

Mr. Bagri was also there in your Chamber. I thought that this question would come after Question Hour. Now that you have said it, I will convey it to him.

श्री रामविलास पासवान : अध्यक्ष महोदय बिहार में 9 आदिवासियों की हत्या कर दी गई है..

अध्यक्ष महोदय : अगर ऐसी कोई चीज है तो 12 बजे के बाद बतला देना ।

SHRI BHOGENDRA JHA (Madhubani) : Sir, this is Question Hour. By even responding to such interruptions, you, as the Speaker of the House, encourage such practices,

MR. SPEAKER : I have never encouraged these interruptions. This is something which has come out on their own.

(Interruptions)

MR. SPEAKER : I have got the telegram also from the District Magistrate, Allahabad.

श्री अटल बिहारी वाजपेयी : इस के बारे में बाद में बतला दीजियेगा ।

(ORAL ANSWER TO QUESTIONS)

राजधानी में अनधिकृत निर्माण

\*101. श्री एन० ई० हीरो : क्या निर्माण और आवास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजधानी में अनधिकृत निर्माण के कुछ मामले सरकार की जानकारी में आए हैं ;

(ख) यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ग) इनके तथा इस प्रकार के अन्य अनधिकृत निर्माणके विरुद्ध सरकार द्वारा क्या कार्यवाही की जा रही है ;

THE DEPUTY MINISTER IN THE MINISTRY OF WORKS AND HOUSING (SHRI MOHAMMED USMAN ARAF) : (a) to (c) The Local bodies and the Delhi Development Authority are vested with statu-

tory powers under the relevant Acts to deal with the cases of unauthorised constructions in the capital within their respective jurisdictions and complaints received by the Govt. in this behalf are passed on to the concerned authorities for necessary action. Government is, however, seized of the general problem of unauthorised constructions in the capital and it is proposed to bring forward legislation shortly, to deal more effectively with this problem.

SHRI N.E. HORO : Sir, if you look at the answer given, I have very specifically asked for certain information and the Government is coming up with the reply in a very casual manner. In part B of the Question, I had asked to furnish me with the details of unauthorised constructions that have come to the knowledge of the Government. They have not done so. I would, therefore, like to ask what are the details of unauthorised constructions ? How many cases have come to the Government's knowledge ? And in how many cases have the Government taken action and in how many cases have the Government punished the guilty under the relevant law ? Sir, the Hon. Minister has said the Government is going to bring forward a legislation for making it more effective. But I ask under the relevant Act, how many cases have come to the Government's notice and in how many cases the Government have taken action ?

THE MINISTER OF PARLIAMEN- TARY AFFAIRS, SPORTS AND WORKS AND HOUSING (SHRI BUTA SINGH) : Sir, the information about the number of cases reported or information received by the Government is difficult to give, unless a period is specified. The Hon. Member has asked the question in a general way and a general reply has been given that this is the operation which is exclusively taken up by the local bodies like the DDA, Municipal Corporation or the NDMC. Had the Hon. Member given a specific period of either one year or two years or three years, the information would have been supplied to him. It is a long process and Delhi has been under encroachment and unauthorised colonies have been coming up ever since the great City came into being. Soon after the partition there was a huge influx of people and the people continue to be pouring into Delhi

every year even now. Therefore, it is very difficult to cite the exact number of cases. And also when the sites are located, the lands are developed and proper colonies or resettlement colonies are settled there.

Now, the Hon. Member has asked what steps do the Government contemplate to meet this menace in Delhi. I can say that we have decided to strengthen the law to deal with the problem more effectively. The Delhi Municipal Corporation Act of 1957, the Delhi Development Act of 1957 and the Punjab Municipal Act of 1911 are applicable in Delhi. We now propose to bring forward an enactment by which the unauthorised construction on public land is to be made a cognisable offence. Second, the building material and other things used in the unauthorised construction are to be seized; third the premises under unauthorised construction is sealed and four, Appellate Tribunals are to be set up excluding the jurisdiction of civil courts in these matters providing, however that the appellate tribunals may not grant ex-parte stay except in exceptional circumstances and that too limited up to a period of only 14 days. These are the various measures which are being contemplated and the Government is very keen to see that this kind of unplanned growth of Delhi by some of the people, who settle without any authority, is checked.

