

[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;

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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 in 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 have already made some comments with regard to the provisions of this Bill. I have observed that there is a Delhi Development Authority even at present but the Delhi Development Authority has jurisdiction almost over the entire city of Delhi. The Delhi Development Authority has not been able to achieve all that it wanted to because of the multiplicity of various authorities in Delhi. The schemes could not be implemented without being referred to these various authorities with the result that the development has not been as fast or as satisfactory as the Authority itself would have wished.

There has been a lot of unlawful occupation of lands in Delhi. There has been considerable squatting—I would not use a strong term or an unpleasant expression. The town of Delhi has to be put in order. In the past there were indiscriminate construction of houses. There were no roads and sometimes there was no arrangement for water drainage, lavatories and even for urinals and such unavoidable needs. It is therefore necessary to continue the arrangement and to provide some system and method for dealing with these matters. So, the Delhi Development Authority will have, first of all, to prepare a master plan for Delhi. That master plan will deal with several aspects of civic life in Delhi. It will bear that fully in mind. There will also be regional plans as parts of this master plan and all constructions will have

to be in conformity with the principles that are embodied in the master plan.

Applications which do not conform to the prescribed standard will have to be returned for correction, adjustment and adaptation. Besides, this Development Authority will also be empowered to develop, as I said previously, the notified areas. It will have no power to develop any part of Delhi until it has been notified by the Central Government after consultation with the Corporation and Delhi Development Authority itself. It is only after such a notification that the Delhi Development Authority will take up this work in the specified area and either clear the slums or do other acts necessary for improving housing conditions in that particular area. Its activities will be of an ancillary character. It does not in any way compete with or come in the way of the activities of the Corporation itself. Whatever the Corporation chooses to do the Corporation will be free to do. It will have hundreds of square miles always available, it is only the notified areas that will be handled by the development authorities.

I think this measure will be of advantage to the Corporation. This will relieve it of some of its burden. In this authority too the Corporation will be represented. It will have two members elected by the Corporation besides the executive officers of the Corporation. They will serve as a link between the two.

I think it is a non-controversial Bill and it will be readily accepted by the House.

Mr. Speaker: Now the motion is before the House.

Shri Naushir Bharucha (East Khandesh): Sir, I have carefully studied the provisions of the Delhi Municipal Corporation Bill and, coming hard on that, the Delhi Development Bill appears to me to be superfluous. Apart from lightening the burden of the proposed Corporation, the Delhi

[Shri Naushir Bharucha]

Development Bill proposes to create an authority which is likely to come in conflict with the Corporation.

Sir, I may tell the House that I have had considerable experience with the working of the Bombay Municipal Corporation, where I have been a member for 19 years. We too followed the same pattern in Bombay, where we had a separate Improvement Trust. After years of experience it was found that the Improvement Trust as a separate authority was far from any help to the Corporation and, consequently, the Improvement Trust was extinguished and merged with the Bombay Municipal Corporation.

If I may revert back for a moment to some of the provisions of the Delhi Municipal Corporation Bill which are intimately connected with this, we find that there are also clauses in the Corporation Bill relating to the improvement scheme. The Commissioner can frame an improvement scheme under clause 425 in respect of an area which requires to be rebuilt. That clause also lays down the matters to be provided for in an improvement scheme, and these are much the same that are required to be taken into consideration in formulating a scheme in the Delhi Development Bill.

Therefore, it appears to me that conflict is bound to arise when two authorities, the Corporation and the Delhi Development Authority, are entrusted the same type of work. I am aware of the fact that under clause 429 of the Delhi Corporation Bill some effort is made to solve the conflict by providing that the Corporation's improvement schemes should comply with the Master Plan and Zonal Development Plan. But I ask, what is the position when the two authorities conflict? Will not so much time be wasted? After all, what is the Delhi Development Authority going to do which the proposed Delhi Corporation will not be in a position to do?

When both these Bills are there and they are being referred to practically

the same Joint Committee, perhaps some way may be found by the Joint Committee to amalgamate the provisions of the two and create only one authority. We certainly do not want two conflicting authorities bent upon developing certain areas in Delhi. Therefore, I submit, to my mind, this Delhi Development Bill seems to be superfluous. I would, therefore, appeal to the Government to take this fact into consideration and see whether, even at this belated stage, the two authorities cannot be amalgamated into one.

