

tax and the foreign travel tax are to be collected by the carriers themselves. And, as far as the tax from the postal articles is concerned, it is to be collected by the post offices along with the postage. Since in view of having uniformity of taxation and in view of the persistent demands made by the hon. Members here, this Bill has come before the House and I command this Bill to the House,

MR. SPEAKER : The question is -

"That the Bill to provide for the extension of certain taxation laws to the State of Jammu and Kashmir, be taken into consideration."

The motion was adopted.

MR. SPEAKER : There being no amendments to any of the clauses, I will put them all together.

The question is :

"That Clauses 2 to 4, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted

Clauses 2 to 4, the Schedule Clause 1, the Enacting Formula and the Title were added to the Bill

SHRI K. R. GANESH : Sir, I beg to move :

"That the Bill be passed."

श्री अटल बिहारी वाजपेयी : मंत्री महोदय ने यह नहीं बताया कि बंगला देश के नाम पर लगाये गये टैक्स कब समाप्त होंगे ?

SHRI K. R. GANESH : As I said, on the present indications, the levies are expected to continue for the 1972-73 financial year.

MR. SPEAKER : Are you satisfied now ?

SHRI ATAL BIHARI VAJPAEYEE : I am not satisfied.

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

13 04 hrs.

DELHI LANDS (RESTRICTIONS ON TRANSFER) BILL

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI I. K. GUJRAL) : I beg to move*

"That the Bill to impose certain restrictions on transfer of lands which have been acquired by the Central Government or in respect of which acquisition proceedings have been initiated by that Government, with a view to preventing large-scale transactions of purported transfers or, as the case may be, transfers of such lands to unwary public be taken into consideration."

Earlier also there had been a discussion on unauthorised colonies. Sir, unauthorised colonies have by and large come in because some people who owned the land which had either been notified for acquisition or even completely acquired, indulged in unauthorised sales which are being done even today. I am conscious that many of these people have been duped on this account. The common citizen who is not aware as to what is the implication of the Master Plan is sometimes led to believe that he is getting cheap land, cheap land has been sold to him, and all that, because those who were selling were unscrupulous persons. They were selling it at throwaway prices because they wanted to get money out of it, knowing full well that the land had been acquired. In

*Moved with the recommendation of the President.

[Shri I. K. Gujral]

some cases even when they filed the cases in the court they had lost their cases. In some cases even the remuneration for the acquired land had been paid. The result of it has been that about 200 colonies came up in the towns which should not have come up if the Master Plan growth had been allowed to continue. The result of all this has been, in the place where road should have been built, houses were built, for instance one outstanding example, one visible example, is this. We built a bridge across Jumna near the Indraprastha Estate. It could not be linked with U. P. for a number of years because of these unauthorised colonies. Now we have been able to clear a part of it and the road is being connected. But this can be seen time and again.

There are a number of cooperative societies who have even paid to the Government for the land which was allotted to them, but unfortunately, they had been bypassed by these unauthorised unscrupulous sales and transfers of land.

Sir, we have, as I said again and again, sympathy with those who have been duped. That is why we have gone into the process of seeing that in respect of all those colonies which have come up, they should be given a second look, and more sympathetically. Some colonies have already been regularised. We are having a second look at other colonies and we are keen that we extend our sympathetic hand to them. But help to them can be given only if the problem is frozen, if the process does not continue, because, what happens is, when you authorise one colony, 4 more colonies come up. The result of that all is that the problem does not get 'contained', if I may say so.

Fortunately, Sir, in Delhi's public life, all political parties, irrespective of their other convictions, have been one on this issue that we must try to sort out this problem. That is why when I took up this issue before the elections in Delhi the Jan Sangh Government also in Delhi supported this idea. They said, we must try to bar this, and this idea was mooted at that time.

Now, Congress Government is in power, and they had moved this Bill in the Metro-

politic Council. Some suggestions were made for amendments. One of the amendments suggested in the Metropolitan Council was that if a land is to be acquired under section 6, then, the process must be completed within three years. This we have accepted and that amendment is incorporated in the Bill now. That will also lessen the burden on those whose lands are under acquisition notice.

Sir, Delhi apart, I have said again and again, for the country as a whole, including Delhi, it is very important for us to think in terms of planned growth, of the entire urbanisation process for the country as a whole. Unless we are able to plan our cities; unless we are able to plan our towns, not only plan our cities and towns, but also plan the areas around towns and cities where the town and city area has to expand, till then, it will not be possible for us to see that planned growth comes in. Sir, non-plan growth of cities can result in what unfortunately Calcutta has been facing. We have to stop cities going the Calcutta way.

Today, when this process of urbanisation is going on, today although we have approximately 12 crores of our citizens living in the urban areas, this is likely to be doubled in the next 15 years. So, not only have we to plan for these 12 crores of people who are living in the towns today, but we have to plan for the further increasing population of 15 crores in the next 15 years. For this, new townships have to be built. Our existing towns have to be strengthened; our cities have to be planned. Not only have we to plan them, but we have now to start thinking how to plan physically, in accordance with the economic growth pattern. Economic planning and spatial planning have got to be coordinated. Unfortunately we have not given so much importance to it. The result of it is that unplanned growth have come in and even the economic pattern of growth has not looked into this aspect as to what effect it will have on the land.

Therefore, Sir, now, when we want to contain the inflow of population from rural life to urban life, it is very important for us to create employment potentialities in the villages.

Sir, it is also important for us to decentralise the magnets of pull, which pull the population to the towns and big cities, so that we are able to build new focus of economic activity outside the major towns and major cities.

Our cities are swelling and our population is increasing. The organisational infrastructure like the municipal structure, like other amenities, water supply and sewerage and roads, these are all unable to cope up with this pressure. Therefore, Sir, it is very important that we must plan.

For Planning, Mr. Speaker, it is also very important that we must have an urban land policy. Because, for urban land policy, it is not only important to plan the urban land. It is also important to 'socialise' urban land. Unless we socialise urban land, the land values will keep on rising. And now, a stage has come when a middle-class man, and even a prosperous section of society, finds it difficult to buy land. It is because land values keep on rising. The only way of keeping the land values down is that the land should be socialised. A part of it can be sold, of course, to those who are affluent at the market values, but then, the weaker sections of society must be given land for housing on a subsidised rate. Therefore, a policy like the Delhi pattern must be extended further.

I am conscious that when we converted the freehold into leasehold, a controversy has been raised about this. Sir, this has to be looked at not from the point of view of any politics or economics. The point has to be looked at from the urban policy point of view. Unless there is a leasehold policy unless all the land is socialised, it is impossible to have a pattern of growth, which is controlled. If we let shops come wherever people want to, if we let factories come wherever people want to, if there is no such thing as control, Sir, it is impossible for us to have a planned growth of any towns and cities. Leasehold is also important, because in the process of urbanisation, the land values keep on rising, and the benefit goes to individuals without any effort on their part. If somebody had a huge piece of land, if municipality had connected it with the road, if sewerage is laid, if an adjoining shop area is built, if schools and colleges are

provided, the land values of the plot rises. The benefit entirely goes to individuals. And, in this way, in India, a very big section of population has come up, which we can call, 'Urban-land Rich' who had done nothing to contribute to society, as such, but had simply taken advantage of rise in the urban land values.