Sir, the Hon. Member has also wanted the number of cases and their break-up.

MR. SPEAKER : You can lay it on the Table of the House.

SHRI BUTA SINGH : Yes, Sir, I will.

SHRI N.E. HORO : In the last two years in how many cases has the Government or the DDA regularised the unauthorised colonies in and around Delhi ?

SHRI BUTA SINGH : Sir, On an earlier occasion also I informed the Hon. House that large areas were also under unauthorised construction. The Government decided to regularise 612 colonies and the guidelines in that regard have been given to

the DDA and the MCD. Out of 155 colonies in the developed area, DDA has regularised 104. Rest have been screened and are expected to be regularised before December, 1983.

SHRI JAGDISH TYTLER : Sir, Delhi is having a very acute problem of unauthorised constructions. And it has also been just stated in the House that the people responsible for this are those of the Corporation. I would like to ask is it not the responsibility of the Corporation to see that this unauthorised construction does not come up ? And is it not a fact that for the last 17 years the Corporation had been under the BJP, formerly Jan Sangh ? Are they responsible for that ? I would just like to ask this from the Minister.

SHRI ATAL BIHARI VAJPAYEE : What about the last three years ? Sir, please allow me a Supplementary.

SHRI BUTA SINGH : As I was replying to the hon. Member Shri Horo, we have taken a number of steps, administratively also. These were the ones I was narrating. The contemplated steps include the amendment of the various Acts which are at the moment in force in Delhi. There are so many steps which are administrative steps, as highlighted by Shri Tytler. In respect of the areas falling under Corporation, or DDA. They have been asked to tighten vigilance ; e.g. DDA has been given instructions to take immediate steps to develop vacant land in their possession and also to take steps to protect all the developed and vacant land which is free from encroachment. DDA should also take action to prevent any fresh encroachment on public land with a firm hand. Efforts should be made, wherever possible, to clear the encroachment that have come up on public land after 16th February 1977..... (Interruptions)

Precautionary measures are taken, so that the feelings are not hurt. The Delhi Administration also..... (Interruptions)

SHRI JAGDISH TYTLER : My question is different. I put it that most of the constructions were done... during the 17 years when they were controlling it.

**SHRI BUTA SINGH :** There are two parts to your question. I am answering the first part. (*Interruptions*) Mr Speaker, Sir, even with your permission, I cannot change the course of history. The history is that in Delhi, one party, now it is BJP but earlier it was something else.....

**MR. SPEAKER :** Government is a continuous process.

**SHRI BUTA SINGH :** But they have been in control of the Municipal Corporation and Metropolitan Council, (*Interruptions*) As I started my statement in this House, this has been a process long back, even before BJP came into the picture...(*Interruptions*)

**SHRI ATAL BIHARI VAJPAYEE :** When Congress was in power.

**SHRI BUTA SINGH :** Therefore, in the 17 long years when the BJP was in control of the Delhi affairs, this was also happening; and we started taking action only in 1980, and more so lately when the Congress Party has come into power. But these are historical facts; and Vajpayee Ji should not get upset on that. (*Interruption*)

**SHRI BHIKU RAM JAIN :** Earlier, the municipal corporation was controlled by BJP and which is a matter of record... (*Interruption*)

**MR. SPEAKER :** Pramila Ji, no running commentary.....

**SHRI BHIKU RAM JAIN :** The Minister has said that the Government is seized of the problem of unauthorised construction; and probably, the question was about unauthorised construction and not about encroachments; and he has also said that there are three local authorities viz. the Delhi Municipal Corporation, the New Delhi Municipal Committee and the DDA which control, and work under different Acts. In view of the multiplicity of authority for Delhi, particularly for local administration, and in view of the fact that the building, when constructed—authorised or unauthorised—takes a long time before it is completed, may I know from the

Minister whether any one of these authorities had been taking any interest when the so-called unauthorised buildings started to be constructed, or was it known to the Government or the authorities only when the buildings were ready? If so, does the Minister feel that this was all in connivance with the Police, the municipal authorities and some other people. If so...

**MR. SPEAKER :** That is all now.

**SHRI BHIKU RAM JAIN :** If it is so, will the Minister—he says that he is seized of the problem—deal with only the so-called unauthorised builders or the people who helped the unauthorised people to go in for unauthorised construction?

