

the Provident Fund or some other fund, in their name and from that fund, they would be given financial assistance in their old age.

**MR. SPEAKER:** Next question. Shri Madan Lal Khurana

...(Interruptions)...

[English]

**SHRI K.S. RAO:** Sir, only four questions are being covered every day leaving the rest of the 16 questions unanswered. If this is the position, all questions cannot be covered on any day

...(Interruptions)

### Right to Housing

\*124 **SHRI MADAN LAL KHURANA:** Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government propose to declare 'right to housing' a fundamental right; and

(b) if so, the details of the steps taken in this regard?

**THE MINISTER OF URBAN DEVELOPMENT (SHRI MURASOLI MARAN):** (a) and (b). No Sir, At this stage, Government does not consider it necessary or feasible to declare housing as a Fundamental Right. The Action Plan announced by the Government envisages a comprehensive National housing Policy for different sections of the society with specific programmes directed towards the poor and improving the housing finance structure and this would be placed before the Parliament after its finalisation.

[Translation]

**SHRI MADAN LAL KHURANA:** Mr. Speaker, Sir, I have a submission to make. I know that the right to property was deleted from the Constitution through the 44th Amendment in 1979, but here I am talking

about the right to Housing. What I mean is that after 42 years of independence, the right to a roof or the right to shelter should be granted to the common man. Mr. Speaker, Sir, the freedom of speech and right to freedom of religion are included in the list of our fundamental rights. Even the right to life is there, but the right to life does not mean the right to live like animals, instead, it means the right to lead a dignified life. Mr. Speaker, Sir, to lead a dignified life means fulfillment of some basic necessities like food, clothing and shelter. Housing also should be one of them.

**MR. SPEAKER:** No one has any objection about housing.

**SHRI MADAN LAL KHURANA:** Mr. Speaker, Sir, this is so important a right that all other rights are useless without it. What I mean to say is that, in this country, people die of the adverse effects of weather in all the seasons. They die of heat in summer. In winter, it is cold that brings them death or during the monsoons, excessive rains take the toll of their lives. Just now, the hon. Minister said that he would make efforts. Earlier, the Government had said that every person in the country would be given a 25 Sq. yard or 25 sq. metre plot. Government should at least come out with a statement in this House, specifying therein the period by which every person in the country would be given a 25 sq. metre plot.

[English]

**SHRI MURASOLI MARAN:** Sir, I agree with the basic principle underlying in the argument of the hon. Member. But, in fulfilling the basic needs of the population, housing ranks next only to food and clothing in importance and there is no doubt about it. If we make it a justiciable right and a fundamental right, it will create a lot of problems. In short I would like to give the hon. Member and the House, through you, the total dimension of the problem. For example, in the Eighth Plan period the housing needs i.e. the physical requirement is about 21.77 million housing units. If we have to fulfil all these obligations,

the total investment required for the Eighth Plan is Rs. 77,500 crores; that means per year we require an investment of Rs. 15,500 crores which includes investment required for provision of infrastructure and minimum levels of services. At the same time, there are about six lakhs (0.6 million) of people who have no shelter at all; they are living in pavements and in temples. This is the nature of the problem. So, if we make it a fundamental right and justiciable right, a change in the Constitution alone will not bring about houses. Therefore, having regard to the prevailing conditions, existing resource and the level of economic development of the country, we think the time is not propitious to formally recognise housing as a fundamental right and justiciable right, but we also feel if we do so, it will divert the attention to the legal aspects. It will not help to secure the financial and other resources. Therefore, we think the purpose can be achieved through a pragmatic plan.

[Translation]

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, as the new Government has proposed to make the right to work, a fundamental right. Similarly, the Right to Housing too should be made a fundamental right. At least, the Government should come out with an announcement that those without house would be given minimum 25 sq. yards plot within a period of five or seven years.

[English]

SHRI MURASOLI MARAN: Sir, we are drafting a new Housing Policy in which we will announce all these schemes. We have discussed about the problems in our Consultative Committee. After it passes the drafting stage, it will be placed before the House and it will get the widest debate and it will be our Magna Carta for our Housing Policy.

[Translation]

PROF. RASA SINGH RAWAT: Mr. Speaker, Sir, through you, I would like to

draw the attention of the hon. Minister to the fact that here a question of the right to housing has been raised. But in fact, the people are in need of food, cloth and shelter. The fact that crores of people in the country are without a roof over their heads is not a pleasant thing for a welfare State. Therefore, I would like to request the Government to accept it in principle that they will provide shelter to each and every citizen of the country during the coming years. As at present, thousands and lakhs of people have to sleep on the pavements. At least, those thousands of people who come from villages and sleep on the platforms should be provided with shelter.

[English]

SHRI MURASOLI MARAN: Sir, the hon. Member speaks about those who are dwelling in the platforms. In fact, six lakhs of people in urban and rural area are shelterless. At the same time, we have been providing arrangements for the night shelter under the Night Shelter Scheme. Under this scheme we are taking care of these people in all the metropolitan cities. These people are also taken care of in cold wave seasons and other adverse conditions.

DR. RAMCHANDRA DOME: Sir, I would like to know from the hon. Minister what is the total number of homeless people residing in the great metropolitan city of Delhi.

SHRI MURASOLI MARAN: Sir, I require a notice for that.

SHRI KAMAL CHOWDHURY: Sir, may I know from the hon. Minister the number of applications pending with the DDA as on 31st December, 1989 and the number of houses or flats constructed during 1989 and allotted to the applicants. I would also like to know the time frame by which the backlog will be cleared.

SHRI MURASOLI MARAN: Again

crave your indulgence that I require a notice.