We must see that this rise in the urban land values is used for the benefit of the community as a whole.

I think, I have once or twice mentioned in this House that India suffers from a huge backlog of housing shortage. That huge backlog is approximately 8 crores for rural and urban area. That means, if we are short of 8 crore units and if 4 to 5 persons live in one unit, approximately, 40 crores of people in India are living either without a house or in sub-standard house. In the urban area, the shortage is of the order of about 2 crores.

Therefore, Sir, out of a population of 12 crores in urban area, 8 to 10 crores of people are today either living in *Jhuggi-Jhonpri* or living in slums, or living in sub-standard houses. Obviously, the burden of it is mostly transferred to the weaker sections of society. This huge money that is needed for building houses cannot be met by any Government sources, but one of the potential sources today is the land itself. If urban land is used and the benefit from the land is used for building up a revolving fund for housing like Delhi, then there is hope for the country. I have been trying to persuade all the State Governments, and I must say that the response of the State Governments has been good—to see light—and there is every hope that not only will the towns be planned but also legal measures will be taken to enforce the plans by law and also to see that the urban land socialisation process is started so that urban land-use is determined and the benefit from the sale of urban land goes to the community as a whole and not to the individual.

It is in this spirit that I have brought this Bill, and I am certain and I am sure and confident that the House will give this Bill a unanimous support so that we are in a position to stop this racketeering and also

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start building cities for the common citizens in the future which are not problem cities of tomorrow, and also stop the process of degeneration of urban life, if we can through such Bills.

MR SPEAKER : Motion moved :

"That the Bill to impose certain restrictions on transfer of lands which have been acquired by the Central Government or in respect of which acquisition proceedings have been initiated by that Government, with a view to preventing large-scale transactions of purported transfers or, as the case may be, transfers of such lands to unwary public, be taken into consideration."

SIIRI BIREN DUTTA (Tripura west) : Sir, I rise to support the Bill, but this Bill intends only to check some malpractices in the case of persons selling the lands which have been acquired or are in the process of acquisition. But while introducing this Bill, the Minister has rightly raised the problem of urban housing and land development of the cities. While we are discussing this Bill, we must keep in mind that only by thinking of socialisation of urban land without giving consideration to the persons who need houses immediately and those who are compelled by circumstances to form unauthorised colonies, the problem cannot be solved. The plight of those persons must be looked into, and their solution cannot be delayed. Due to overcrowding, particularly of the areas nearby Delhi housing has become a problem, and Delhi is a growing city, and all the areas within the Delhi Administration are now a central attraction. So, people are rushing and creating, what may be called, unauthorised colonies. They have come to stay and live there and earn a livelihood and try to establish themselves in society. That is the reason for the existing situation. The juggi-jhompriwalas are not going to erect houses by purchasing land from the owners of those areas which have been requisitioned or are acquired by the Government. There are some other sections of the people who have some money to purchase land and they fall upon all those areas where they can have plots at less cost,

and in this process some unscrupulous persons come in and sell those plots of land which you know have either been acquired or are in the process of acquisition. What will happen to those persons who have purchased from those fraudulent sellers? From this Bill, I have got no idea as to what will happen to them. They will be thrown out. About them, no thought has been given in this Bill. The point is that their case must be considered. Otherwise there will be some trouble even after the Bill is passed. Even while trying to restrict fraudulent dealers in land, there is a tendency to give them some rope to get out of the clutches of law. The proviso to clause 10 says :

"Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence."

This will help the fraudulent dealers to go to the court and seek a remedy and get out of the clutches of this law. I do not understand why this provision has been made. In respect of another clause, it was explained earlier that it was after consultation with various parties that this clause has been inserted. Clause 7 says :

"Where the competent authority has made any order under section 5 refusing to grant permission to transfer any land or where, an appeal having been filed against such order, the prescribed authority has made an order under section 6 confirming such order, then, the order refusing to grant permission to transfer such land shall be in operation only for a period of three years from the date of the order made by the competent authority or the prescribed authority, as the case may be, and thereafter, but subject to the provisions of section 3, it shall be lawful for the person who has applied for permission or his successor-in-interest, to transfer such land by sale, mortgage, gift, lease or otherwise."

The period of three years seems to be long. If the land is to be released, and not to be

taken up by the Government, why should a person wait for clearance for the sale or mortgage or transfer of the land for three years? In the Explanation it has been clearly stated that if there is any stay order from any court, it may take more time. Why should the person be in suspense? In case there is sale of such property in which somebody has built up a house, is he to remain in a period of suspense for such a long time? I hope the hon. Minister will consider this point. Otherwise, generally I support the Bill.

श्री इसहाक सम्भली (अमरोहा) : स्पीकर साहब, यह बिल जिस मकसद के लिए लाया गया है, मैं उसकी तारीफ़ करता हूँ। लेकिन मैं समझता हूँ जो मकसद बयान किया गया है, जिस लिए बिल लाया जा रहा है, इसकी जो डिफिण्डिंग है और इस बिल की जिस तरह तरीक़ा दी गई है वह इस मकसद को हाँगा पूरा नहीं करता। इस बिल में जितने लूपहोल्स रखे गए हैं, जिस तरह से सोच समझ कर इसकी डिफिण्डिंग हुई है, मैं समझता हूँ वह इस बिल के मकसद को बिल्कुल बेकार कर देता है। जरा आप गौर फरमायें। पहली चीज यह है कि इसका डिफिण्डिंग काफ़ी पहले से पीट दिया गया है कि ऐसा बिल आने वाला है, आने वाला है, आने वाला है। ऐसे मौके पर यह किया जाता है कि उसका जो निफाज़ होता है, जो उसको लागू किया जाता है वह बैंक डेट से किया जाता है। यह आज भी जब तक ऐक्ट नहीं बन जायेगा उस वक़्त तक यह ट्रांसफर इल्लिगल नहीं होगा बल्कि लीगल होते रहेगे। मैं समझता हूँ जैसा कि और मौकों पर भी सरकार का करना पडा है कि कम से कम दो साल पहले से इसको लागू किया जाना चाहिए। लोगो को मालूम था कि ऐसा बिल आ रहा है इसलिए बहुत बड़ी तादाद में ट्रांसफर किए गए हैं। अगर आप जाकर देखें तो ताज़्जुब होगा कि एक डेट में कितनी बड़ी तादाद में ट्रांसफर हुए हैं। इसलिए इसमें बैंक डेट की कोई गुजायश का न रखा जाना यह मकसद है कि पूरे तौरपर इजाजत है जितने चाहो इल्लिगल ट्रांसफर कर डालो। इसलिए मेरा मतलब है कि जो इसका निफाज़ हो,