I repeat, Sir, that the experience of the Bombay Municipal Corporation has been very clear. The Improvement Trust separately created there and which enjoyed wide powers for a large number of years had to be wound up. It is true that the Delhi Development Authority has been entrusted with the power to prepare a Master Plan. But in Bombay the Municipal Corporation is carrying out that work, and I do not see, if some of the provisions mentioned in the Delhi Development Bill investing power to the authorities to carry out certain improvement schemes are amalgamated in the Delhi Corporation Bill, any harm will be done. I am sure that would have made for smoother working and less loss of time.

It is obvious that provision is kept for consultation between the Delhi Development Authority and the Corporation. Much correspondence will follow as a result of this. It has been my experience that schemes prepared by one authority and submitted to another authority take ages to materialise. It has also been my experience in Bombay Municipal Corporation that the scheme prepared by the Corporation itself takes considerable time to be put through. If the two authorities start competing with each other, and as it is likely that there is bound to be some jealousy between the two as to who will exercise power, I am afraid the experience

of Bombay will be repeated and at a later stage, after many years have been wasted, the Government will come to this House and propose the abolition of the Delhi Development Authority. Therefore, while we are in the formative stage of the Delhi Municipal Corporation, it is my submission that the Government might look into this aspect of the case and see whether even at this belated stage the two authorities cannot be merged into one.

Shri Achar (Mangalore): Sir, may I just say a few words? The Statement of Objects and Reasons restricts, so far as this Bill is concerned, the activities of this authority only to the areas to be notified yet. I find that the development activities of the Development Authority may be confined only to such areas as may be declared as development areas by the Central Government in consultation with the Authority and the Delhi Municipal Corporation.

The hon. Home Minister while moving the earlier Bill said that the Bill extends to the entire Delhi area except the New Delhi area and also about 300 villages—I have not much experience of this area, but all the same,—which are mostly agricultural villages. So we find in the other Bill the jurisdiction is extended both to the urban as well as the rural areas, whereas when it comes to the question of development it is only the city area.

Of course, I had not the opportunity to study the entire Bills, either the earlier Bill which has been referred to a Joint Committee or this Bill, but this fact sets one to a rather little thinking. In fact, we very often feel, especially people who come from the villages, whether it is good in principle to combine both the villagers and the town people under one organisation. That is a point which the Joint Committee must consider. It should not be like putting a lamb and a lion together in one place. Not that I am saying anything definitely about this point, but I felt some doubts when I

read that portion of the Statement of Objects and Reasons, especially when we come to this Bill and we find that the question of development is restricted only to the city and the villagers are left alone.

I do not want to take any more time of the House on this question. I would only request the Joint Committee to consider this aspect of the question: firstly, whether it is good to put the villagers and the town people together and whether it will be proper for their development to be under one authority; secondly, if it is to be done, whether it will be proper when the question of development comes to leave the villagers alone and restrict it to the city proper.

Pandit G. B. Pant: I am aware of the fact that Bombay had a separate Improvement Trust for a series of years. Only recently the Improvement Trust has been dissolved. But, for many a decade, although the Corporation was there, it was considered necessary to have and to maintain an Improvement Trust there for the development of Bombay City. Probably, the major part of Bombay has already been well developed. So, the need for an Improvement Trust may have ceased to exist. But, so far as this particular Bill is concerned, it does not in any way interfere with the powers of the Corporation. The Corporation is free to carry on improvement activities within the entire area of the Corporation: only where any particular area which should be specifically defined has been notified, the Development Authority alone will be competent to develop that area. I do not see any inconsistency. I do not see how it does any violence to the autonomy of the Corporation or how it impinges upon or detracts—from the authority that the Corporation does or can aspire to possess. It only extends a hand of fellowship and assistance and that too can be done only in consultation with the Corporation. So, I do not see any substance in the arguments that have been advanced by Shri Bharucha.

