

have said that the matter is under consideration. So, I want to know whether they have collected any information from Udyog Bhavan.

MR. SPEAKER: It is a good suggestion you have made, that he should also collect it from the source, if it is relevant. Shri Vayalar Ravi,—he is not here. The question is that, because information is not there, it does not mean that the Member should be deprived of any supplementaries. Well, I will see that this question comes again.

AN HON. MEMBER: Thank you.

THE MINISTER OF HEAVY INDUSTRY AND STEEL AND MINES (SHRI T. A. PAI): If any specific question is asked I am prepared to answer. But he has asked for so many details. As required by him, I only ask for time, to collect them.

MR. SPEAKER: That will be laid on the Table of the House. That is all. Next question. Shri Virbhadra Singh.

Acquisition of Agricultural Land for Defence purposes in Rampur, Simla

*468. SHRI VIRBHADRA SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether Government have acquired agricultural land along with dwellings for Defence purposes at Village Jhakri, Tehsil Hampur, District Simla (formerly District Mahasu) in Himachal Pradesh;

(b) whether the affected people have not so far been paid any compensation in spite of repeated representations; and

(c) if so, the reasons for the delay and the steps taken to pay the compensation immediately?

THE MINISTER OF STATE (DEFENCE PRODUCTION) IN THE MINISTRY OF DEFENCE (SHRI VIDYA CHARAN SHUKLA): (a) A total area of 63.23 acres (i.e. 303 Bighas and 11 Biswas) of requisitioned land in village Jhakri, Tehsil Rampur, Distt. Simla has

been sanctioned for acquisition. Out of this, a portion measuring 11 Biswas only has been acquired. Acquisition of the remaining area of 303 Bighas is held up in view of a dispute about its title between the individual claiming ownership and the Government of Himachal Pradesh, pending in the High Court of Judicature, Simla. The matter is thus *sub judice*.

(b) and (c). Compensation for the land measuring 11 Biswas already acquired has been sanctioned. Compensation for the remaining land will be sanctioned as soon as it is acquired after the dispute pending before the Court is disposed of.

SHRI VIRBHADRA SINGH: The reply given by the Minister conveniently ignores the fact that the land in question does not involve any one person but there were a number of persons, small farmers and harijans who were tenants on the land. I would like to know whether it is a fact that pending acquisition, the land and houses in question were requisitioned on rental basis and I want to know whether it is also a fact that a rent of Rs. 6 per bigha has been determined to be paid which is absolutely low and the owners have therefore refused to accept it. If it is so will the Government take steps to enhance this rent in order to make it more just and equitable.

SHRI VIDYA CHARAN SHUKLA: Regarding the first part, I am not contesting his statement. It is a fact that one owner has gone to the High Court. He has brought the entire matter before the High Court making the entire matter *sub judice*. Therefore, even if many persons are involved, if one gentleman takes it before the court, then the whole thing becomes *sub judice*. We cannot therefore take any action unless the matter is disposed of by the High Court. This is the position. Regarding the second part of the question, we will certainly look into it.

SHRI VIRBHADRA SINGH: According to the reply given by the Minister to my question earlier, the acquisition of land has been held up due to a dispute

regarding ownership of the land. There is no such dispute regarding ownership of the houses which were on these lands.

My submission is that many of the houses have since been demolished by the armed forces. So, I want to know whether it is a fact that no compensation has so far been paid for the houses which have been demolished. If it is so, what steps will the Government take to see that at least compensation for the houses which have been demolished is paid to the owners?

SHRI VIDYA CHARAN SHUKLA:

Now the information has been brought to our notice. We shall surely look into it.

Judgment of M/s. T. S. Hariharan under E.P.F. Scheme

*469. **SHRI MD. JAMILURRAHMAN:** Will the Minister of LABOUR be pleased to state:

(a) whether Government are aware that large number of employers are taking advantage of the judgment of M/s T. S. Hariharan under the Employees Provident Fund Scheme so much so that temporary and daily rated employees are not being allowed to be counted towards the figures of twenty persons for the applicability of the E.P.F. Act, 1952;

(b) if so, when the judgment came, the reasons why an appeal was not filed; and

(c) whether Government propose to amend the Act so as to clarify Section 1(3)?

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): The Provident Fund Authorities have intimated as under:—

(a) Doubts about coverage have been reported.

(b) and (c). The Judgment in the matter pronounced on the 1st April, 1971 as by Supreme Court of India. The question of filing and appealing in the matter, therefore, did not arise. On examination of the implications of the

judgment, necessary clarificatory instructions have been issued to all Regional Provident Fund Commissioners. The question of amending the Act in this context is under examination.

श्री मुहम्मद जमीलुर्रहमान : स्पीकर साहब, यह जवाब निहायत ही मुस्तसिर और निहायत ही अनसँटिसफैकरी है। लेकिन जो जवाब दिया गया है, उस के सिलसिले में मैं मोहतरिम वजीर से यह जानना चाहता हूँ कि क्या सुप्रीम कोर्ट के जजमेंट की रोकना में खास तौर से टेम्पोररी और डेजी रेटिड एम्पलाईज के बारे में कोई खास इंस्ट्रक्शन्ज दी गई हैं; अगर हाँ, तो क्या उन पर अमल हो रहा है। जो टेम्पोररी और डेजी रेटिड एम्पलाईज हैं, क्या उन की वेजिज से उन की रकम भी प्रोविडेंट फंड में जमा हो रही है या नहीं ?

SHRI RAGHUNATHA REDDY: Sir, in the context of the judgment pronounced by the Supreme Court of India and the interpretation which the Supreme Court of India has given in respect of the Act, clarifications have been issued by the Provident Fund Authorities. I have got copies of the clarifications given and if the hon. Member wants, I can give the copy of the same to him which are given in the light of the judgment.

श्री मुहम्मद जमीलुर्रहमान : स्पीकर साहब, मेरे सवाल का जवाब नहीं मिला है। मिनिस्टर साहब ने कहा है कि इस एक्ट को एमेंड करने का सवाल अंडर कन्सिडरेशन है। आप देखें कि 1 अप्रैल, 1971 को यह जजमेंट दिया गया था और आज उस बात को करीब ढाई साल हो गये हैं। मैं यह जानना चाहता हूँ कि यह मामला कब तक अंडर कन्सिडरेशन रहेगा। क्या मिनिस्टर साहब कोई निश्चित तारीख दे सकते हैं कि सुप्रीम कोर्ट के जजमेंट की रोकना में इस एक्ट को एमेंड करने के लिए कलां सेशन में एमेंडिंग बिल लाया जायेगा ?