इसको जो लागू किया जाये वह कम से कम दो साल पहले से होना चाहिए। सरकार को चाहिए कि वह इस बात को मज़ूर करे।

दूसरी चीज़—मुझे ताज़्जुब हुआ जो क्लॉज (9) इसमें रखा गया है पनिशमेन्ट का, हमने देखा कि पहले तो बहुत अच्छा कह दिया गया कि उसका मज़ा दी जायेगी जो तीन साल तक की हो सकती है लेकिन आगे बड़ी ख़ुबसूरती से सारी सज़ा को खत्म कर दिया गया यह कह कर कि उस पर फाइन भी किया जा सकता है या दोनो चीज़ हो सकती हैं जहाँ तक फाइन लगाने का सवाल है, जिन लोगो ने इल्लिगल ट्रांसफर करके दो लाख, 5 लाख या दस लाख का कमाई की है उन पर अगर पाँच हजार या दस हजार का फाइन भी हो जाय तो उनके लिए कौनसी बड़ी बात होगी। ज़रूरत इस बात की थी कि इसमें लाजमी तौर पर पनिशमेन्ट मिफं सज़ा के तौर पर ही रखा जाता और अगर फाइन रखा ही जाता तो बड़ा हेवी फाइन रखना चाहिए था जिससे कि वाकई इस चीज़ को रोक जा सकता। दो चार हजार फाइन रखने के कोई मायने नहीं है। इसके अलावा हा सकता है कि सिर्फ़ सी रुपया फाइन करके ही उसको टाल दिया जाये। इसलिए मैं समझता हूँ इसको यहाँ पर चेज करना चाहिए।

तीसरी चीज़—जैसा कि अभी मेरे भाई ने कहा यह ताज़्जुब की बात है और बड़ा खतरनाक मामला है कि कोई आकर कह दे कि मुझे नहीं मालूम कि इस तरह की कोई चीज़ भी तो उसको मार्फ़ी मिल जायेगी। वह तो वही बात हुई कि चोर कह दे कि मुझे नहीं मालूम कि चोर करना जुर्म है लिहाज़ा उसे छ़ाड़ दिया जाये। यहाँ पर जानबूझ कर बहुत ही खतरनाक करम के लूपहोल्स रखे गये हैं जिनसे इस बिल का मकसद ही बिल्कुल बेकार हो जाता है। मुझे इस बात की खुशी है कि हमारे वक्ता और हाउसिंग मिनिस्टर नौजवान ही नहीं प्रोग्रेसिव भी हैं। मैं उम्मीद करता हूँ कि वह दिल्ली की बढ़ती हुई आबादी के खास हालात की तरफ़ देखेंगे।

[श्री इसहाक सम्भली]

आज कालोनीज बसती बली जा रही है लेकिन ऐसी कालोनीज है जिनमे समाज के वीकर सेक्शन जाकर नहीं रह सकते हैं, हरिजन वहाँ जाकर नहीं रह सकते हैं। हरिजनों की क्या बात है कितने इलाकों का मैं जानता हूँ मुसलमान भी वहाँ नहीं रह सकते हैं अगर कोई वहाँ गया है तो इतना परेशान हुआ है कि उसको छोड़ कर भाग आना पड़ा। मैं नहीं कहता कि हिन्दू मुसलमान के नाम पर कोई कालोनीज बनाई जाये लेकिन ऐसी कालोनीज हो जो वीकर सेक्शन के लिए भी हो। डिफेंस कालोनी और ग्रेटर कैलाश न हो करके इस तरह की कालोनीज हो जहाँ पर गरीब लोग भी रह सके। मैं खास तौर पर वीकर सेक्शन जा कहता हूँ उससे मेरा मकसद माइनारिटा और हरिजन से है, उनके बारे में ज़रूर खयाल होना चाहिए। आज पुरानी देहली की आबादी वही ज्यादा बढ़ चुकी है लेकिन उनके लिए कोई ऐसी कालोनीज नहीं है जहाँ पर कि वे जाकर आराम से रह सके। इसलिए मेरी दरख्वास्त है कि सरकार इसकी तरफ तबज़ह करे। चूँकि इस बिल में इतने डिफेंक्ट्स हैं इसलिए मेरी दरख्वास्त है इस बिल को वापिस ले करके, फिर से ड्रापिटग करके जिसमें यह लूपहास न हो और जिसमें गरीबों के लिए गुआडस हो और देहली के कालोनाइजस जा पब्लिक का तबाह कर रहे हैं उनसे बचाने के लिए इसमें इन्तजाम किया जाए। मैं उम्मीद करता हूँ मिनिस्टर साहब इस बारे में ज़िद से काम नहीं लेंगे और इस बिल के जो आब्जक्शन बिल सेक्शन है उनको फिर देखेंगे और मैंने जो एतराज किए हैं उन पर गौर करेंगे और इस तरह से इस बिल का सुधार करेंगे।

इन अलफाज के साथ मैं इस बिल के मकसद का समर्थन करता हूँ।

[स्री استکان سمبلی (امروزہ)۔]

سینکر صاحب یہ بل جس موصد کے لئے لایا گیا ہے میں اس کی نائذ کرتا ہوں۔ لیکن

میں سمجھتا ہوں جو موصد بیان کیا گیا ہے۔ جس لئے بل لایا جا رہا ہے۔ اس کی جزئی تلافی کے لئے اس بل کو جس طرح برسرِ دی گئی ہے وہ اس موصد کو ہرگز پورا نہیں کرنا اس بل میں چندے کو پونز رکھے گئے ہیں جس طرح سے موصد سمجھ کر اس کی ڈرامنگ ہوئی ہے میں سمجھتا ہوں وہ اس بل کے موصد کو بالکل خراب کر دینا ہے۔ دریا آپ اور دریاؤں پہلی چوہہ ہے کہ اس کا سدھارنا کافی پہلے سے پتہ دیا گیا ہے کہ ایسا بل آئے والا ہے۔ آئے والا ہے۔ آئے والا ہے ایسے موقعے پر یہہ کا جانا ہے کہ اس کا جو بھار سونا ہے جو اس کو لاکو دیا جانا ہے وہ دس۔ دس سے ۱۰ حاد ہے۔ یہ آج بھی چند ایک ہیں جن کا ڈیٹا اس وقت تک نہیں راسخو انکال نہیں ہوئے۔ لکن اکل ویں رسد۔۔۔ میں سمجھتا ہوں حساس اداروں کے موقعوں پر بھی سرکار کو کرنا پڑا ہے کہ کم سے کم وہ سال پہلے اسکو لاکو ۱۰ حاد چاہئے۔ لوگوں کو معلوم تھا کہ اس بل آ رہا ہے۔ اس وقت ہی معاملات میں براہِ راست گئے۔ اگر آپ حاکم دیکھیں تو محسوس ہوگا کہ ایک ڈیٹ میں کئی ری تعداد میں براہِ راست ہوئے ہیں۔ اس لئے اس میں ایک ڈیٹ کی کوئی گنتائیں نہیں رکھی جانا یہ موصد ہے کہ دو سے طور پر احزاب کے چندے چاہو الیکٹل براہِ راست کو ڈالو۔ اس لئے میرا مطالبہ ہے کہ جو اس نفاذ ہو اس کو حوالہ دیا جائے وہ کم سے کم دو سال پہلے سے سونا چاہئے۔ سرکار کو چاہئے کہ وہ اس بات کو منظور کرے۔