**MR. SPEAKER :** I think when last time we had taken it up, the same question was raised and I had also made some observation to the same effect in that light.

**SHRI BUTA SINGH :** I think you are right and the hon. member is also correct. You remember during that Question Hour I also made an appeal to the parties present here in this House to help the administration in seeing that Delhi was not unnecessarily harassed by those who are regularly encroaching, also by unauthorised builders and others. I called a meeting. That day Mr. Vajpayee was out of station. I called a meeting of the MPs from Delhi. You were not present in Delhi.

**SHRI ATAL BIHARI VAJPAYEE :** I was not invited.

**SHRI BUTA SINGH :** I myself checked it. I telephoned myself, but that day you were not present here.

**SHRI ATAL BIHARI VAJPAYEE :** Why did you fix the meeting on that very day?

**SHRI BUTA SINGH :** Oh my goodness! It was never my intention. I propose to repeat that meeting. As a matter of fact, I myself was keen to see that the cooperation from the hon. member and his party was

very much sought. We want the opposition parties to help us in maintaining Delhi's health and Delhi's environment. That can be done only by all present here and the representatives of Delhi, either from Metropolitan Council or Municipal Corporation or Parliament. Therefore, I will continue to seek the cooperation of the hon. members. The question put by Shri Jain is very relevant. It has come to our notice that it is not only the occupants or the man who builds the house is responsible; it is done at various levels ; it is a mixture of so many elements. A thorough probe has been ordered. The Vice-Chairman, DDA and the LG were very keen to nab all those who are involved, whether they are officials or the contractor or those who are intentionally building such houses on unauthorised land ; they are being looked into ; and I am sure that the measures that I have announced—I would not complete this list because it is a long list—will help in checking it. (*Interruptions*)

SHRI RATANSINH RAJDA : You may recall that, as far as these unauthorised constructions in Delhi are concerned, this House had discussed this at length by a calling attention motion. I had also spoken about it at length, because in *Blitz* there was an article. At that time, the Government, the predecessor of the hon. Minister, Shri Bhishma Narain Singh, had given an assurance in this House that we shall bring a new legislation in the next session ; that you have not done so far ; that assurance has not been implemented. I am just reminding the government ; they may refer to it. Now, in spite of the assurance of the government, in this Capital City of India, unauthorised constructions are going on day-in-and-day-out with the connivance, as my hon. brother Mr. Jain had said, of local authorities, civic authorities as well as higher ups. They say, some at Minister's level are also involved. (*Interruptions*) I wish they may not be involved. (*Interruptions*) You will understand the relevance of my statement. The question that is agitating the mind of the citizens of Delhi is, if there is unauthorised construction which may be conducted by A, B or C, ruthless action must be taken against them ; but it is not being done. Now take the question of Meridian Hotel-Pure Drinks

Limited. I had raised it under Rule 377. You had kindly allowed me to raise the question of encroachment of my bungalow. Nothing was done by the Ministry. it is not ; who is doing unauthorised construction... Now the PAC has passed a stricture also against M/s. Pure Drinks Ltd. (*Interruptions*) I am giving some material to the Minister to answer the whole question. Are you aware that influential people are indulging in unauthorised construction in Delhi with the connivance of the higher ups authorities ? Would you take stringent action against them as per the law and assure the citizens of Delhi that rule of law prevails ? No influentialism will be allowed to play its part. I am referring to the Meridian Hotel.

MR. SPEAKER : Sit down.

SHRI RATANSINH RAJDA : What action government has taken after this stricture of the PAC Committee ?

SHRI BUTA SINGH : The hon. Member has asked about the assurance given by my predecessor, Shri Bhishma Narain Singh. As mentioned in the beginning of the answer, the proposed amendment had already been cleared by the Metropolitan Council and the Corporation. There is already a Bill pending here. This will be brought in this very session. The hon. Member has said that there is interference from very very high ups and from various authorities. Let me assure the hon. Member and this august House that there will be no interference at any level in curbing unauthorised construction.

