

[Shri Naushir Bharucha]

rule. The House will appreciate the fact that this is a Bill of more than 500 clauses and we had only a Sunday in between to study this. I take it that the Government will assure us that in future, Bills of this magnitude will not be flung on hon. Members with very little time to study them. The fact that it is going to be referred to a Joint Committee is no excuse that it should not be thoroughly discussed before it is so referred.

**Pandit G. B. Pant:** I am prepared to go farther than what the hon. Member has suggested. He wants that the Government should assure that Bills of this magnitude will not be referred to a Joint Committee of both the Houses. I am prepared to assure the House that even if they are not so equally voluminous, this should not be the normal practice, to refer them to a Joint Committee, except.....

**Mr. Speaker:** He only wants more time.

**Pandit G. B. Pant:**.....when necessary. In fact, very few occasions arise when we approach the Chair and the House with such a request, which, on its face, is of a very abnormal character.

**Mr. Speaker:** Of course, this will be an exceptional case of reference to a Joint Committee of a Bill which involves consideration of one or the other of the matters referred to in clauses (a) to (f) of article 110, that is, relating to Money Bill or Financial Bill. A special provision has been made that they should be considered by this House. Inasmuch as it is only an incidental matter and a major portion relates to administration and it will be duplicating the work regarding this matter, it is being referred

to a Joint Committee. I am certain that similar applications will not be common. In exceptional cases, the provision will be exercised.

The question is:

"That 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 Delhi Municipal Corporation Bill, 1957 to a Joint Committee be suspended."

*The motion was adopted.*

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## DELHI MUNICIPAL CORPORATION BILL

**The Minister of Home Affairs**  
(**Pandit G. B. Pant**): I beg to move:

"That the Delhi Municipal Corporation Bill, 1957, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Dr. P. Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Prakash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanmanth Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyangadan, Pandit, Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sumat Prasad, Shri C. Nanjappan, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri B. N. Datar, Shri Shivram Rangoo Rane, Shrimati Renu Chakravarty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignace Beck, Shri Arjun Singh Bhadauria, Shri D. R. Chavan, Shri B. Pocker, and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Sir, I am glad to have this opportunity of making this motion. The Bill to which it refers is a voluminous one. It has more than 500 clauses and I think about 13 appendices. Apart from the Companies Bill, which was passed by this House, during the life of the last Parliament, I doubt if any other Bill of a similar magnitude has ever been placed before this House.

It is a Bill, apparently, of a local character. The people of Delhi are deeply interested in this Bill. They are vitally affected by the provisions of this Bill. But, Delhi is the metropolis. Every Member of this House would be naturally interested in improving this Bill so that we, who have to spend a greater portion of our time, whether as Members or as Ministers in Delhi, may also derive full benefit from this measure.

I also feel some gratification in placing this Bill before this House as I think that it is a very well drafted Bill. The task that those who had to frame the Bill had to perform was of a very onerous character. Much thought and much labour had been bestowed on it and I trust that hon. Members will find that as a result of the great care that has been taken in drafting this Bill, the measure as it has emerged from the deliberations held by those who were in charge of the Bill outside, is satisfactory and adequate.

The Delhi State today has a number of local authorities. They are about ten or eleven, namely, the Municipal Committee, Delhi, the Notified Area Committee, Civil Station, the Notified Area Committee, Red Fort, the Municipal Committee, Delhi-Shahdara, the Municipal Committee, West Delhi, the Municipal Committee, South Delhi, the Notified Area Committee, Mehrauli, the Notified Area Committee, Najafgarh, the Notified Area Committee, Narela, the District Board, Delhi. Not only are the areas which come within the jurisdiction of these bodies now to be governed by this Corporation, but nearly half of the areas of New Delhi will also be comprised within the limits of the Municipal Corporation.

This Corporation has a pretty long history. The proposal for setting up a corporation in Delhi was made nearly ten years ago, and even earlier. The proposals were seriously taken up and some sort of attempts were also made to establish a corporation, but this did not mature and did not take a concrete shape. Besides this Corporation which will now comprise of these areas and in which all these local bodies would be merged, there are also a number of other local statutory bodies in Delhi which deal with matters of great moment and of vital interest, such as the Electricity Board, the Transport Board, the Water and Sewage Board. These boards touch the life of every citizen and

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their efficiency and speed in the execution of their business and the discharge of their day to day duties can conduce greatly to the comfort and the ease of the people living in Delhi. Even all these local authorities will now be merged in the Corporation. These functions too will be discharged by the Corporation itself.