دوسری چیز وہ ہے محکمہ معجب ہوا

جو کلر (۹) اسمیں رکھا گیا ہے بمشددت کا۔ ہم نے دیکھا کہ پہلے تو بہت اچھا کہ دیا گیا

کہ اس کو سزا دی جائیگی جو بین سال تک ہو سکتی ہے۔ لیکن آگے آتی خصوصاً سے ساری سزا کو حتم کر دیا گیا ہے۔ یہ کہہ کر کہ اس پر فائین بھی کیا جا سکتا ہے یا دوہون چیزیں ہو سکتی ہیں۔ جہاں تک فائین اٹھانے کا سوال ہے جن لوگوں نے الیکٹل ٹرانسفر کر کے دو لاکھ پانچ یا دس لاکھ کی کمی کی ہے۔ ان کو اگر پانچ سزار یا دس سزار کا ٹائن ہی ہو جائے تو ان کے لئے کوئی دوسری بات ہوگی۔ ضرورت اس بات کی ہے کہ اس میں لازمی طور پر پشمیت صرف سزا کے طور پر ہی رکھا جانا۔ اور اگر فائین رکھا جانا ہو تو سزا ہی فائین رکھنا چاہئے تھا۔ جس سے کہ واقعی اس چیز کو روکا جا سکتا۔ دو چار سزار فائین رکھنے کے کوئی عملی نہیں ہیں۔ اس کے علاوہ ہو سکتا ہے کہ وہ دوسرے فائین کر کے ہی مال دیا جائے۔ اس لئے میں سمجھتا ہوں اس کو یہاں پر دسم کرنا چاہئے

بسی چیز حسنا نہ انہی سرے بھائی بے دہا یہ معجب کی بات ہے اور نئی حطراک۔ حال ہے کہ کوئی آبرو نہ دے کہ مختص ہیں معلوم کا اس طرح کی حطراک ہو اسکو عملی دل جائیگی۔ یہ بروسی بات سوئی کہ حور ہدے، یہ مختص نہیں معلوم کہ دوسری کرنا حرم ہے اپنا اسے چھوڑ دیا جائے۔ یہاں پر جان بوجھ کر بہت سی حطراک دسم کے لو پواز رکھے گئے ہیں جس سے اس مال کا معتد سے مالک بے کار ہو جاتا ہے۔ مختص اس بات کی حوشی ہے کہ ہمارے ورثس اور ہاؤسنگ ماسٹر جو جان ہی نہیں دیکر سو بھی ہیں۔ میں امید کرنا ہوں کہ وہ دلی کی برستی سوئی آبائی کے خاص حالات کی طرف دیکھیں۔ آج کالونیز سستی چلی جا رہی ہیں۔ لیکن ایسی

کالونیز ہیں جن میں سماج کے دیگر سبب جاکر نہیں رہ سکتے ہیں۔ ساری جن کی بات ہے۔ کتنے علاقوں کو میں جانا ہوں مسلمان بھی وہاں نہیں رہ سکتے ہیں اگر کوئی وہاں گیا ہے تو اس پریشان ہوا ہے کہ اس کو چھوڑ کر بھاگنا پڑا۔ میں نہیں کہتا کہ ہندو مسلمان کے نام پر کوئی کالونی ہائی جائے لیکن ایسی کالونیز میں جو دیگر سبب کے لئے ہی ہوں۔ دیفانس کالونی اور گریٹر ٹیلاہ، یہ سبب اس طرح ہی کالونیز ہوں جہاں پر عریب لوگ بھی رہ سکن میں خاص طور پر دیگر سبب کے جو کہنا ہوں اس سے میرا مطالب ماہورز شہر اور ہری حطراک سے ہے۔ ان کے بارے میں ضرور خیال ہونا چاہئے۔ آج پڑائی دلی کی آبائی کمون ریادہ بڑھ چکی ہے۔ لیکن ان کے لئے کوئی کالونیز نہیں ہیں جہاں پر وہ جا کر آرام سے رہ سکیں۔ اس لئے میری درخواست ہے کہ سرکار اسکی طرف بوجھ دے۔ چونکہ اس بل میں بہت دیکھتے ہیں۔ اس لئے ماری درخواست ہے کہ اس بل کو وائس لیگ پر سے دھرتک کر کے جسمیں یہ لو پواز بہ شرن اور جسمیں عریب کے لئے گنڈائنس ہو اور دلی کے کالونائز جو پبلک کو امداد دے رہے ہیں میں اسے بچنے کے لئے اسمن امدام کرنا چاہے۔ میں امداد کرنا ہوں کہ مسٹر صاحب اس بارے میں ضد سے کام نہیں لیں گے۔ اس بل کے جو اوبھکتا ہوں میں ان کو بہر دیکھ کر اور میں نے جو اعتراض کئے ہیں ان پر عور کر دیکھے۔ اور اس طرح سے اس بل کا سدھار کر دیکھے۔

ان الفاظ کے ساتھ میں اس بل کے ممد کا سمرپن کرنا ہوں۔]

19'30 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

*SHRI T. S. LAKSHMANAN (Sriperumbudur) : Mr. Deputy-Speaker, Sir, I am grateful to you for having given me an opportunity to participate in the discussion on the Delhi lands (Restrictions on Transfer) Bill on behalf of the Dravida Munnetra Kazhagam. Finding that the land prices in Delhi were soaring the Government decided fifteen years ago to acquire 36,000 acres of land in Delhi Union Territory for the proper development on planned basis. They also proceeded to acquire the land. They also constituted an authority under the name 'Delhi Development Authority' and through this organisation the land was being developed and the developed plots were being sold to people for building houses and setting up industrial units. This work of the Delhi Development Authority is still continuing.

Though the land acquisition process is going on for some years, we find even today, in newspapers, advertisements from private colonisers offering plots to the people in Delhi, though there can be no legal sales of such plots. We also see in Delhi unauthorised colonies springing up everywhere. What do these indicate? Because of the inept handling of the matter by the Delhi Administration, we find the unwary and gullible public are being cheated by the unscrupulous colonisers.

Whenever land is acquired by Government or is sought to be acquired by Government, why should not the Administration put up notice boards in the areas acquired or under acquisition announcing the fact of acquisition or the intention to acquire? The intending buyer of a plot is most certainly likely to inspect the area in which the plot was purported to be available. The moment he finds the notice boards or otherwise comes to know that the land was acquired by Government, he would automatically dissuade himself from going in for that piece of land. I would like to know whether any steps were being taken by the Administration to inform the general public about the areas acquired or intended to be acquired by Government? If this has been done we would not be facing the problem of illegal transfers of land.