[*Translation*]

**SHRI VIJAY KUMAR MALHOTRA:** Hon'ble Speaker, Sir, the Hon'ble Minister has just stated that he is going to bring forward a special scheme very shortly but the amount of money allocated for the purpose in the current Budget presented yesterday by Hon'ble Shri Madhu Dandavate is only a little higher than that allocated under this head in the last years' budget and unless and until the amount of allocation is increased the present allocation will fall short to solve even one percent of the housing problem of this country. I would like to know from the Hon'ble Minister as to how could he share the problems of the people in this way without making provision of required amount of money for it in the budget because mere allocation for it on paper will not solve the problem. The second thing I would like to ask is whether the Hon'ble Minister, Prof. Madhu Dandavate proposes to utilize the black-money in this country for the purpose of housing and development of slums and to bring out all that money in such a way that it is utilised to solve the problem of slums and housing of the entire country?

**SHRI MURASOLI MARAN:** Sir, I share the feelings of the hon. Member, Prof. V. K. Malhotraji. Two days ago, our hon. Finance Minister has announced a new scheme in the name of "Take Shelter for unaccounted money" to be diverted in creating houses and for the development of slums. Naturally, it is a very innovative scheme. I think, it will go a long way in solving many of the housing problems.

**SHRI VASANT SATHE:** I think, this is a very important question. Firstly, I would like to know whether the figure the hon. Minister gave, 0.6 million...

**SHRI MURASOLI MARAN:** It is 6 lakh households in urban and rural areas. That is, those who sleep on the platform, under the trees, without any roof... (*Interruptions*)

**MR. SPEAKER:** Order please

**SHRI VASANT SATHE:** There are lakhs of people-actually, millions of people-in major cities alone like Bombay, Calcutta, Delhi and Madras who are living on footpath. My suggestion is that the Government should seriously consider allowing financial institutions to liberally finance constructing of houses in addition to what they are doing about blackmoney. That scheme may come later on. But if the existing financial institutions can advance loans for housing, that will go a big way in easing housing problem. As far as these people who are living on footpath are concerned, community shelters should be taken up urgently. Will the Government consider these two suggestions?

**SHRI MURASOLI MARAN:** When I say 6 lakh households living in the urban and rural areas, it is the figures given by the Working Group of the Planning Commission. They are the set of people who do not have shelters over their heads. They are living on the platform or under the trees. They are shelterless. These figures do not include the slum dwellers. This is the figure given by the Working Group of the Planning Commission... (*Interruptions*)

Regarding the other scheme, I said the previous Government had launched many schemes. We are continuing it and we are improving it.

[*Translation*]

**SHRI PRAKASH KOKO BRAHMBHATT:** Hon'ble Speaker, Sir, I would like to submit through you to the Hon'ble Minister that the Government has not been able to provide houses to the Members of Parliament to this date. Then how it could provide houses to the people in the villages. Hence I would like to request the government to provide night shelters for the people in the urban areas... (*Interruptions*)

[*English*]

**SHRI MURASOLI MARAN:** Regarding hon. Members of Parliament, we are doing our best with the cooperation of the Housing

Committee to solve the problem. (*Interruptions*)

[*Translation*]

MR. SPEAKER: He is doing what ought to be done.

..(*Interruptions*)

[*Translation*]

SHRI RAM NAIK: Hon'ble Speaker, Sir, can the Government not do the same at least in Delhi as had been done in Bombay in Maharashtra, till 1985 for the people living in unauthorised houses and jhuggi-jhonpris?

[*English*]

SHRI MURASOLI MARAN: For Delhi also, we have similar plan. Those people who are on those plans will be re-scheduled and alternative arrangements will be made for them. Until then, we will not demolish or destroy the flats.

### Cauvery Waters Dispute

\*125. SHRI B. RAJARAVI VARMA:  
DR. K. KALIMUTHU:

Will the Minister of WATER RESOURCES be pleased to state:

(a) whether Government propose to constitute a tribunal to solve the Cauvery Waters Dispute;

(b) if so, the details thereof; and

(c) if not, the other steps proposed to be taken to solve the problem?

### ANSWER

THE MINISTER OF STATE OF THE MINISTRY OF WATER RESOURCES (SHRI MANUBHAI KOTADIA): (a) to (c). The matter is under consideration. An inter-State

meeting of the Chief Ministers of the Cauvery Basin States on 7.4.1990 has been convened.

SHRI B. RAJARAVI VARMA: The hon. Minister's reply is cryptic, evasive and shows lack of concern over the issue which is hanging fire for 16 years. I would like to know from the hon. Minister whether the then Government of Dr. M.G. Ramachandran communicated its resolve to the Central Government of referring the issue to a Tribunal and, if so, what steps have so far been taken by the Government since then and, if no steps have been taken, what were the hurdles in taking the necessary steps?

SHRI MANUBHAI KOTADIA: A meeting is already convened on 7th April. If it would not deliver any good results, then naturally we will take further steps to solve the problem.

SHRI B. RAJARAVI VARMA: How many bilateral meetings between the Governments of Tamil Nadu and Karnataka have taken place since 1976 and with what results? I also want details of the bilateral talks and also the reasons for not being able to arrive at an amicable solution to the whole issue. If these reasons still continue, what is the hesitation of the Government to refer it to a tribunal straightaway without holding any further discussions as proposed by the Government? We want to know who went wrong, when and why?

SHRI MANUBHAI KOTADIA: I have already said that the meeting has already been fixed for 7th April..(*Interruptions*) A bilateral meeting was held at Madras between Karnataka and Maharashtra without any results. But we are trying to find out a solution...(*Interruptions*)

SHRI K.S. RAO: My first request to the hon. Speaker is that during Question Hour, you must protect the interests of the Members without which we cannot get any chance...(*Interruptions*) You must protect our interests.