There are besides these, also the Delhi Development Authority. That authority has jurisdiction over the whole of Delhi. A notification has been issued by virtue of which the entire urban area of Delhi has been brought within the purview of that authority, but now in place of that we have introduced another Bill known as the Delhi Development Bill. It will leave full power with the Corporation for the development of Delhi and for the building of buildings etc., subject to the conditions that are incorporated in that Bill which will come up for consideration in a day or two. According to the new Bill, the Delhi Development Authority will be concerned with the framing of the master plan of Delhi, and so far as development goes, its activities will be confined only to specified areas which will be notified by the Central Government after consultation with the Corporation and also the Development Authority.

From this it will be clear that the burdens that are being imposed on the proposed Corporation are really very heavy. The hopes that we cherish about the ability and capacity of the Corporation to cope with these multiple activities and tasks which the Corporation will have to undertake have been engendered by the public spirit of the citizens of Delhi. They belong to the metropolis of India and we hope that they will prove equal to the expectations that we all have learnt to build about their efficiency and ability to deal with complicated and intricate matters. It is in that hope that this Bill has been designed and is now placed before the House.

The Bill has certain special features. The rural area of Delhi State that has been so far under the District Board will also now come within the limits of the Corporation. The Corporation will have jurisdiction not only over the urban but also over the rural areas which include more than 300 villages, but in order that the rural people may yet be able to shape things according to their own needs and wishes, there will be a special Rural Board to look after their interests consisting of all the representatives elected by the rural people. Besides, there will be panchayats in the villages which will discharge the primary functions in their respective areas.

So, the Corporation is of a somewhat novel character and it will have to deal with some functions which are of extremely vital importance. It will have not only the authority in matters pertaining to the generation of electricity, which perhaps even the Bombay Corporation does not possess today, but it will also be competent to arrange for the distribution of electricity. So, that will be by itself a very far-reaching authority which this Corporation will exercise.

It will have an area, I think, of more than 500 square miles. I wonder if any other corporation has an equally large area. The population which will have the benefit of electing its representatives to this Corporation will be more than 15 lakhs. All elections will be on the basis of adult suffrage. The electoral rolls prepared for the legislature will also be ordinarily used for the election of members of the Corporation.

16 hrs.

There will be 80 members according to the provisions contained in this Bill. That will give about one member to 20,000 electors. Out of these 80, 12 will be representatives of the Scheduled Castes. I had the opportunity of informally consulting the

member of the Delhi Consultative Committee and as a result of the discussions held with them, I propose to move an amendment later for the addition of 6 Aldermen to the 80 members who will be elected in the normal way. As to the best method of electing these 6, further thought may have to be given. There may be two ways of electing them. One is that these members may be elected according to the principle of single transferable vote, which will enable every section which is there in a sizable numbers to return a representative. We want, however, men who possess experience, ability and integrity and who are otherwise highly reputed for their public spirit to be elected as Aldermen. Whether the election should be by means of the single transferable vote or whether, on the other hand, we should have some rule more or less to the effect that a person, in order to be elected, must secure at least two-thirds of the votes of the total number of members present at a meeting specially convened for that purpose, that may have to be considered. This proposal that I have just made, would have the advantage of ensuring the return of persons who possess reputation in the City for their public spirit and efficiency. But it will be for the House to consider as to which of these two methods will be the more suitable and appropriate one.

The Corporation will have powers, as I said, of a very real character. It will have the power to levy taxes. We had once thought that so far as the general property tax was concerned, which stands at 10 per cent of the rental value today, the Corporation might be empowered to raise it to any figure not exceeding 25 per cent, but because of certain views, which have been expressed by those who hold a representative capacity, we have reduced the figure of 25 to 20. This will enable the Corporation to raise the general property tax, if it so chooses, from 10 to 11, 12, 13 or any figure not exceeding 20. The Corporation has also been given the

option to impose other taxes. It will have all the receipts from entertainment and betting taxes and it will also be competent to impose the taxes mentioned in the Schedule which it is not necessary for me to detail here.