Sir, I would like to point out here that the educated and well informed persons would not be the victims of such illegal transfers by the private colonisers. It is the poor and ordinary people who fall a prey to the unscrupulous private colonisers. The little savings that they possess after years of toil are sought to be invested by the unwary people in plots offered by the private colonisers who offer attractive terms and ultimately they get duped. They lose their life-long savings as well as the plots they were supposed to buy.

This kind of malpractices has been there in Delhi for the last several years. The hon. Minister himself has stated that this situation has assumed serious proportions. I regret, Sir, that there should have been so long a delay in bringing forward this legislation to curb the illegal sale of plots by private colonisers, though the Government were very much aware of the problem for a long time.

Sir, belated though this measure is, since the Government had at last woken up to the situation facing the people of Delhi and have brought forward this Bill to curb the deceitful activities of the colonisers through law, I extend my support to the Bill.

With these words, Sir, I conclude.

SHRI R. D. BHANDARE (Bombay Central) : Mr. Deputy-Speaker, Sir, the objects and the aims of the Bill are quite laudable, acceptable, and there could be no opposition to that. First of all, I would like to congratulate the hon. Minister for his exposition of the aims and objects of the Bill.

Sir, I would like to have two or three clarifications. Firstly, I would like to draw the attention of the hon. Minister to clause 2, sub-clause (e) which says :

“ ‘Scheme’ means the scheme of acquisition of land for the planned development of Delhi and includes any scheme, project or work to be implemented in pursuance of the provisions of the Delhi Master Plan as approved by the Central Government under sub-section (2) of section 9 of the Development Act.”

*The original speech was delivered in Tamil.

I think, this sub-clause (e) is so dangerous that it will destroy all the colonies occupied by the poorest of the poor around the city of Delhi because the Master Plan will, certainly, given the right, the power, to the Administration to ask these people to go away under the name of the "Scheme".

I must also remind the hon. Minister who had said that the Master Plan would be changed so as to not only accommodate those who reside in jhugi-jhonpries and have some sort of permanent or semi-permanent roof over their head but that all other amenities will be provided for them. For that purpose, the Minister had already made an announcement that the Master Plan would be changed. But here is a peculiar provision which says that for the purpose of implementing this scheme the Master Plan will be so operated as to defeat his own announcement, and defeat his own object, to help the poor and needy who are residing in juggies and jhonpries, a number of them around the city of Delhi, under the plea of re-planning the city. With these words, I support the Bill.

SHRI I. K. GUJRAL : Sir, I am very grateful to the House for so much of co-operation from all sides of the House to the spirit of the Bill. My hon. friend, Shri Bhandare and another friend from the opposition have drawn my attention to the plight of the juggi and jhonpri dwellers and the poorer sections of the society. We have all our sympathies with them. That is why we have already announced two things. Firstly, we are not removing them until we provide them alternate accommodation. If we go for slum improvement scheme, either we give them built houses or developed plots with all amenities provided. But after the mid-term poll this policy has undergone one more change, and that change is, as far as possible, we should not remove them to outer areas and take them away from their place of work.

Now we have come out with a new scheme, called the environmental improvement scheme for the jhuggi and jhonpri dwellers and slum-dwellers throughout India. We are giving hundred per cent subsidy to local administrations for provision of basic amenities like water, electricity, flush latrine, drainage and paved street. Under this scheme

Delhi is being given Rs. 2½ crores. The NDMC have submitted some schemes recently and we have already sanctioned Rs. 25 lakhs. Other major cities are also being benefited by this scheme.

One of my friends speaking from the other side of the House mentioned that there will be some danger by the proviso to section 10. But before he reads the proviso, I would request him to read section 10 itself. It refers to offences by companies. If some limited company has committed an offence then the main officers of that company are prosecuted. In that limited context it is said that if somebody is able to prove that although he is associated with the company, he has not actually been a party to the offence, then he can receive the benefit. But if an individual commits an offence this proviso does not apply.

Section 4 has also been referred to and it has been said that why we have provided that the land acquisition proceedings should be finalised in three years. Up till now there is no time limit and that is why sometimes the land acquisition proceedings take much longer than they should have.

We have already acquired a very big chunk. A total of 73,000 acres of land have been notified since 1959. The first notification covered 34,000 acres and the balance was notified from time to time. Out of 73,000 acres notified under section 4, about 67,000 acres have been covered under section 6. Out of these 67,000 acres about 37,000 acres have been finally acquired and the physical possession of about 34,000 acres has been taken over for planned development. Cases where there are stay orders or areas where amenities and facilities are not likely to be extended within a short period have not been physically taken over. Therefore, now when we make a commitment, we will take over all these within three years. This, I think, will mean all the outstanding grievances in this field should be settled quickly.

My hon. friend, Shri Ishaq Sambhali asked why we should not make it retrospective. It is difficult to make it retrospective, because that will involve thousands of small people, and I am very keen that smaller people should not be harmed by this.

[Shri I. K. Gujral]

Section 9 lays down the penalties. But kindly keep one thing in mind. More than this punishment, we are asking the Registrar not to register sale deeds which will attract the mischief of this Section. Therefore, we will be able to prevent this.

It has been rightly pointed out by Shri Ishaq Sambhali and Shri Bhandare that the main emphasis should be on the housing of the weaker Sections. That is why our entire emphasis on housing policy is this. The DDA this year is going to build about 20,000 houses; these houses are being built for the weaker sections of the society predominantly. We build for those people whose monthly income is below Rs. 250; and we build for those whose monthly income is between Rs. 250 and Rs. 600; the maximum is that we build for those whose income does not exceed Rs. 1500. Therefore, that emphasis is being laid.

My hon. friend, Shri Ishaq Sambhali, has rightly pointed out that minorities do need protection. I am very much conscious of it... The congestion at old Delhi and Jama Masjid area is to be relieved. People should be persuaded to come out and live in other areas. Whatever help and assistance Government can give in this, we will provide that.

My last word is about the point which Mr. R. D. Bhandare made about the Master Plan. The Master Plan is a document which lays down the pattern of growth. It also has an in-built provision for revision because any Master Plan which is not revised from time to time in the light of the experience, becomes wooden. No plan, howsoever good, should be allowed to become wooden. Master Plans are made to serve us and we are not meant to serve Master Plans. That also does not mean that when we are going to look at the Master Plan again, we are going to scrap it or that we are going to do anything arbitrarily or that anybody is going to be licensed to flout its provisions. The Master Plan will function. The broad area, the main use, has been determined, and if, within that framework, some difficulties are felt, we will try to remedy them; particularly, we will protect the interests of the weaker sections of the society.

I am grateful to the members for the support given to this measure.

