

**SHRI S. M. SOLANKI :** The Minister cannot correctly reply to the questions without personal experience of birth control. May I know from the hon. Minister whether he is having family planning in his family ?

**MR. SPEAKER :** You can talk to him in his office.

**SHRI S. M. SOLANKI :** Let him reply to my question.

**MR. SPEAKER :** I will call both of you to my office.

#### Abolition of Lease-Hold System in Delhi

+

\*544. **SHRI BAL RAJ MADHOK :**  
**SHRI YASHPAL SINGH :**

Will the Minister of HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOPMENT be pleased to state :

(a) whether Government have received a demand from the Delhi Municipal Corporation for abolishing the system of sale of residential plots and houses on leasehold in the Union Territory of Delhi ;

(b) if so, whether Government have considered their demand ; and

(c) by what time a final decision will be taken in this regard ?

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOPMENT (SHRI PARIMAL GHOSH) :** (a) No, Sir, not yet, but it is understood that a resolution on such lines was passed but the minutes are yet to be confirmed.

(b) and (c). Do not arise..

**श्री बलराज मधोक :** अध्यक्ष महोदय, मंत्री महोदय ने अभी मूल प्रश्न के उत्तर में बतलाया कि वह अभी तक उनके पास पहुंची नहीं है तो यह चीज तो सारे पत्रों आदि में छप चुकी है कि दिल्ली म्युनिसिपल कारपोरेशन ने यह प्रस्ताव पास किया है और डी० डी० ए० और मेट्रोपोलिटन काउंसिल ने भी पास किया

है कि दिल्ली के अन्दर जो मकान दिये जाते हैं, जमीनों दी जाती हैं उनकी आप पूरी कीमत कौस्ट आफ प्रोक्वोरमेंट आफ लैंड, कौस्ट आफ डेवलपमेंट ले लेते हैं फिर उसके ऊपर आप 3-4 परसेंट लीज चार्ज करते हैं तो म्युनिसिपल कारपोरेशन, डी० डी० ए० और मेट्रोपोलिटन काउंसिल की मांग है कि जब आप पूरी कीमत ले लेते हैं तो उसके ऊपर किसी प्रकार की लीज लेना ठीक नहीं है और लीज के बगैर फ्रीहोल्ड देना चाहिए। मैं जानना चाहता हूँ कि भारत सरकार की इस पर क्या प्रतिक्रिया है। सरकार का क्या रिसपॉस है ?

**SHRI PARIMAL GHOSH :** I have already said that the resolution, as passed by the Metropolitan Council, has not officially been received by us. But certainly we have received a similar resolution passed by the Delhi Administration in the month of May 1970, more or less on similar lines. The point that the hon. Member has raised here is : what are the reasons for distributing land on leasehold and not on freehold basis ? This point has been considered on several occasions when this system was first introduced. Firstly, from the point of view of social justice it is necessary that when a land is acquired at a low cost for a specific public purpose the ownership also should lie with the government. Secondly, we have considered that it has a restrictive value of controlling the upward trend of land prices because the conditions of transfers are being regulated as per terms and conditions of the lease. Thirdly, we have considered that the legally enforceable agreement will have some restrictive effect on the coming up of bogus co-operative societies. In fact, it is a real danger nowadays that a big pressure is now coming on us by a number of co-operative societies who are co-operative societies merely by name because they do not have the resources for the development of land or for the construction of houses. But the moment a co-operative society is registered it is very difficult for us to say "no" to that kind of co-operative society. A legally enforceable agreement entered into between the party and the government will have considerable effect in controlling that type of things. Fourthly, leasehold agreement also gives the government a certain recurring

income by which the government can augment the municipal amenities and facilities and also subsidise the low income housing scheme. These are some of the considerations. The point raised by the hon. Member is why should the government not consider freehold agreement when the entire value of the land has been taken. After all, the purpose of land acquisition for a specific purpose is certainly not to give freehold to the party, whose intention might be only to take the benefit of the higher value of the land and to get that money by re-sale. That is the main reason for our decision.

