf of Shri Zail Singh, I beg to move:

“That in pursuance of sub-section (2) of Section 4 of the Official Languages Act, 1963, the members of Lok Sabha do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, two members from amongst themselves to be members of the Committee on official Language vice Shri Vijay N. Patil resigned from the Committee and Shri R. K. Mhalgi died.”

MR DEPUTY-SPEAKER: The question is:

“That in pursuance of Sub-section (2) of Section 4 of the Official Languages Act, 1963, the members of Lok Sabha do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, two members from amongst themselves to be members of the Committee on Official Language vice Shri Vijay N. Patil resigned from the Committee and Shri R. K. Mhalgi died.”

The motion was adopted.

13.39 hrs.

MATTERS UNDER RULE 377

(i) Need for halt station at Burhanpur for Mahanagari-Varanasi Express.

श्री शिव कुमार सिंह ठाकुर (खंडवा) : उपाध्यक्ष महोदय, बुरहानपुर एक औद्योगिक ऐतिहासिक, धार्मिक स्थल है। 18,000 पावरलूम 1 वीविंग मिल, 1 स्पिनिंग मिल, 28 सामाजिक, 7 कलेंडरिंग प्लान्ट, आयल मिल, दाल मिलें, बीड़ी इण्डस्ट्रीज हैं। 15 करोड़ रुपए का केला दिल्ली मार्केट में बुरहानपुर से आता है। पौने दो लाख गांठ कपास की बंधती हैं। एक नया शक्कर का कारखाना 1250 टन का सहकारिता के क्षेत्र में बन रहा है। मध्य प्रदेश का 11वें नम्बर का शहर है। यातायात अधिक है। महानगरी-वाराणसी रेल बुरहानपुर में रुकना आवश्यक है।

(ii) Need for proper maintenance of DTC buses.

SHRI BHEEKHABHAI (Banswara) : It is gratifying to note that Government have initiated effective steps to increase the D.T.C. bus fleet keeping in view the coming ASIAD in November this year. Even otherwise, DTC undoubtedly has improved its bus service, though not to the utmost satisfaction of the public. In this connection, I would like to make a few suggestions for the proper maintenance of the DTC buses, particularly keeping in view the coming ASIAD.

1. It has been observed that the buses are not properly cleaned. Window panes of the buses are cleaned only when the buses joint the fleet or the glass is broken.