श्री इशहाक सम्भली : उपाध्यक्ष महोदय, मैं एक बात जानना चाहता हूँ। सेक्शन 9 में सिर्फ फाइन के लिए कहा है। इससे एक खतरा पैदा हो गया है। हो सकता है कि लोगों पर सिर्फ थोड़ा सा फाइन हो जाय और वह सजा से बच जायें। इसके बारे में आपका क्या कहना है ?

श्री असकान सम्भली : اڀادھڪش مھودھ
میں ایک بات جاننا چاہتا ہوں۔ سیکشن 9
میں صرف فائن کے لئے کہا ہے۔ اس سے
ایک خطرہ پیدا ہو گیا ہے۔ ہو سکتا ہے کہ
لوگوں پر صرف تھوڑا سا فائن ہو جائے اور وہ
سزا سے بچ جائیں۔ انکے بارے میں آپ کا
کیا کہنا ہے۔

श्री आई० के० गुजराल : इसमें एक बात का माननीय सदस्य ध्यान रखें। यह प्राविजन ऐसा है जिसमें सजा भी है और जुर्माना भी है और उसके मुताबिक हमें उम्मीद है कि अदालतें जुर्म देख कर सजा देंगी। कई दफे जुर्म की नवैयत ऐसी होती है जिसमें ज्यादा सख्त सजा देना ठीक नहीं होता। लेकिन सब से बड़ी बात यह है कि इस कानून के जरिये हम इस खरीद और फरोख्त को रोक रहे हैं। रजिस्ट्रार रजिस्टर नहीं कर पायेगा। इसके बावजूद अगर कोई शरारत करेगा तो फिर उसको जुर्म के हिसाब से सजा मिलनी चाहिए। अब पुराना जमाना तो चला गया जिसमें हर चोरी की सजा हाथ काट लेना था।

श्री अटल बिहारी वाजपेयी (ग्वालियर) : सवाल यह है कि जो जमीन गवर्नमेंट ने एक्वायर कर ली है उसकी भी खरीद फरोख्त हो रही है और उसको सरकार रोक नहीं पा रही है। उसको रोकने के लिए आप क्या कर रहे हैं ?

श्री आई० के० गुजराल : इसके लिए इसमें तीन साल तक की सजा रखी गई है ।

MR. DEPUTY-SPEAKER : The question is :

"That the Bill to impose certain restrictions on transfer of lands which have been acquired by the Central Government or in respect of which acquisition proceedings have been initiated by that Government, with a view to preventing large-scale transactions of purported transfers or, as the case may be, transfers of such lands to unwary public, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : Now we take up clause-by-clause consideration. There are no amendments to Clauses 2 to 6.

The question is :

"That Clauses 2 to 6 stand part of the Bill."

The motion was adopted.

Clauses 2 to 6 were added to the Bill.

Clause 7—(Period of operation of orders of refusal to grant permission to transfer land)

SHRI DASARATHA DEB (Tripura East) : I beg to move :

Page 3, line 23,—

for "three years" substitute "one year" (1)

Page 3, line 28,—

for "three years" substitute "one year" (2)

Page 3,—

after line 27, insert

"Provided that any person who has been refused permission under section 3 or section 4 of this Act, may transfer his

land, if he has not been paid compensation for the acquired land within one year of the date of issue of acquisition order, and in the case of the land proposed to be acquired, he may transfer such land if it has not been acquired within one year of the proposal made for acquiring the land." (3)

In the Bill it is said :

"Where the competent authority has made any order under section 5 refusing to grant permission to transfer any land or where, an appeal having been filed against such order, the prescribed authority has made an order under section 6 confirming such order, then, the order refusing to grant permission to transfer such land shall be in operation only for a period of three years..."

Here, instead of 'three years', I want to insert 'one year'.

In another case also, instead of three years, I want to insert 'one year' because if grant of permission has been refused for a particular transfer, that order should remain valid only for one year. If you put three years, and in another three years if you find that the land will not be acquired, you will be putting unnecessary hurdles to those people who transfer the land. That is why I want this amendment. I want a proviso to be added on the following lines :

"Provided that any person who has been refused permission under section 3 or section 4 of this Act, may transfer his land, if he has not been paid compensation for the acquired land within one year of the date of issue of acquisition order, and in the case of the land proposed to be acquired, he may transfer such land if it has not been acquired within one year of the proposal made for acquiring the land."

Why I want this amendment is very simple. Because, in my part I have got a very bitter experience about these acquisition proceedings. Very recently in our State during the Bangla Desh war, a large number of plots were acquired by the Government for the purpose of constructing aerodromes. Most of these people are very small peasants

[Shri Dasaratha Deb]

owning 1 bigha, 3 bighas or 4 bighas and like that. These people have not been given any compensation. Even to-day when we approach the Government the simple answer from the Government is that the acquisition formalities have not been completed and that is why the compensation could not be paid. So when these formalities are not completed for years to come, these poor peasants will have to wait for getting their compensation and these poor people cannot afford to purchase land elsewhere nor they would be able to cultivate their land. How these poor people can survive without any occupation, I cannot understand. That is why I want to put a time limit a year, some restrictions on the part of the acquiring authority that within one year this authority must pay the compensation. If they do not pay the compensation within a year this man who owned that land should be free to transfer that land to some other party. That is why I have brought this proviso and in the case of the land which is proposed to be acquired, there also I suggest the same because I found in my place, especially in Tripura, certain lands have been proposed by the Government for acquisition and they have issued the notification to the parties expressly saying that the Government was willing to acquire that land.

MR DEPUTY SPEAKER This clause relates to those lands which are proposed to be acquired.

SHRI DASARATHA DEB In this case if the acquisition has not been made for years to come but the man has to wait for the green signal from the competent authority who acquired that land and ultimately after five years he got the green signal that the land is not to be acquired in this case also I want that even when the Government propose to acquire certain land there should be some limitation that within one year if that land is not acquired by the Government the party should be free to transfer that land. That is why my amendment. I think the Government will consider the case of these people who are in difficulties.

SHRI K GUJRAL My friend Mr Deb has pointed out the case of those people

who have suffered and I have full sympathy with them. And, I think, he is justified in saying that people have suffered, because, after acquisition, it takes very long. I am certain that unless we are able to tone up our process and our system, with regard to land acquisition, our entire urbanisation scheme would come to nought.

SHRI K MALAVIYA (Domariaganj) Why cannot you do it? In the present situation, there is a sense of urgency now on almost every front facing us today. This notice for acquisition and then the ultimate acquisition of land takes so much time that it becomes useless. Therefore, the hon. Minister should take up this matter very urgently and try to do something so that the entire law may be changed for hastening the process of acquisition.

SHRI K GUJRAL I would say, I share the views expressed by my friend, Mr Malaviya and Mr Deb. I think, not only in Delhi but throughout the country, this mechanism has to be worked as otherwise our whole urbanisation policy and the new type of approach which we are trying to build for socialisation of land will come to nought. Unfortunately, I am not in a position to accept the amendment. Although we are keen to complete the process in Delhi itself within a very limited time, the difficulty is that the racketeering that is being done, is to be stopped. Now in Delhi, for instance we do not want to permit any private land dealings at all. And, that is the type of system which we want to extend to the country as a whole. I can tell my hon. friend that we must try to cut short the period. Now it is put as 3 years. Previously there was no time limit, but now we have put it as 3 years. We will try to cut that also. Regarding the Tripura case which he mentioned, I have taken note of that. I will get in touch with the concerned authorities to see that it is finalised very soon.