**श्री बलराज मधोक :** मंत्री महोदय ने मेरे सवाल का जवाब नहीं दिया, इवेड किया है। पहली बात तो यह है कि मैंने यह नहीं कहा कि सस्ती जमीन लो। जो जमीन ले रहे हैं उसकी मार्केट वैल्यू दे रहे हैं। जिनकी वैल्यू कम थी कोर्ट्स ने उनके बारे में सरकार के खिलाफ डिसीजन दिये हैं। सरकार लोगों को जमीन दे रही है तो मार्केट वैल्यू पर दे रही है। कंसेशनल रेट पर नहीं दे रही है। दूसरी बात उन्होंने कोआपरेटिव्ज की कही। कोआपरेटिव्ज से मुझे कोई मतलब नहीं। दिल्ली में कालोनीज हैं रिहैबिलिटेशन की, कालोनीज हैं डी० डी० ए० की, कारपोरेशन की। सब से अधिक रिहैबिलिटेशन की कोलोनीज हैं। उनके बारे में आप के एश्योरेंसेज हैं। आन दी फ्लोर आफ दि हाउस कि उनको जमीन नो प्राफिट नो लास बेसिस पर दी जायेगी। आप की जो कास्ट है वह आ चुकी है, आप डेवेलपमेंट वगैरह के लिये और कुछ ले लें, हमें कोई आपत्ति नहीं है। लेकिन जब आप ने नो लास नो प्राफिट सारी कास्ट ले ली तब फिर आप के लिए लीज मनी लेने का क्या जस्टिफिकेशन है? क्या यह तथ्य नहीं है कि जो प्लॉट 10 हजार रु० का है उसके ऊपर लीज के रूप में पचास साल में आप 20 हजार रु० चार्ज करेंगे; क्या यह जमीन पर प्राफिटिअरिंग या ब्लैक मार्केटिंग नहीं है? मैं यहाँ पर कोआपरेटिव की बात नहीं कहता लेकिन आपने जो रिहैबिलिटेशन की या डी० डी० ए० की

कालोनीज बनाई उन के बारे में जब आपने कीमत से अधिक ले लिया है तब फिर उनके ऊपर लीज मनी लेने का आपके पास क्या जस्टिफिकेशन है?

**THE MINISTER OF HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOPMENT (SHRI K.K. SHAH) :** The question that my hon. friend is asking has only one side, but there are others who are investing in land and you cannot have one law for one man and another law for another man.

So far as the small income group people are concerned, what they are interested in is security of land and title. We are prepared to give security of title, but there are people who had invested at that time in land. We had given them land 15 or 30 years ago on lease. Meanwhile, prices have shot up. What they had purchased at Rs. 30 or Rs. 40 is today worth Rs. 200 or Rs. 300. Does my hon. friend want all that advantage to be given up by having one law for all of them? If he is only interested in small tenements, one can understand this. That is why we say that we are thinking as to how to secure full title to these small people without giving up the advantage that has accrued to Government.

So far as development is concerned, prices go up from Rs. 50 to Rs. 500 without anything being done by the owners. Why should that benefit go to those rich people and not be utilised for the poor people?

**SHRI BAL RAJ MADHOK :** I never raised the question of big people. I am asking about small tenements that you gave to the refugees and to the low income group people under the DDA. Are you prepared to remove lease money for those small people?

**SHRI K. K. SHAH :** So far as small people are concerned, I have said that I am prepared to secure them the security of land ownership; in what way, whether by giving them 99 years' lease renewable at the end or by some other way is under consideration. But I cannot have one law for one man and another law for another man.

**SHRI BAL RAJ MADHOK :** I am not on the question of security ; security is there. I am asking you about what you charge extra. Why do you charge extra ?

**SHRI K. K. SHAH :** It is not the question of charging extra but of mopping up the future benefits. He is pleading for the vested interests.

**SHRI BAL RAJ MADHOK :** He is pleading for vested interests ; I am pleading for small people. He has made an insinuation. Let him withdraw his words. I am not pleading for vested interests but for small people ; who are in Rs. 100, Rs. 200, Rs. 300 category. I am not pleading for men like you who have vested interest in big business...(*Interruption*). You talk of vested interest being with us. Vested interest is with Shrimati Indira Gandhi and with you. I have never pleaded for the vested interest. You abuse me by talking of my pleading for the vested interest.

**SHRI K. K. SHAH :** If you are not pleading for the vested interest, how can you want one law for one man and another law for another man ?

**SHRI BAL RAJ MADHOK :** I want you to stand by your commitment made in this House of giving land on 'No-profit-no-loss' basis to the refugees.

**SHRI K. K. SHAH :** That I am prepared to do so far as the small man is concerned ; I will secure the title.

**MR. SPEAKER :** The question is for asking information. If you go into argument and counter-arguments...(*Interruption*).

**SHRI RANJEET SINGH :** Why should the Minister make an insinuation that he is working for vested interests ? Do we not know this particular Minister's vested interest ?

**MR. SPEAKER :** Only factual information should be given.

**श्री कंबरल ल गुप्त :** क्या यह सही है कि जो लीज का सिस्टम है उसको आप ज्यादातर इनकम का सोर्स बना रहे हैं क्योंकि

कई केसेज हैं जिनमें दसगुना, बीसगुना या सौगुना लीज एक साल में पूरा किया गया है। उसके बारे में सरकार क्या करेगी ? दूसरी बात यह कि क्या यह सही है कि कोआपरेटिव के पास फ्री-होल्ड जमीन थी, लेकिन उसको भी ऐक्वायर करके गवर्नमेंट ने उसको लीज के साथ कर दिया। अगर ऐसा हुआ है कि जिस कोआपरेटिव के पास फ्री-होल्ड जमीन थी और उसको आप ने ऐक्वायर करके लीज के साथ कर दिया है, तो क्या ऐसा हो सकता है कि आप यह न करें ? क्या यह भी सही है कि छोटे-छोटे झुग्गी वालों या छोटे-छोटे लोगों में से किसी के पास एक साल का किसी के पास दस साल का और किसी के पास तीस साल का लीज है ? क्या सरकार यह ऐश्योर करेगी कि खास तौर से छोटे लोग जो कम वक्त की लीज के या बगैर लीज के हैं उनकी लीज कम-से-कम 99 साल की कर दी जायेगी ?