श्री अटल बिहारी वाजपेयी : अनधिकृत निर्माणों को रोकने के लिए हम कानून में संशोधन करने जा रहे हैं। उसमें सिविल कोर्ट्स को नागरिकों की परिधि के बाहर किया जा रहा है अब अगर मकान गिराए जाएंगे तो नागरिक सिविल कोर्ट में जा कर स्टे आर्डर नहीं ला सकेंगे, उन्हें एपीलेट ट्रिब्यूनल में जाना पड़ेगा। मैं समझता हूँ यह संशोधन ठीक नहीं है। क्या आप इस पर पुनर्विचार करेंगे ---

**अध्यक्ष महोदय :** जब आएगा तब आप बोलसकते हैं ।

**श्री अटल बिहारी वाजपेयी :** क्या आप एक फैसला करने को तैयार है कि जिस इलाके में अनधिकृत निर्माण होगा उस इलाके के इंचार्ज एडमिनिस्ट्रेटिव आफिसर, पुलिस आफिसर आदि के खिलाफ अपना कर्त्तव्य पालन न करने के अपराध में कार्रवाई करेंगे ---

**एक माननीय सदस्य :** पालिटिशन दबाव डालते हैं उनके भी ।

**श्री अटल बिहारी वाजपेयी :** डी डी ए के कर्मचारी, कारपोरेशन के कर्मचारी तथा दूसरे कर्मचारी जब तक इन की मिलीभगत न हो निर्माण नहीं हो सकता । आप निर्माण होने क्यों देते हैं? आप पुलिस के ऊपर जिम्मेदारी डालने को तैयार है या नहीं?

**श्री सतीश अग्रवाल :** बिजली का कनेक्शन, टैलीफोन कनेक्शन, सिमेंट सब मिलता है इनको ।

**श्री बूटा सिंह :** अपने खुद कहा है कि यह बिल जब चर्चा के लिए सामने आएगा तब उसके बारे में यह भी कहा जा सकता है और इसको देखा जा सकता है । यह प्रावधान उस में जरूर है कि एपीलेट ट्रिब्यूनल होंगे । इस वक्त जो हालत है उसको मैं हाउस के सामने रखूँ तो वह यह है कि चाहे कोई गावर्नमेंट प्रापर्टी हो, स्कूल बिल्डिंग, कालेज बिल्डिंग, यूनिवर्सिटी प्रेमिजिज कुछ भी हो, हालत यह है कि थोड़ा सा भी आप एकशन लेना चाहें तो किसी न किसी मैजिस्ट्रेट से स्टे ले आते हैं और सारा काम बन्द करवा दिया जाता है । तस्वीर के ये दोनों पहलू हैं । अंदरूनि नक्शा आप देखेंगे तो

आपको भी सहमत होना पड़ेगा कि जो हम कर रहे हैं ठीक कर रहे हैं । एडमिनिस्ट्रेटिव लेवल पर जो विशस मिक्स अप रहता है, उस में किसी के साथ भी नर्मी नहीं की जाएगी, जो भी जिम्मेदार होगा, उसके खिलाफ एकशन लिया जाएगा ।

#### Meeting of Indo-Nepal Secretaries Committee

\* 102. SHRI BHOGENDRA JHA : Will the Minister of IRRIGATION be pleased to refer to the reply given to Starred Question No. 902 on 5 May, 1983 regarding Meeting of Indo-Nepal Secretaries Committee and state :

(a) what were the specific decisions arrived at in the last meeting of the Secretaries' Committee with regard to the construction of multi-purpose dams over rivers Kosi at Barakhshetra near Kamla at Sesapani and over river Bagmati at Nunthar ;

(b) whether detailed investigations and studies of the above projects have since commenced and further talks held ; if so, details thereabout ; and

(c) what specific steps are being taken to expedite the above projects in the interests of both the countries ?

THE MINISTER OF STATE OF THE MINISTRY OF IRRIGATION (SHRI RAM NIWAS MIRDHA) : (a) to (c) The Nepalese side informed that a study for preparation of a master plan for the Kosi basin had been commissioned by them and that the proposal for Kosi High Dam at Barakhshetra would be examined in the overall perspective of the development of water resources of the entire Kosi basin. It was also stated that the feasibility study of the storage dam at Nunthar on the Bagmati had not yet been completed. In regard to Kamla, it was indicated that any specific request on a specific multipurpose project would be examined taking into account the requirements of India.