The Corporation will have Standing Committees for vital services regarding electricity, transport, water and sewage. These statutory committees will be formed in the manner prescribed in the Bill. 4 of the persons represented will be representatives of the Corporation and 3 will be nominated to assist them. These are very vital services. If the electricity service fails even for an hour, then there is darkness all round. Similarly, if there is no water even for 3 hours, everyone is put to immense inconvenience and discomfort. So in order to ensure the co-operation of experts and the representatives of the people, statutory committees will be formed in the manner indicated in the Bill.

There are also provisions in the Bill relating to other matters. As I said, the Corporation will have also the authority for carrying out schemes for housing for improvement, for widening of streets and all other things which can go a long way in improving the sanitation, health and all the aesthetics of the town. These the Municipal Boards do not possess today. They are to a large extent vested in the Development Authority. The Corporation will also be competent to take measure for the improvement of the slum area, for their demolition and replacement by better houses.

It has, however, been considered advisable, as I have indicated, to have this Development Authority for preparing the Master Plan and for developing such areas as may be notified. Subject to the areas so notified, the Corporation will have plenary authority over the whole of the area of the Corporation. It is desirable in the interest of Delhi and the Corporation itself that there should be some such body which

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can take up specified areas for development. The expenditure that has to be incurred on development is heavy and if the Corporation is required to face the difficulties without any assistance and if it is to bear the entire burden, the process of improvement will become very slow. So this provision has been made in the Development Authority Bill so that Government may actively assist the Corporation in improving the housing conditions in Delhi.

We have also got a slum area there and the Corporation will be competent to deal with the slum area as it will be declared as one of the authorities that will be competent to deal with slums.

As to the appointment of officers and men, it has been provided that posts carrying a salary of more than Rs. 350 per mensem will be filled in consultation with the Public Services Commission; posts connected with the three statutory boards will, however, have to be filled with greater care so that the men may be not only competent but also in a way devoted to the welfare of the city and prepared to take all the burdens on themselves. Electricity needs attention not only during the day but also in the night; so are water and other vital matters with which the Corporation is connected.

We have provided that rules may be framed for granting allowances to the members of the Corporation. So far, ordinarily, members of municipal bodies do not get any allowance. But, I understand that there is at present a proposal for making some provision for the members of the Corporation of Bombay. I personally think that it is desirable that some allowance to enable members who have no resources of their own to attend the meetings of the Corporation should be made. Men who have hardly any resources are now devoting themselves to public service and such persons live a hand-to-mouth existence. It is desirable that they should be enabled

to discharge their duties with undivided attention and without being worried about small, trivial and petty matters.

It has also been provided that rules may be made to provide housing and conveyance facilities for the Mayor. Again, that will depend on the shape the rules ultimately take but that may be made permissible under the Bill. The Mayor will have the authority to call for records and returns from the Chief Commissioner of the Corporation.

The Bill is mainly based on the Bombay pattern. It was, however, after a great deal of care that this decision was taken. The Bombay Corporation has done its work with remarkable credit. All those who have had occasion to see the working of the Corporation have spoken highly, not only about its achievements but about the public spirit shown by the members and about the democratic way in which its activities have been consistently conducted. We also consulted the schemes that are in force in other countries but found that the Bombay Corporation model would be the best for us. So, we have followed that pattern.

There has been some little criticism about part of the New Delhi area being left out of the Corporation. As I said, the Corporation will have an area of about 500 sq. miles; it will be more than 500 sq. miles. The total area under the jurisdiction of the Corporation comes to 510 sq. miles. The area of New Delhi that will be excluded from the Corporation will be not more than 15 sq. miles; that is, not more than 3 per cent of the total area of the Corporation. The New Delhi area that has been left out is mainly occupied by government servants, the Embassies, the Diplomatic Enclave and other similar institutions. I do not think that the exclusion of this area will be in any way harmful to the Corporation.

Under the law, Government is not liable to be charged with tax for the property it holds in the Notified Area. If no taxes are charged and the Corporation has to discharge all these duties and to provide all these amenities that are available in New Delhi, it will be rather hard on the Corporation.

Besides, the public servants living in New Delhi cannot be returned as members to the Corporation. I do not know how far it would be consistent with the democratic principle to have representatives who do not represent the vast majority of the people living in New Delhi for administering the affairs of this part of New Delhi. So, I hope the Members interested in the Corporation will hail with satisfaction the scheme that is embodied in this Bill. It gives them very wide powers and now they can make the city beautiful, healthy and in every way deserving of its status as the metropolis of India.