MR DEPUTY-SPEAKER There are three amendments, Amendments Nos. 1, 2 and 3, moved by Shri Dasaratha Deb to Clause 7. I will put all of them together to the vote of the House.

Amendments Nos 1, 2 and 3 were put and negatived

MR DEPUTY-SPEAKER The question is

"That Clause 7 stand part of the Bill"

The motion was adopted

Clauses 7 was added to the Bill

Clauses 8 to 11 were added to the Bill

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

SHRI I K GUJRAL I beg to move

"That the Bill be passed"

MR DEPUTY-SPEAKER Motion moved

"That the Bill be passed"

श्री अटल बिहारी वाजपेयी (श्रानियर)

उपाध्यक्ष महोदय, केवल यह कानून पास करने मात्र से दिल्ली की समस्याये हल नहीं होगी। जब तक जो जमीन सरकार लेती है उसका तुरन्त विकास करके या तो उस पर मकान बना कर या उसे मकान बनने के लिए देने की प्रक्रिया से तेजी लाने की कोशिश नहीं करती है तब तक यह समस्या उलझी रहेगी। मंत्री महोदय अच्छी तरह से जानते हैं कि दिल्ली में मकानों का अभाव है। प्रतिवर्ष दो लाख लोग दिल्ली में आ रहे हैं। मकान बनाने की जो जमीन है वह सरकार ने अधिग्रहीत कर ली है। उसका विकास करने में देरी हो रही है और कुछ लोग इस स्थिति का लाभ उठा कर घडाघड जमीन बेच रहे हैं। मकानों का निर्माण भी बेशुमार हो रहा है और निर्माण बेतरतीब हो रहा है। निर्माण संगठित तरीके से नहीं हो रहा है। लेकिन एक बात स्वीकार करनी पड़ेगी कि लोग अपना सिर छिपाने के लिए छत जरूर डाल रहे हैं। फिर उन्हें हटाने का जब सवाल आएगा तब मानसबब समस्या पैदा होगी और सरकार को और राजनीतिक दलों को भी उस

पर विचार करना पड़ेगा। सचमुच से तो परिस्थिति ऐसी पैदा होनी ही नहीं चाहिये कि मकान बन जाणं और बाद में उनको हटाना पड़े। लेकिन दिल्ली में यह परिस्थिति चल रही है। जो लोग मकान बनाने हैं केवल उन्हीं को सजा देना काफी नहीं है क्योंकि जब अनधिकृत बस्तियाँ बनती हैं तो उनमें और भी लोगों का हाथ होता है। मारी सजा उन्हीं को दे दी जाणं, यह भी उनके साथ न्याय करना नहीं होगा।

मास्टर प्लान की आपने चर्चा की है। मैं सहमत हूँ कि मास्टर प्लान को हम एक पवित्र चीज मान कर नहीं चल सकते। मैं मदन में नहीं था। शायद आरने संकेत दिया हो कि मास्टर प्लान में आप कौन से संशोधन करना चाहते हैं। मास्टर प्लान को बदलने की बात हो रही है। किम दिशा में उसको बदला जाएगा वह भी तस्वीर जनता के सामने जल्दी से आ जाणं, इस दृष्टि से भी प्रयत्न करने की आवश्यकता है।

मंत्री महोदय ने फ्री होल्ड और लीज होल्ड के विवाद की चर्चा की। उन्होंने लीज होल्ड की वकालत की है। लेकिन जो तर्क दिए गये गले के नीचे उतरने वाले नहीं हैं। पाकिस्तान के निर्माण के कारण जो विस्थापित हो कर आए थे यह भाषा लगाए बैठे थे कि उन्हें जो जमीन मिलेगी फ्री होल्ड के रूप में मिलेगी। सरकार की ओर से यह बात कही भी जाती रही है। अचानक रवैया बदल गया है जिस के कारण असन्तोष होना स्वाभाविक है। लीज होल्ड का अर्थ यह नहीं है कि उस जमीन का किस तरह से विकास हो या मकान किस तरह से बनाए जाये इसका नियंत्रण हम नहीं कर सकते हैं। फ्री होल्ड में भी इसको नियंत्रित किया जा सकता है। टाउन प्लानिंग हो सकता है। लेकिन कहीं न कहीं जा कर तो जिस जमीन पर मकान बने हुए हैं उसमें रहने वाले उसके मालिक बनें, इस प्रकार की व्यवस्था करना जरूरी होगा। मैं समझता हूँ कि इस विधेयक से हमारा मतभेद नहीं है। लेकिन इससे जुड़ी हुई जो समस्यायें

[श्री अटल बिहारी वाजपेयी]

हैं, उन पर गहराई से विचार करने की आवश्यकता है।

SHRI I. K. GUJRAL : I am grateful to my hon. friend for having raised some pertinent issues. I would like to let him know my point of view on these points, particularly the Government's point of view also. I am in agreement with him that development must be speeded up. But as he knows as well as all of us do, development has two parts. One is the physical mechanics, and the other is the investment.

The difficulty at the moment which the country as a whole is facing particularly in the sphere of urbanisation is investment. In Delhi, for instance, we tried to build up a revolving fund with the D. D. A. We started with Rs. 5 crores, and now we are at a stage when we have got about Rs. 90 crores. As money has started growing, the speed has also come in.

I just now gave figures about the land acquired and land developed, and I think on the whole the performance of the D. D. A. has been reasonable; I would not say 'satisfactory' because satisfaction must still be achieved, because even if we build 20,000 houses, the inflow, as pointed out rightly, is about 2 lakhs and the shortfall increases by about 2 lakhs units per year. Therefore, it is very important that the construction programme and the development programme must be speeded up and I am sure that with the cooperation of all the citizens of Delhi it will be possible for us to speed it up further. People build definitely out of necessity, and we have sympathy with the people. The people who come to the towns from the rural areas do not just come like that but they come because the employment potential is unfortunately often situated and stationed in bigger cities and bigger areas. That's why I said a little while ago that urban planning could only achieve results if it was closely coordinated with economic planning. It cannot be bifurcated. That is why it is very important for us to see that we diffuse the means of employment. That is why the factories and industries must be sent to the villages, and the agro-industrial pattern must grow so that migration

can be contained. But even then, there will be migration, and if that migration is important for us, then not only should we plan Delhi and the metropolitan cities only but we should plan the regions around to cities so that filter towns and satellite towns can be built and people need not come to the core of the town where everything becomes expensive to rehabilitate them. Therefore, it is a long-term thing, and it is a time-consuming thing. But we are not in a position to meet the whole challenge the whole hog.