[Pandit G. B. Pant]

There were some observations made on this side, by Shri Achar. He seems to have overlooked the sub-clause at the commencement of the Bill. Clause 1, sub-clause (ii) says that it extends to the whole of the Union territory of Delhi. So, rural area is not excluded. If it is considered advisable to notify any part of the rural area for development, it will be open to the Central Government to issue such a notification. And after that, this Development Authority will have full power and will also in a way be responsible for the development of that area. I hope what I have said will remove his difficulties

Mr. Speaker: I shall put the motion to the vote of the House.

The question is:

"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 Chakravarty, Chaudhary Pratap Singh Daulta, Shri Surendranath Dwivedy, H. H. Maharaja Pratap Keshari Deo, Shri Ignance Beck, Shri Arjun Singh Bhaduaris, 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;

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 variation and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join in 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.

Mr. Speaker: We shall proceed to the next item.

Shri V. P. Nayar (Quilon): With your permission, may I submit a point for your consideration? As you know, there was a Bill—The Life Insurance Corporation (Second Amendment) Bill, 1957—for which we have allotted three hours and that has been withdrawn, without prior notice. That has upset the schedule and many Members were not prepared for the other two Bills which have come up; the Members were working on the Committees. We have allowed the other Bills to come up, which ought not have come up so early. Some way must be found. Both the Bills were very important. Notwithstanding that fact, there are so many Members on the Joint Committee. But there has been no notice of it. We can understand a Bill collapsing. The Bills which have been scheduled to be taken over late in the day have come up earlier.

Mr. Speaker: What is the suggestion?

Shri V. P. Nayar: We should have been told. So far as these two Bills,

which are very important, are concerned, the Joint Committee cannot have the advantage of the views of the Members—

Mr. Speaker: What was done was this. The hon. Members will kindly recollect that early in the day, the hon. Minister of Parliamentary Affairs mentioned—soon after Question Hour—that he will inform the House as to whether they want to take up that Bill or not during this session. Some hon. Member—I think it was Shri Khadilkar—said that three hours were not enough for that Bill and said that it was not adequate, though the original proposal of two hours was revised and the time raised to three hours by the Business Advisory Committee. I think the hon. Minister of Parliamentary Affairs considered this matter. He came and reported to the House that he will consider this matter and be able to report to the House whether, in view of the demand made for additional time, it may be possible to get along with that Bill in this session or not. Thereafter he came and reported that it will not be feasible to take up that Bill during this session and that it stands postponed for the next session.

So far as the two Bills about Delhi are concerned, certain important persons were naturally desirous to serve on the Joint Committee and in accordance with our ancient practice and the practice that we have been adopting not to allow the hon. Members to say twice over and in order to enable them to reserve all their energies for the Joint Committee, the Bills were gone through. So, there was nobody to speak, and therefore, we saved so much of time.

Shri V. P. Nayar: May I submit that that is not the actual position?

Mr. Speaker: What does he want now? He wants the House to adjourn?

Shri V. P. Nayar: Not at all. I understand from Shri Bharucha that

he had actually sent a chit for speaking on the Delhi Corporation Bill.

Shri Naushir Bharucha: I got up but in the meantime the proposal was made—

Shri V. P. Nayar: I was attending a sub-committee of the Estimates Committee. Shri H. N. Mukerjee is in another committee. Many Members who wanted to speak on these Bills, without knowing that the Bills had come so early, are already working in the other committees. They have no notice. If we go on at this rate, I do not know what will happen.

Mr. Speaker: The hon. Members have no business to be on another committee when the House is sitting. The House is paramount. They must sit in the evening. I am really surprised. We have got to go through the work and at the same time work for longer hours also. Let the committee meet in the afternoon. I made a wholesome provision that during the forenoon no committee shall meet. In the afternoon also, the same principle must be adopted. Except where there is emergency, they must only meet after the regular business of the House is over.

Shri Nagi Reddy (Anantapur): The programme is not adhered to.

Mr. Speaker: It is adhered to. The hon. Members must always feel that they cannot expect every hon. Member to take part in the debate so that the House may be kept busy even though it may not be necessary.

Let us proceed to the next business.

MOTION RE. REPRESENTATION OF
THE PEOPLE (CONDUCT OF ELEC-
TIONS AND ELECTION PETITIONS)
RULES

Shrimati Benu Chakravarty:
(Basirhat): **Mr. Speaker,** I am sorry for not having been present in the