I may also say that this idea of getting New Delhi out had been in existence almost throughout but I succeeded at least in getting half of this area in the Corporation. But what is left out is only the other half. So, there should be no feeling of dissatisfaction on that account. If we can acquit ourselves well, we will have done a lot.

New Delhi will also have to rely on the Corporation to a large extent. So, there is bound to be co-operation between the Corporation and New Delhi. And, if the duties that have been entrusted and the functions that the Corporation will have to discharge are carried out efficiently, impartially, devotedly and with a sole desire to serve the people of Delhi and to raise the stature of the city of Delhi, I think, we will have been fully rewarded.

**Shri Manay (Bombay City Central Reserved—Sch. Castes):** I would request the hon. Home Minister to consider the desirability of including

one Member of the Scheduled Castes Federation in Parliament in the personnel of the Committee announced. I do not want to put the hon. Home Minister in an embarrassing position, but if he is able to make certain adjustments in the personnel, I would appreciate it very much because there is a vast population of Scheduled Castes in Delhi.....

**Mr. Speaker:** Shri Naval Prabhakar is there.

**Shri C. D. Pande (Naini Tal):** Shri Sonavane is there.

**Shri Manay:** I do not understand when representation was given to the Opposition why the Scheduled Castes Federation in Parliament was left out. We do not know what is the method adopted for this selection.

**Pandit G. B. Pant:** How many Members of the Scheduled Castes Federation are there in this House?

**Shri Manay:** Nine; and I understand a section having only 5 Members has got representation.

**Pandit G. B. Pant:** How many from Delhi?

**Shri Manay:** Probably, there may not be any.

**Pandit G. B. Pant:** Then, we will consider.

श्री नवल प्रभाकर : (बाह्य दिल्ली, रक्षित अनुसूचित जाति) : वास्तव में बात यह है कि जहाँ तक अनुसूचित जातियों का सम्बन्ध है दिल्ली में उनका प्रतिनिधित्व में करता हूँ और मेरी यह समझ में नहीं आता कि जो सिङ्गल क्वार्टर फेडरेशन है वे किस तरह में अपने को उनका प्रतिनिधि बताते हैं। यह तो मुझे फिक्र होनी चाहिए कि मैं उनका प्रतिनिधित्व करता हूँ या नहीं क्योंकि मैं उनका नुमायन्दा हूँ।

**Shri Manay:** We refuse to accept that you represent their interests.

**Mr. Speaker:** All right. The motion is before the House.

[Mr. Speaker]

The hon. Members are fully aware that all those hon. Members who have given their names to serve in the Joint Committee will not be allowed to speak here; they will do what all they can in the Joint Committee and not on the floor of the House at present.

**Shri Radha Raman** (Chandni Chowk): Some special case is there.

**Mr. Speaker:** What is it? They may reserve their energy for the work in the Joint Committee. Any other hon. Members? No. Now, I shall put the motion to the vote of the House.

The question is:

"That the Delhi Municipal Corporation Bill, 1957, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from the House, namely, Dr. P. Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanmanth Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyangadan, Pandit Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sumat Prasad, Shri C. Nanjappan, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri B. N. Datar, Shri Shivram Rango Rane, Shrimati Renu Chakravartty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignace Beck, Shri Arjun Singh Bhadauria, Shri D. R. Chavan, Shri B. Pocker, and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to the Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

*The motion was adopted.*

#### DELHI DEVELOPMENT BILL

**The Minister of Home Affairs (Pandit G. B. Pant):** Sir, I beg to move:

"That the Bill to provide for the development of Delhi according to plan and for matters ancillary thereto, be referred to a Joint Committee of the Houses consisting of 45 Members; 30 from this House, namely,

Dr. P. Subbarayan, Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhury Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Subhadra Joshi, Shri P. Hanmanth Rao, Shri Kailash Pati Sinha, Shri Shree Narayan Das, Shri Satis Chandra Samanta, Shri Tayappa Hari Sonavane, Shri Mathew Maniyangadan, Pandit Jwala Prasad Jyotishi, Shri Sunder Lal, Shri Ram Shanker Lal, Shri Sumat Prasad, Shri C. Nanjappan, Shri Mahadevappa Rampure, Shri Jaswantraj Mehta, Shri Shivram Rango Rane, Shrimati Renu Chakravartty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignace Beck, Shri Arjun Singh Bhadauria, Shri D. R. Chavan, Shri B. Pocker, Shri B. N. Datar and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;