SHRI K. D. MALAVIYA : What will be done to solve this small point but which is an important part of a very big story? As everyone knows, two lakhs of people are coming every year to settle here. Is it possible for any Government in the present framework of its limitations to settle them and make arrangements for water, electricity and housing and occupation and road and transport when the whole cost is mounting up? Therefore, the basic problems involved in this should be considered by Government.

SHRI I. K. GUJRAL : I have said here and also out side and I would like to repeat again that the consciousness of urbanisation is very slow and it is coming very slowly in this country. It is very unfortunate that we have not become urbanisation-conscious earlier. Even in this country where approximately 72 towns have now got their master plans, except Delhi, I do not know—perhaps there may be one or two more towns—of any where the master plans are being enforced even. Even in the metropolitan cities of India where master plans have been made, they have not been given legal strength. The result of it is that the master plans become only academic. For instance, let me give you one example. The degeneration of Kanpur which is going on fast in the Calcutta way is because of...

SHRI K. D. MALAVIYA : Chaos.

SHRI I. K. GUJRAL : „precisely the fact that master plans are not being enforced. My hon. colleague Shri Yeshwantrao Chavan is sitting here beside me, and he knows very well that Bombay is also fast going that way.

It will be a great misfortune if after our cities are allowed to degenerate like this we deal with the problems as they arise when we reach Calcutta's fate. I think it is very important that urbanisation consciousness grows; and I am not for lobbies, but if I can use the word lobby, it is in the sense of consciousness, and this country definitely needs an urban lobby, because the urbanisation problems must be understood.

14 hrs.

SHRI K. D. MALAVIYA : The policy of restriction.

SHRI I. K. GUJRAL : Restriction not in the sense of asking people not to come. Containment can only be on the basis of some economic plans. It cannot be on the physical plans basis. No country in the world has been able to do it except China, but I do not want that way, because our system and our society are very different.

My friend Shri Vajpayee also asked the question that when the Master Plan is being revised, which way will it go. The Master Plan will not be revised arbitrarily. The Master Plan is a scientific document, based on studies and its revision will also be on a scientific basis, based on studies.

I will give one example. [We had one chapter in the Master Plan, about the growth of Connaught Place. But when some areas grew with the coming up of some multistoreyed buildings, we realised that we were going the wrong way.

SHRI PILOO MODY (Godhra) : No, that is only the statement of the Prime Minister.

SHRI I. K. GUJRAL : That is my statement, and Mr. Piloo Mody in private agrees with me.

SHRI ATAL BIHARI VAJPAYEE : He is an architect.

SHRI I. K. GUJRAL : Architect only outside. In his personal life, he builds. In his public life he destroys.

The main point that I wished to stress is that when we think of revising the Master

Plan pertaining to Connaught Place we are conscious of the multistoreyed buildings having generated traffic problems, sewer problems, water problems and problems of parking. Therefore, we are revising the Plan in that context.

Mr. Piloo Mody was invited to a seminar to discuss this. Unfortunately, Mr. Piloo Mody seldom participates in serious discussions. If he had come to that seminar, he would have had the opportunity of giving his views on the Master Plan, and the changes as well.

SHRI PILOO MODY : The seminar was called at his convenience. Therefore, he attended it. Had it been called at my convenience, I would have attended it. Apparently, the organisers thought that he was most important in the seminar and not others. I cannot help it.

SHRI I. K. GUJRAL : Mr. Mody must adjust his private convenience to suit public convenience, and therefore he must draw his programme in such a way as to suit things where a bigger cause is involved. His Bombay visit could have easily been postponed.

My friend Mr. Vajpayee had talked about leasehold and freehold. I ask him only one question. Where does the land come from? If I acquire the land from an agriculturist, whom we will pay what we call a social price, and then we should give it to those who build houses and give it to them on freehold so that as the land value rises, they can profit by it? Is it justified socially? Should not the benefit go to society? I will give one example. On the Barakhamba-Curzon Road area, in the 1930s, the Government gave the land at Rs. 5,000 per acre. Today the land value is Rs. 50 lakhs per acre there. Should the benefit go to the owner because at one stage he got the land cheap from us? Since the city is developing, land values are rising. Leasehold has an inbuilt advantage that the cost of urbanisation can be met from the land itself. I hope my friend Mr. Vajpayee and his party, know that the elections are over, will revise their opinion about this.

Then, he spoke about refugees. I am a refugee myself, and I know the pains of being a refugee much better.

SHRI PILOO MODY : You do not look like one.

SHRI I. K. GUJRAL : If I do not look like one, surely, neither Mr. Vajpayee nor Mr. Piloo Mody look like one; they have prospered, both of them, because they were not refugees. Therefore, while extending sympathies, Mr. Vajpayee and Mr. Piloo Mody must understand that the refugees today do not want sympathy. They want their due share, and society has given to them their due, fortunately in Delhi, and I am proud that we are able to play our role as progressive sections of society, and we will go on discharging this, whatever we are called upon to do.

MR. DEPUTY SPEAKER : The question is :

“That the Bill be passed”

The motion was adopted

14.08 hrs.

MOTION UNDER RULE 388

SUSPENSION OF RULE 74 IN RESPECT OF
GENERAL INSURANCE BUSINESS
(NATIONALISATION) BILL

MR. DEPUTY-SPEAKER : Shri Chavan.

SHRI SURENDRA MOHANTY (Kendrapara) : I am raising a point of order. My point of order is this. Of late it is found that suspension of the first proviso to rule 74 has almost become a fashion. Every time the Government comes with this motion for suspension.

MR. DEPUTY-SPEAKER : There are two things. One is, opposition to the motion to be moved by the hon. Minister and I have names of a few Members who want to speak on that. What is your point of order? If it is different from that, I shall hear you.

SHRI SURENDRA MOHANTY : This is violative of the rules of procedure. You can throw the rules of procedure in the waste paper basket.

MR. DEPUTY-SPEAKER : That is going to be considered now.

SHRI SURENDRA MOHANTY : The second point is this. It is a Money Bill...

MR. DEPUTY-SPEAKER : You are a senior Member and you have had a lot of parliamentary background. Is this a point of order now? Let the Minister move this motion. You can say these things only at the appropriate stage.

SHRI SOMNATH CHATTERJEE (Burdwan) : We do not find any recommendation from the President.

MR. DEPUTY-SPEAKER : It is there; it was published on the 27th of this month.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : I beg to move :

“That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment for the regulation and control of such business and for matters connected therewith or incidental thereto, to a Joint Committee of the Houses.”

SHRI SFZHIYAN (Kumbakonam) : Sir, I rise to oppose this motion on two grounds—procedural and constitutional. It is a painful fact that every day the Government comes forward in this House to suspend this rule or that rule. Yesterday, there was a motion to suspend a rule to introduce a Bill with regard to Aligarh Muslim University. Actually two rules had to be suspended, the rule to give seven days' notice to the Speaker and the rule to give the Bill to the Members two