**श्री के० के० शाह :** मैंने आज नहीं पहले ही कहा है, कोई चुनाव के दिनों में कहे वह अलग बात है, जब आप मुझ से मिले थे तब कहा था कि जब छोटे आदमियों का मामला होता है तब उनसे गवर्नमेंट कोई फायदा नहीं उठाना चाहती है। लेकिन जो प्लॉट आक्शन से बेचे जाते हैं बड़े लोगों को उनके बारे में हम क्या करें इसको हमें सोचना पड़ेगा।

**श्री कंबरलल गुप्त :** मंत्री महोदय ने मेरे सवाल का जबाब नहीं दिया। मेरा कहना है कि आपने किसी को एक साल का लीज दिया हुआ है, किसी को दो साल का दिया हुआ है और किसी को तीस साल का दिया हुआ है। क्या आप उसको 99 साल का कर देंगे और उसको बार-बार नहीं बदलेंगे ?

**श्री के० के० शाह :** पहले 99 साल कर दिया था, लेकिन देने के बाद जब पता लगा कि उनकी बिक्री होती है और उनको बेचकर लोग फायदा उठाते हैं, मुनाफाखोरी करते हैं, अपने लिए नहीं लेते हैं तब हमने लीज को

कम करके उन लोगों से कहा कि अगर कोई उन पर मुनाफा कमायेगा तो उसको गवर्नमेंट को भी उसमें से हिस्सा देना होगा। जो छोटे लोग हैं जैसे कि स्लम एरियाज के हैं, उनसे हमने इस लिए जमीन ऐक्वायर की कि उसको रेगुलराइज कर दें। रेगुलराइज करने के बाद उनको उसकी ओनरशिप दे दें या लांग टर्म की लीज पर दे दें अब हम यह सोच रहे हैं।

**श्री यशपाल सिंह :** कोआपरेटिव के नाम पर जो लूट मार हो गई है और कोआपरेटिव सोसायटी बनाकर जो आदमी 5 रु० गज पर लेकर उसको 200 रु० गज पर बेचते हैं उनके खिलाफ गवर्नमेंट की तरफ से क्या ऐक्शन लिया गया है ?

**श्री के० के० शाह :** माननीय सदस्य का कहना ठीक है। आउटराइट सेल का जो अधिकार है जिसका उपयोग करके लोग मुनाफा-खोरी करते हैं, उसको रोकने के लिए और छोटे लोगों की देखभाल करने के लिए हम लोग तैयार हैं।

**SHRI PILOO MODY :** Wouldn't you allow an Architect to ask a question ?

**MR. SPEAKER :** Yes.

**SHRI PILOO MODY :** All the arguments advanced are rather fallacious. First of all, the property that was bought for Rs. 5 or Rs. 10 sq. yard is today being sold for Rs. 200 a sq. yard. The fellow who had the property all these years has made his profit. Now over and above that, the Government is asking for a lease rent on the property at the enhanced price. That means the Government is also making a profit. The only person who has been victimised in this transaction is the new purchaser. If this is the method by which the Government is thinking that it is going to control the prices of land, I think, it is time they stopped thinking of that.

**SHRI K. K. SHAH :** So far as the new purchaser is concerned, he purchases land

at the market rate. Now, the market rate which has increased on account of no effort on the part of the purchaser.....

**SHRI PILOO MODY :** What do you mean by "no effort"?....."except that he has invested money". Your salary has increased. What effort have you put in ?

**SHRI K. K. SHAH :** That is a different question.

**SHRI PILOO MODI :** There is economic mismanagement and that is why that price have gone up. And you talk about effort and all that.

**MR. SPEAKER :** Mr. Pilooy Mody, your work starts when the land is completely ready.

#### Rehabilitation of Retired Short Service Commissioned Officers

\*545. **SHRI RAM SWARUP VIDYARTHI :** Will the Minister of DEFENCE be pleased to state :

(a) the number of Commissioned Officers (Short Service) who have been retired after Pakistan attack ;

(b) how many out of them have been employed on alternate jobs ;

(c) the number of such persons still without any employment ; and

(d) whether there is any proposal to absorb them ; if so, the details thereof, and if not, the reasons therefor ?

**THE MINISTER OF DEFENCE (SHRI JAGJIWAN RAM) :** (a) to (d). A statement is laid on the Table of the House.

#### Statement

(a) 709 Short Service Commissioned Officers in the Armed Forces were released after 1.10.65. The break-up is given